



ZONING BOARD OF APPEALS

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TELEPHONE
(781) 431-1019 EXT. 2208

WALTER B. ADAMS
DEREK B. REDGATE
RICHARD L. SEEDEL

March 18, 2021

7:30 pm

Remote Public Hearing

Zoning Board of Appeals Members Present: J. Randolph Becker
Richard L. Seegel
Walter B. Adams

ZBA 2021-23, DELANSON REALTY PARTNERS LLC, 1-3, 2-4, 5-7, 6-6A, 8 DELANSON CIRCLE & 12-14, 16-18 HOLLIS STREET

Present on behalf of the Applicant were Nick Ogonowsky, Dartagnan Brown, Susan Spratt, Kray Small, Aaron Honsaker, Patrick Flaherty, John Herson, Ryan Noone, AJ Jenkins, Katya Podsiadio, and Cora Pesaturo.

Mr. Becker said that the request before the Board is for Site Plan Approval pursuant to Section 16A of the Zoning Bylaw for a project at the corner of Linden Street and Hollis Street. He said that it was previously before the Board as a Comprehensive Permit pursuant to Chapter 40B of M.G.L. He said that the rules for operating the hearing are different for this hearing because they are controlled by local rules, not by State rules.

Mr. Becker discussed the format of the hearing.

Mr. Ogonowsky, Trax Development, thanked all the boards and departments for working with them throughout the process. He thanked the neighbors and abutters and residents of the town. He said that they have had constant communication with the direct neighbors via emails and multiple site walks. He said that each of them has his cell phone number.

Mr. Ogonowsky described the development team. He said that Embarc is the architect, Verdant is the landscape architect, McKenzie Engineering is the civil engineer, Vanasse & Associates is the traffic engineer, Rise Construction is the construction manager, WBA engineers is the MEP engineer, Kray Small is the arborist, and Park Plus is the parking stacker.

Mr. Brown said that they worked closely with George Saraceno, Town Engineer. Don McCauley, Planning Director and Meghan Jop, Executive Director. He said that in May of 2019, the project went through Town Meeting for work on rezoning through the warrant articles of all of the land which is made up of seven

parcels. He said that is all under a Residential Incentive Overlay. He said that they have been able to push off the 40B, which was a huge step in the right direction with 133 families in the College Heights group. He said that they worked closely with five of them.

Mr. Brown said that all of what will be presented tonight is compliant with the bylaw and the RIO. He said that they will not be asking for any waivers. He said that they will respond to all of Mr. Saraceno's comments. He said that there is nothing in the list that they cannot do.

Mr. Brown displayed and discussed the Application for Site Plan Approval plans that include charts for compliance and breakdown of the units. He said that this proposal is for 35 units of home ownership, which is favored by the neighbors rather than the 90 units of rental units and transient population. He discussed orientation of the site, repaving of Hollis Street and new six foot sidewalk up to Westerly Street. He said that two homes on Hollis Street that are part of development will be affordable units. He said that the 81-X perimeter plan encompasses all of the buildings. He said that the affordable units will have full access to the main building but will not be subject to condo fees.

Mr. Brown said that they spent a lot of time with the abutters on Oakencroft Road to work on issues concerning water runoff, curbing, and a water management system on the site.

Mr. Brown displayed photos of the Linden and Hollis Streets neighborhood.

Mr. Brown said that they spent a lot of time with the town and utility companies to remove all of the overhead utility lines from the far left of the site to Hollis Street and the whole approach to Linden Square.

Mr. Brown displayed the elevation drawings and discussed the landscape plaza at the corner of Linden and Hollis Streets, a 15 minute drop off spot on Hollis Street, transit display in the lobby of the building and three levels of residential space. He said that there is a 40 foot increase from Linden Street to the back, which has allowed them to tuck in the residential parking. He said that they worked with the Fire Department for full compliance with fire and life safety access.

Mr. Becker asked if the planting beds are retaining walls. Mr. Brown said that there will be a combination of retaining fieldstone benches. He displayed Planting Plan, L1. He described two grand staircases up to the entry plaza, handicapped accessibility to the front doors, respite benches incorporated in the fieldstone wall, and amenity space on the front façade. He said that they will be repaving, restriping and redoing the landscaping around 12 to 18 Hollis Street. He described visitor parking spaces, handicapped parking spaces inside and outside of the building, full fire lane access to the back, turnaround, landscaped courtyard, sections of natural rock that form retaining walls, retention of mature trees on the west side, strong buffer to the building for the abutters, fund that will allow for planting, screening and fencing that has been coordinated with the abutters. He said that the detention area will deal with water that runs off from Crest and Oakencroft Roads. He said that there is a full path that allows for access to it. He said that all of the retaining walls have been designed to be compliant with the bylaw.

