

Minutes of the March 18, 2019 Regular Meeting of the Planning Board

WELLESLEY PLANNING BOARD

MONDAY, MARCH 18, 2019, 6:30 P.M.

TOWN HALL – GREAT HALL

MINUTES

The Planning Board guides the Town of Wellesley in preserving and enhancing Wellesley's quality of life by fostering a diverse housing stock, multi-modal transportation options, valuable natural resources, resilient infrastructure, and a thriving local economy. The Planning Board achieves these goals through the creation and implementation of Zoning Bylaws, policies, long-term planning and by promoting citizen participation in the planning process.

Planning Board Present: Chair Catherine Johnson, Vice-Chair Jim Roberti, Secretary Kathleen Woodward, and Patricia Mallett.

Planning Board Absent: Frank Pinto and Associate Member Sheila Olson.

Staff Present: Interim Planning Director Victor Panak

1. **Call to Order**

Ms. Johnson called the meeting to order at 6:30 p.m.

2. **Public Comments on Matters Not on the Agenda**

There were no public comments on matters not on the agenda.

3. **Continued/Previous Applications and/or Public Hearings**

Materials distributed to, and considered by the Planning Board regarding this agenda item are retained with the official set of minutes available at the Planning Department Office.

a. Consider LHR 18-17 Large House Review for 11 Pilgrim Circle – *Cont'd from 2/19/19*

Mr. Panak stated that the action deadline for the project is extended to April 3, 2019 and the applicant has accepted the extension.

Mr. Roberti motioned to continue the LHR 18-17 Large House Review for 11 Pilgrim Circle to April 3, 2019 with the understanding that the action deadline on this matter is also going to be continued to April 3, 2019, which the applicant has accepted. Ms. Mallett seconded the motion. The Board voted unanimously (3-0) to approve the motion.

b. Consider LHR 19-01 Large House Review for 26 Oakridge Road – *Cont'd from 3/7/19*

Mr. Panak stated that the action deadline for the case is April 3, 2019.

Mr. Roberti motioned to continue the LHR 19-01 Large House Review for 26 Oakridge Road to April 3, 2019. Ms. Mallet seconded the motion. The Board voted unanimously (3-0) to approve the motion.

c. Review of Adequacy for 21 Morses Pond Road – Confirm Satisfactory Completion of Required Work and Consider Release of Escrow.

Mr. Panak detailed that this review of Adequacy case dates back to 2005 and the Board had approved an assignment of bond in the amount of \$5,760.00 for a series of improvements to the roadway. He stated that the Board approved the assignment in 2005 and was reviewed in 2007 when it was reduced by \$700.00 and another reduction in 2007 for a total of \$2,789.00. There was consultation with the Engineering Division who concurred that the work was properly completed. On February 28, 2019 George Saraceno of the Engineering Department confirmed that all the required improvements to the roadway were completed and that any remaining funds should be returned to the applicant Kien Ho.

Ms. Woodward entered the meeting at approximately 7:15 p.m.

Ms. Johnson asked why the return of monies in escrow took so long. Mr. Panak replied that he did not know why it took so long to return the funds.

Mr. Roberti moved to release the bond funds and the work has been completed to the satisfaction of the Engineering Department for the Review of Adequacy for 21 Morses Pond Road – PID# 201-38 in the amount of \$2,789.00 Ms. Woodward seconded the motion. The Board voted unanimously (4-0) to approve the motion.

d. Discuss Chapter 40B Application for Preliminary Site Eligibility at 136-140 Worcester Street and Town's Response Letter

Mr. Panak stated that he did not see a 40B project go through the Wetlands Commission.

Mr. Roberti mentioned that the Wetlands Protection Act is administered by DEP and those regulations must be followed whether it is a 40B project or not. He stated that the developer/applicant was seeking to determine if he could build within the 25 foot buffer zone. Mr. Roberti commented that would be very unlikely.

Ms. Johnson mentioned that the barn/garage on the property is within the 25 foot buffer zone, but was constructed many years ago. Ms. Johnson added that the applicant might reduce the scope of the project but the application had already been submitted.

Ms. Woodward mentioned the inconsistency regarding the documented density/proximity to other neighborhoods language as noted in the letter from the Wellesley Board of Selectmen to Katherine Miller of MassHousing dated March 15, 2019. She indicated improved language must be presented in that paragraph. Mr. Roberti was in agreement.

With regard to Wetlands, Ms. Woodward referred to the 200' river area as mentioned in the letter.

Ms. Woodward stated that the reason she arrived a bit late to this meeting was that she attempted the Rte. 9 turnaround, and crossed two lanes from the proposed project. She concluded that it

would be almost impossible to go from that property, cross two lanes and then try to turnaround. She suggested language that should state that this would create a traffic hazard. Related group discussion took place.

