

Minutes of the April 24, 2019 Regular Meeting of the Planning Board

WELLESLEY PLANNING BOARD

WEDNESDAY, APRIL 24, 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, Patricia Mallett, 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 – Citizen Speak**

Resident Marla Robinson, 33 Windsor Road, provided comment regarding the 38 Windsor Road construction project which is included on the May 6th Planning Board Public Hearing when she will be out of the country. She cited that she will be sending her written comments regarding 33 Windsor to be included at the May 6th meeting. Stated that as an abutter, she had concerns about the LHR application for 38 Windsor Road. She detailed that the developer has appealed the decision of the Wellesley Historical Commission and will return to that Commission on May 15 for a continued Historical Commission meeting. She detailed that the applicant will appear at the Design Review Board (DRB) meeting this evening.

Ms. Robinson stated that her primary concerns deal with the size and setting of the house including a very large 3-car garage, which is very close to the road and not in keeping with the neighborhood. She expressed concern about the height of the house and tree removal (including 24 trees in the resource area). She indicated that the project had the approval of the Wetlands Commission.

As a resident and Town Meeting Member, Ms. Robinson asked the Board to review the tree bylaw for the Town. She indicated that the removal of some 40 trees (even with some replacement) does not compensate for the extreme tree removal affects, namely the water aspect, wind tunneling affect and depletion of Co2.

Ms. Woodward encouraged that if other neighbors are interested in this project, they should attend the related meetings. Ms. Robinson replied that she would make sure they are present.

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 19-01 Large House Review for 26 Oakridge Road –*Cont'd from April 3, 2019*

Mr. Panak stated that the applicant has requested a continuance to the Boards May 6th meeting and acknowledged that the continuance would extend the action deadline to that date as well.

Mr. Roberti motioned to continue the LHR 19-01 Large House Review for 26 Oakridge Road to May 6, 2019 and understand that the action deadline has been extended by the applicant via e-mail to Victor Panak which extends the deadline to May 6, 2019 as well. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

b. Consider LHR 19-04 Large House Review for 8 Riverdale Road – *Cont'd from April 3, 2019*

Present: President: Attorney David Himmelberger of Wilder, Shea & Himmelberger, LLP; Michael Collins, Architect of D. Michael Collins Architects; Richard Cohen of WKC Sudbury Crossing, LLC, owner

Mr. Himmelberger provided update since the last meeting on April 3, 2019; including minor issues from the DPW and the Planning Board which the applicant has since included:

- A Construction Management Plan.
- Milling of Utility Trench
- HydroCAD for 100-year Storm

Ms. Johnson applauded Mr. Collins on the effective cottage-style plan used. She asked about the periodic inspection of a discharge pipe. Mr. Collins replied that the stormwater professional was not present and he indicated “clean-outs” could be examined and “roto-rootered” if necessary.

Ms. Johnson noted that under the maintenance plan there is reference that owner must keep inspection reports for several years, but does not have to submit those reports to engineering. She asked if a reporting tickler file could be implemented and if the property were sold, this information would be passed to the new owner. Mr. Collins replied that the administrative process is handled in the same fashion as septic system maintenance.

Ms. Woodward commented she would like to see more of this type housing built in Town.

Mr. Roberti moved to approve LHR 19-04 Large House Review for 8 Riverdale Road subject to the usual conditions as well as the condition that the applicant satisfy the revisions that were stated in George Saracenos’ memo from March 21, 2019 and April 24, 2019. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

Ms. Johnson suggested that the Board could be part of an informational session with Town Engineering regarding best practices regarding stormwater scheduling/reporting. Ms. Woodward added that the reporting could be handled much like the companies that manage the sprinkler

systems. She added that the term “periodic maintenance” should be more specific. Mr. Panak commented that the Town has a basic standard condition for Large House decisions that must be submitted to the Town Engineer on a yearly basis and a required Operation Maintenance Plan essential to any Stormwater Management Report. He provided process detail.

Mr. Pinto asked if the owners could submit the annual reports. Mr. Panak responded that owners could submit such reports themselves but areas of the report review require professional engineering aptitude. Further discussion took place. Ms. Mallett noted that applicants who are involved with the Large House applications, have the resources for professional periodic stormwater maintenance reporting. Ms. Woodward volunteered to research available resources for such reporting.