Mr. Brown displayed progress sheets through the permitting process. He said that Plan AO1-A tracked the changes made in response to the Design Review process. He said that Sheet B represents changes made during the PSI process. He said that the last list of changes goes back to Site Plan Review. He discussed compliance with the Residential Overlay District, offset of entry drive from the Tailby Lot, setback dimensions, transformer pads, and on-site snow storage.

Mr. Brown discussed the garage plan. He said that it was cut with the grade. He discussed three handicapped spaces as you come into the building, EV surface spots, generator room, utility/trash/compactor/recycle, service elevator, amenity space, and semi-automated stacker system that was vetted with the Fire Department.

Mr. Brown discussed the layout of the building. He discussed setbacks on the building in response to neighbors' concerns for privacy. He discussed green roofs. He said that as part of the Development Agreement, they can have up to 1500 square feet of private roof decks, all public facing on Linden and Hollis Streets, with heavy screening for acoustics and decks. He said that they will not be visible from the abutting homes.

Mr. Brown discussed the building elevations, including height compliance, town house style elements, modern aesthetic, blending with character of Hollis and Linden Streets, proposed building materials, and geotechnical shaped design of the project.

Mr. Brown discussed restoration of the homes on Hollis Street, including new paving and a new six foot wide sidewalk. He discussed heights and grading.

Ms. Podsiadio, Verdant Landscape, discussed the entry at Hollis and Linden Streets, common amenity space on the first floor level, terraced plant beds from the retaining walls, drop off space on Hollis Street, stepped planters, ramp, two grand staircases to the main landing, layered planting design approach, accessibility from Hollis and Linden Streets, dog wash & bike rooms, paving, multiple benches at the public sidewalk, two rows of shade trees, shrubs, understory, lawn area, differentiation of planting for Linden Street versus Hollis Street, topography and retaining walls, interior courtyard space, shared and private patios, pergola, emergency lane and checkered lawn paving system, roof plans, private decks on Linden and Hollis Streets, green roofs over the first and second floor roofs, planting plan on the roof, tree replanting plan, hardscape details and style of wall materials.

Ms. Spratt, McKenzie Engineering, discussed existing conditions, site demolition, slope from Oakencroft Road to the intersection of Linden and Hollis Streets, boring plan, ledge encountered, site layout plan, reconstruction of Hollis Street to uniform width of 18 feet from Linden Street up to Westerly Street, new sidewalk, new crosswalk and flashing beacon on both sides to access the Tailby Lot, two temporary spaces on Hollis Street, long enough for two SUV's, entrance to parking garage off of Linden Street, access off of Hollis Street for eight visitor spaces, transformer side and back of the building, grading and drainage -three stormwater management systems to mitigate runoff from Oakencroft Road, outlet control structure and overflow pipe into the landscaped bed area in between the two retaining walls, weep holes at the base, outflow to the courtyard and captured by a catch basin in the center of the back courtyard, subsurface system at the drive aisle at the back, overflow that will tie into a proposed closed drainage system that will run down the side of the building that faces Hollis Street and eventually tie into the existing closed system on Linden Street, outlet control structure that will tie into the existing drainage system on Linden Street, roof drainage collection and piping into two subsurface systems, and internal roof drains.

Mr. Becker asked about the depression in the northwest corner. He confirmed that it is not intended to recharge groundwater but is for overflow between the two walls. He asked about stormwater from 12 to 18 Hollis Street. Ms. Spratt said that part of it will be captured in the system in that location, which is overflow onto Hollis Street and down. She said that they are looking into providing two catch basins along Hollis Street to capture the runoff from units 12-18. She said that as part of the PSI, they will upgrade two existing catch basins at the intersection of Linden and Hollis Streets, and replacement with precast four foot diameter

concrete catch basins with four foot sumps, TSS and phosphorous removal, upflow filter system, utility connection plan, replacement of six inch water main on Hollis Street with an eight inch, new fire hydrant located at access drive, removal of existing hydrant at Hollis and Linden Streets, eight inch fire and four inch domestic water connections, sewer connection, oil and water separator for the garage drainage, second hydrant left of the garage on Linden Street, plan and profile views of proposed drainage, and turning movement plans.

Mr. Seegel asked about rubbish removal. Ms. Spratt said that is at grade. She said that the only vehicles that will go below grade are passenger cars. Mr. Brown discussed the transformer, the service elevator and loading area. He discussed the garage level, separate refuse and recycle room, compactors and service elevator. He said that a private management company will take the carts up and pull them out for pick up. Mr. Seegel confirmed that the trash truck will not go into the parking garage. Mr. Becker said that it is shown on Plan A11.

Mr. Seegel asked about ambulance access. Mr. Brown said that multiple emergency vehicles can be accommodated at various surface spaces. Ms. Spratt said that access goes all the way to the back of the building.