Ms. Woodward commented that she is not an expert regarding retaining walls and read that proposed retaining walls would be in a wetland area and had structural concerns. She indicated that she was very concerned about construction management and heavy equipment (maintenance, fluids and tracking of sediment on a property right next to the wetlands with environmental implications.

Ms. Woodward stated that the letter was good and indicated that the application should be denied again.

Ms. Johnson commented that circulation on site does not work since access from one level of the parking garage cannot be accessible from the other level and the access is achieved by going outside the garage. Ms. Johnson felt that this aspect was not logical.

Mr. Roberti left the meeting at approximately 6:50 p.m.

Ms. Mallett echoed the comments of both Ms. Johnson and Ms. Woodward and emphasized that any construction management plan would be very difficult. She detailed various problematic aspects regarding a construction management plan.

Ms. Johnson noted that there are some similar problems associated with the proposed 680 Worcester Street and the fire and emergency access. The Board discussed the aspect of the property being on a private way and the surrounding area.

4. Old Business

- a. Discuss Motions for Planning Board Sponsored Articles for 2019 Annual Town Meeting (Articles 29, 30, 31, 32, 33 and 34).

Mr. Panak detailed the latest/red-lined revisions to the latest motions for the Planning Board's Zoning Articles for the 2019 Annual Town Meeting. He noted that the most significant change appeared in Article 29 where Town Counsel added the phrase: "to apply the aforementioned Arabic numbering system to all Zoning Bylaw amendments adopted at this Town Meeting." He detailed that Article 29 would be presented after Articles 30, 31 and 32; with Article 29 applying to previous articles as well as to the rest of the zoning bylaw.

- b. Discuss Board Reports, Recommendations and Presentations for 2019 Annual Town Meeting Zoning Articles.

Ms. Johnson announced the schedule for Town Meeting Members Prep Sessions and added that she would be present at these two sessions, adding that this was the last Board meeting before Town Meeting. She asked members if they might be able to attend a special meeting of the Planning Board before Town Meeting on Monday evening before Town Meeting to review presentations and sign appropriate reports. Mr. Panak and members agreed with such meeting. Various presentation assignments were made.

5. Other Business

a. Discuss Potential Change to State Building Code Related to NetZero Building Standards

Ms. Johnson distributed material regarding three-year change in building codes next fall. She provided detail regarding the implementation of Net Zero Building Standards for Town and private building projects.

Ms. Johnson provided narrative regarding Net Zero Building Standards. She noted that Mr. Grant, the Town Building Inspector, is leading the program, as is NRC and associated cost for forming an interested group is \$135.00 and must be on paper by March 29, 2019. Ms. Johnson suggested that Mr. Panak should be the lead person for the Planning Board and over the course of the summer other Planning Board members could join in that leadership.

b. Planning Director's Report

Ms. Johnson stated that she amended the Board's Appointment letter of Mr. Panak as Interim Planning Director and would submit it to K.C. Kato, Town Clerk.

Ms. Johnson detailed that she would be meeting with the Town Human Resource director on Wednesday to discuss the applicants for Planning Director, Jeanette's bonus stipend, Claudia's maternity leave and hiring an intern to help with staffing. She noted that there are a couple of applicants to fill the role of recording secretary to complete Board minutes.

Mr. Panak provided a brief update regarding the Wellesley Office Park project and detailed that DHCD (Department of Housing and Community Development) is reviewing the application submitted by the Planning Department. The Board of Selectmen are including the associated zoning warrant at this evenings meeting. He referred to the Town website link which addresses the process, attachments to the preliminary application and status. The link also includes relevant presentations made over the past several months.

Mr. Panak provided the Board with the Smart Growth Overlay Districts Draft document dated February 11, 2019 as submitted to DHCD. Mr. Panak stated that he would expect that DHCD would respond to the Smart Growth Overlay submission and would take longer to approve the application for the Wellesley Office Park preliminary application.

Ms. Johnson recommended that the Development Agreement be reviewed on the link to ensure that there is a match with Town zoning developments. Mr. Panak responded that throughout the process he has been reviewing and checking that aspect. He detailed various specifics.

Ms. Johnson inquired about the Delanson project status in regarding to zoning preparations. Mr. Panak replied that the Development Agreement is in negotiation with the Board of Selectmen at this time. Related discussion took place.

There being no further business, Ms. Johnson adjourned the meeting at approximately 7:30 p.m.

Next Meeting: March 25, 2019

Minutes Approved: August 5, 2019

Victor Panak,
Interim Planning Director