4. New 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. PBC-19-01 – ANR Plan for Sheffield Road

Present: David Humphrey, Surveyor at DGT Associates

Mr. Panak explained the ANR reflects two existing parcels being divided into four different parcels and convey those parcels to neighboring owners. He stressed that the four parcels to be created are not separate building lots under current zoning bylaw.

Ms. Johnson indicated that she hoped this might be the last such division.

Mr. Humphrey stated that he has included revisions as requested by Mr. Panak.

Mr. Roberti inquired about the current ownership. Mr. Humphrey responded the land was proposed to be a road years ago, but is a right-of-way currently and owned by Sheffield Road Nominee Trust. Mr. Humphrey provided further detail.

Ms. Woodward inquired about one of the parcels to be conveyed. Clear explanation was provided.

Mr. Roberti motioned to endorse the ANR for Sheffield Road PBC-19-01. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

b. Review and Issue Recommendations for May 2, 2019 ZBA Cases

52 Emerson Road – Case #2019-39

Mr. Panak stated that the applicant requested special permit for the modification of a pre-existing nonconforming structure including a rear two-story addition. He added that staff recommended ZBA approval as requested.

Ms. Johnson confirmed that the Board was fine with that case.

300 Linden Street – Case #2019-40

Mr. Panak stated that the case presented requests special permit for the modification of a pre-existing nonconforming structure including a side two-story addition.

Mr. Roberti requested display of the site plan. Mr. Panak provided site plan overhead.

Ms. Woodward asked about the intersecting street. Mr. Panak responded - Wall Street.

Ms. Johnson commented that she had issue with this proposal because the report stated that the plan was more detrimental to the neighborhood than the existing structure. She also commented that the gabled garage is larger than the main box of the house and considerably taller. She indicated that the rendering resembled two structures (boxes) being pushed together with no windows on the back of the garage.

Ms. Woodward requested recusing herself because she knows the owners.

Ms. Johnson stated that the staff recommendation wording needed to be changed.

Mr. Pinto commented that he knows the property well and noted that the proposed addition would be in very close proximity to a fence so the absence of windows would be more noticeable on the second floor of the garage.

Ms. Johnson mentioned that the proposed plans had to go before the DRB.

Ms. Mallett commented that there was no consistency between the house and the attached garage.

Mr. Pinto stated that he agreed with Board comments and added that this plan would present to ZBA who probably had the same impression; but would not go before DRB.

Ms. Johnson suggested continuance of the case rather than denial and recommended that the applicant modify the plans to include: coordinate the size of the house and the garage by reducing the size and height of the garage wing and roofing and add windows to the second floor rear of the garage.

24 Colby Road – Case# 2019-41

Mr. Panak detailed the request for modification of a variance for an addition within left and right side setbacks. He added that the variance was granted in 1953 based on the thinness of the lot. He commented that staff recommended modification of variance on the same grounds.

Mr. Roberti asked what is being proposed. Mr. Panak indicated that an addition is being requested.

Mr. Pinto asked to see an elevation rendering of that addition. Mr. Panak pointed out those overhead elevations.

Ms. Johnson stated that she was familiar with the house and added that the existing house could use some extra space. She acknowledged that the renderings were consistent with the character of the house. She indicated that the Board was fine with the proposal.

48 Sheridan Road – Case# 2019-42

Mr. Panak stated that a special permit was requested for the modification of a pre-existing nonconforming structure including replacing the existing garage with a new garage and a second story addition.

Mr. Panak noted that staff recommended that ZBA approved the special permit as requested.

Ms. Johnson noted that a larger garage to accommodate another car was being requested.

Board members were in agreement about the granting of the special permit.

112 Worcester Street – Case#2019-43

Mr. Panak stated that a special permit is requested for a sign that will exceed the dimensional requirements allowed by right. Mr. Panak indicated that the sign would not be visible from Worcester Street or any other public way. He mentioned that the sign had already received approval from DRB.

Mr. Panak stated that the staff recommended approval and the Board was in agreement.

18 Brewster Road – Case #2019-44

Mr. Panak stated that a special permit for the modification of a pre-existing nonconforming structure was being requested including building a second story addition.