Mr. Seegel asked how many people will be working in the building for the landlord. Mr. Brown said that there will be concierge service and someone there to receive mail and deliveries. He said that maintenance will be part of condominium management. He said that there will be one dedicated person on the property. Mr. Seegel confirmed that the main building will be condominiums. Mr. Brown said that it will be a 35 unit condominium building.

Ms. Spratt displayed detail sheets that show compliance with the Town's standards. She displayed the Sedimentation Control Plan, exit onto Hollis Street, exit onto Linden Street, and tree protection and mitigation plans.

Mr. Becker said that the Existing Conditions Plan shows an area of 61,674 square feet. He said that he did not find the land area for Hollis Street. Mr. Ogonowsky said that is 20,000 square feet. Mr. Becker said that in the Development Agreement, there is a series of deeds that are for the Delanson Circle properties. Ms. Spratt said that the two lots on Hollis Street have been de-registered. Mr. Brown said that they have a survey that shows the area of the lots at 20,000 square feet.

Mr. Becker said that most of the documents are oriented strongly toward the 35 unit building. He confirmed that the permit is intended to cover all of the property on Linden and Hollis Streets and all of the RIO requirements apply to the two properties on Hollis Street as well as to the main property on Linden Street. Mr. Brown displayed the 81-X plan of the property. He said that 81,774 square feet is within the perimeter.

Mr. Becker said that the long retaining wall on the west and north appears to be compliant with setbacks. He asked about the walls on Hollis Street that are planting beds. He said that if they are treated as retaining walls, they are treated differently than if they are planting beds. He asked about the heights of those walls. Mr. Brown said that they spent a lot of time to make sure that they are compliant. Mr. Noone, Embarc, discussed Plans L1 and L2. He said that they are sloped walls with grade that are meant strictly as planting beds. He said that the height varies from 18 inches to two feet. He said that they are terraced up to the building.

Mr. Hernon, Riser Construction, discussed the Construction Management Plan (CMP). He said that they worked with various town departments to make improvements to the plan. He discussed truck circulation on the site, coordination with Sergeant Showstead, Wellesley Police Department, 9 am to 2 pm deliveries, police detail, four weeks of ledge removal, exporting ledge off of the site, excavators, construction of retaining wall to establish the perimeter, phasing in site utilities and drainage, two phases for foundations work, three month podium construction phase including steel erection, concrete decks and wood framing, location of mobile crane, truck deliveries routes, materials lay down, eight months for completion of exterior façade of the building using boom lifts, interior finish work, minimal impacts to the neighborhood, signage, construction entrances and asphalt berms, utilities stages and request from Police Department to work at night, maneuver plans to get trucks on and off the site throughout the different phases, construction traffic route to the site, construction worker parking, use of the Tailby Lot, identification of three other lots within a mile of the site to make arrangements for off-site parking and transportation to the site.

Mr. Brown discussed George Saraceno's memo. He said that all of the comments in the memo were things that they were either aware of, already incorporated and will agree to incorporate in the submission to the Building Department. He displayed responses to Mr. Saraceno's comments.

Mr. Saraceno discussed outstanding issues for Wellesley DPW. He discussed adding drainage on Hollis Street with a couple of catch basins. He said that DPW was not quite finished reviewing the landscape plans. He asked about the status of agreements with Comcast and Verizon regarding the utility poles. He said that the generator in the basement is good. He said that there should be an electric easement plan for the MLP for access to the transformer.

Mr. Becker asked Mr. Hernon to describe what happens to visitors to the site through the various phases, what happens to field non-manual and manual labor for parking. Mr. Hernon said that they anticipate approximately 40 to 60 on the site at the peak of construction. He said that many will be carpooling, so there will be approximately 20 to 30 vehicles. He said that in their discussions with the Police Department, the Police thought that the Tailby Lot could accommodate the flow. He said that should that become an issue, there are provisions in place to park at the Wellesley College parking garage and shuttling people back and forth.

Mr. Becker asked about use of parking spaces in the building while it is under construction. Mr. Hernon said that they cannot park cars there until they have a Certificate of Occupancy.

Mr. Becker said that the difficulty with the Tailby Lot is that the Board has never allowed use of public space. He said that typically the Board wanted to avoid competing uses with shoppers and commuters. He said that, given Covid-19, the Board will take the proposal to use the Tailby Lot into consideration. Mr. Brown said that they reached out to three other locations. He said that they do not want to burden the streets and the neighbors. He said that they have a deliberately put together team that understands and knows how to act in neighborhoods. He said that they are prepared to take on additional costs for shuttling their workers to and from the site.

Mr. Seegel congratulated the development team on a wonderful package and presentation. Mr. Adams said that it is a terrific improvement over the original design.