Mr. Panak stated that the staff recommended approval. Ms. Johnson stated that she would recuse herself because she knows the owners.

Mr. Roberti asked about zoning. Mr. Panak replied that the house is in the 10,200 sf in a single residence 15 district.

Mr. Woodward stated that it was great that the owner was not tearing down the classic cape property.

Mr. Pinto asked about the four pole like structures beneath the new addition. Mr. Panak responded that they were some type of support beams.

Mr. Panak stated that staff recommended ZBA approval and the Board agreed.

41 Howe Street – Case#2019-45

Mr. Panak stated that a special permit was requested for the modification of a pre-existing nonconforming structure including the addition of a dormer and raising the roof to create more space on the third floor. He detailed that staff indicated that the proposed addition adds massing and height is not appropriate and will have significant impacts on the abutter to the left of the property.

Mr. Panak stated the staff recommended denial or continued review of the application, requesting that the applicant revise the project by reducing the scale of the roof and dormer to a more appropriate massing.

Mr. Roberti noted that many of the neighboring homes there are tight and agreed that such mass would negatively affect one of the neighbors.

Ms. Mallet added that such massing might also affect several neighbors on Curve Street.

Ms. Johnson noted that the house has been in the same family for a long time and there is a second structure on the property that has always been used as living quarters and there was pre-zoning (before 1925) proof that the two structures have been continually occupied. She noted that the owners requested a front porch and historical research did prove that there was a front porch which was torn off. Ms. Johnson felt that denial was not appropriate.

Ms. Woodward stated that she would rather work with the applicant to modify rather than deny and requested that clearer rendering be provided to the Board.

There was further related discussion.

Ms. Johnson recommended that ZBA continue review of the application to obtain more information about what is proposed for the third floor and recognize the neighbor on the left.

47 Avon Road – Case #2019-46

Mr. Panak commented that the special permit request for the modification of a pre-existing nonconforming structure to include demolition of dormer and roof to build a second floor.

Mr. Panak stated that staff recommended ZBA approval of the special permit as requested.

Mr. Roberti thought that the proposed modification would fit with the neighborhood.

Ms. Woodward noted that the windows were well-placed and was pleased that the house would not be torn down.

The Board agreed with such approval.

309 Washington Street – Case#2019-47

Mr. Panak stated that the petitioner, the Unitarian Society of Wellesley, is requested renewal of special permit to allow a portion of the premises to be used as non-accessory parking and alterations of conditions to allow more of the parking spots (15 to 35) to be so used (rented), with greater hours (5:00 a.m. to 9:00 p.m.) and eliminate the condition that requires assignments of the parking spots on a monthly basis.

Ms. Woodward stated that she was recusing herself from this discussion.

Mr. Panak stated that the Church is requesting reserve parking via a phone app.

Ms. Johnson stated that the parking would primarily be used to service train patrons and noted that some of the parking is used for the Wellesley Historical Society, children involved in the butterfly society, the Farmer's Market and questioned how the holistic parking approach would work. Mr. Panak commented that ZBA should inquire about that aspect.

Mr. Roberti was concerned about over-activity at the site. Ms. Johnson stated that ZBA had concerns about the Farmer's Market trash pick-up and additional traffic on Washington Street as well as intensification of use, though it might eliminate a certain amount of illegal parking along Maugus Avenue for example.

Mr. Panak stated that as a planner, he does not like to see underutilized parking lots and thought that if organized, this lot can help with parking for surrounding uses. Mr. Pinto and members agreed with Mr. Panak.

5. Old Business

Discuss Final Draft of the Unified Plan and Consider Adoption of Unified Plan as the Town of Wellesley's Comprehensive Plan

Ms. Johnson stated that she has been proofreading the Unified Plan document and has only found a few typos. Mr. Pinto suggested that the pie chart corrections could be made online. Ms. Johnson agreed.

Mr. Roberti commented that the Plan is constantly referred to at Town meetings and it would be appropriate to officially adopt it. He added the Board of Selectmen adopted the Plan. Ms. Mallett agreed.