Mr. Becker asked about communication with the town with respect to construction management. He asked about letting the public know ahead of time about work at night or other big events. Mr. Brown said that the members of the development team have all given their phone numbers to the abutters and are happy to do

that with the town. He said that the team has done many projects together and have a rapport as far as management. He said that they can prepare schedules and post them where the town asks them to. He said that typically put the entire team's contact database for neighbors. He said that they can send a distribution list to the town. He said that they worked closely with the abutters.

Mr. Becker said that there will be controlled blasting for ledge removal. He said that a plan was submitted for that. Mr. Adams said that with controlled blasting, the key is to let all the abutters and abutters to abutters know about the availability for free inspection to provide protection in the event that there is damage as a result of the blasting. Mr. Brown said that they already had that conversation with the abutters and offered pre-inspection. He said that they will have seismic monitoring equipment on site as well. Mr. Adams said that the developer should communicate directly with the abutters in a timely manner so that they know when the activities will take place and for how long. Mr. Brown said that they made significant changes to the underpinnings of the building and retaining walls to minimize all of that. He said that they have done a lot of mapping to shape around it. Mr. Becker said that controlled blasting is controlled by 527 CMR1, State Law. He said that the Fire Department is the implementing agency. He said that controlled blasting is not covered in the Zoning Bylaw. He said that the Board has to be aware of the impacts, given the location of the site in the midst of downtown Wellesley. Mr. Herson said that they offered automated fax or emails prior to each blast to any member of the public.

Mr. Becker asked if any member of the public wished to speak to the petition.

Phyllis Theermann, 13 Aberdeen Road, asked about sustainability practices. She said that the town passed bylaws for sustainability and lowering greenhouse gases. Mr. Noone said that they are working with a consultant who has produced a draft workbook that puts the project between LEED silver and LEED gold, which is something that they will continue to design and develop for. He said that beyond USGBC credentials, they will have a high performance envelope, high performance windows, green roofs and landscaping approach with native species, 12 EV car charging stations, and all electric heating and cooling. He said that they are looking into an efficient split system that can be individually controlled.

M. Theermann asked if there was any chance for solar and net zero. Mr. Brown said that they discussed solar. He said that because of the topography and the homes on Oakencroft Road being higher than the property, they did not want solar panels reflecting onto the abutting properties. Mr. Noone said that if the technology ever changes, they are sizing the roof trusses on the building to be able to hold solar panels. He said that the roof will be weighted so that they can potentially adapt to solar if the technology changes and they can get rid of the glare effect.

Ms. Theermann asked about net zero. Mr. Noone said that net zero is not something that they have set their sights on. He said that they are comfortably at LEED silver and are trying hard to get to gold, which is something they believe that they can achieve.

Mr. Becker discussed going forward. Mr. Seegel said that one more meeting should be sufficient. Mr. Adams said that it sounds like there should be a little more discussion with DPW. He said that the development team has done its homework and has reached out to neighbors and the town. Mr. Becker said that it will have to be figured out how the tiered retaining walls fit under the bylaw. He said that he anticipated the need for one more hearing and a business meeting. He said that the submittal documents contained a lot of details that answered questions before they were asked.

Mr. Becker said that there may be further discussion about the CMP but communication, responsibility for parking, and retaining walls were the principal issues.

Mr. Adams said that DPW picked up on the issue of drainage from the Hollis Street properties. He said that the street was not designed to accommodate it. Mr. Becker said that most of the documentation in the submittal package concerned the main property, not the Hollis Street properties. He said that it is not clear what the renovations to the buildings on Hollis Street will be and what the impacts will be on the surrounding area. Mr. Brown said that four existing units will get all new kitchens, appliances, bathrooms in the same spot. He said that the exterior will be fully resided and new windows will be installed. He said that they will make a narrative on this. He said that there will be a full exterior restoration with all new architectural shingle roofing, new siding and windows, landscaping and paving. He said that inside will be all new appliances, fixtures, plumbing, door hardware and new flooring.

Mr. Seegel discussed a clause in the master deed for no basketball hoops. Mr. Ogonowsky said that they have since collapsed the condominium association and de-registered the land. He said that they will fold all of the land into the main condominium association. Mr. Seegel said that the Board has not seen the condominium association documents. Mr. Ogonowsky said that the documents will probably be provided in the next year. Mr. Brown said that their team of lawyers is working on that.

Mr. Seegel moved, Mr. Adams seconded the motion, and the Board voted unanimously to continue the hearing to April 6, 2021.

Mr. Adams voted aye.

Mr. Seegel voted aye.

Mr. Becker voted aye.

As there was no further business to come before the Board, the hearing was adjourned at 9:36 pm.

Respectfully submitted,

Lenore R. Mahoney
Executive Secretary