Ms. Johnson recognized the efforts of Selectman Marjorie Freiman for working on the Plan, as well as, Ellen Gibbs, Deb Carpenter, Harriet Warshaw, Michael Zehner, Meghan Jop and the 45 member steering committee. The Plan emphasizes a Housing Production Plan as well as redevelopment of office parks in Town, which are well underway. Ms. Johnson suggested issuing a press release regarding the Boards' approval of the Plan.

Mr. Roberti mentioned that he and Ms. Johnson had worked on the Plan for a year. Mr. Roberti commented that the Historical Commission recently referred to the Plan in regard to the Hardy and Hunnewell Schools.

Ms. Johnson recommending including a cover letter as the first page of Plan document to distribute to every Board and committee in Town. Mr. Panak stated that 25 copies of the Plan had been made and will produce more in order to supply copies for the Library and Town Clerk's Office.

Ms. Woodward stated that she read the draft and found the Plan to be extremely effective from an educational perspective and provides a wonderful resource and proposed to lead a book group, chapter by chapter to meet at the Library once a month. Ms. Johnson agreed with the idea.

Ms. Mallett commented that the Plan was referenced at each 40B and 40R Planning Board meeting recently and official adoption of the Plan is highly recommended. She agreed that changing the incorrect chart numbers online would be most important. Mr. Panak confirmed that such changes will be implemented.

Ms. Woodward affirmed that the Plan is a living document which could change.

Mr. Roberti motioned to adopt the Unified Plan document as Wellesley's Comprehensive Plan. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

- b. Discuss Special Town Meeting and Zoning Articles on Wellesley Office Park, Delanson Circle a and 148 Weston Road

Mr. Panak spoke of the alterations he made to the Articles as discussed; Renumbering of Article 29, inclusion of a 40R zoning map exhibit – RIO District changes, small change to yard regulations in regard to RIO. Related discussion took place regarding signage and RIO districting. Ms. Johnson stated that she asked Ms. Jop to amend the signage article from 25 square feet to 16 square feet of sign because of signage being in a residential district and not in a commercial district.

Mr. Roberti asked about the Warrant article status. Mr. Panak responded the articles are essentially completed in regard to substance.

Mr. Panak initiated conversation regarding Ms. Woodward's comments regarding the Articles. The Board thanked Mr. Panak for all his efforts regarding completion of the Articles/Warrant for Town Meeting.

6. Other Business

Discuss Application for Municipal Vulnerability Preparedness Grant Program

Mr. Panak stated that the Brandon Smith, Director of NRC has interest in submitting an application for the MVP (Municipal Vulnerability Preparedness) Grant program. He stated that such application is to be submitted to the state by May 3, 2019 and NRC is seeking support from the Planning Board, the Board of Selectmen and the Wetlands Committee. Board support would require a letter of such endorsement by the Board.

Ms. Woodward noted that at a past Citizen Planner Training Collaborative session (CPTC) a state representative spoke of the MVP Program. She indicated that this participation would present opportunity to identify related issues. As example, she noted that the Fuller Brook is up to its bank presently.

Mr. Panak presented the Board with a draft letter endorsing the MVP grant program.

Mr. Roberti motioned to endorse the application for Municipal Vulnerability Preparedness Grant Program and authorize Interim Planning Director, Victor Panak, to authorize a letter in support of the Program. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

- b. Planning Director's Report

Mr. Panak stated that he had nothing to report.

Planning Board Chair Report

Ms. Johnson explained fourteen Planning Director applications were received with consideration of four finalists. She stated that Ms. Woodward, Mr. Panak and she had interviewed three of those candidates and the fourth person withdrew. She added that two people will return for additional interviewing and will present at an upcoming Board meeting.

Ms. Johnson mentioned that Wellesley resident, Debra Takacs, will assume the role of recording secretary for the Board and will start on April 30. Ms. Johnson announced that Senior Planner Jeanette Rebecchi will be leaving her position with the Planning Department Thursday and will working on Transportation for the town of Bedford. She noted that five applications have been received for the Senior Planner position.

Ms. Johnson addressed the proposed compensation plan for Mr. Panak's additional responsibilities as Interim Planning Director. The plan proposed a compensation plan providing Mr. Panak with retroactive pay from February 12, 2019 until end of term, at the director level.

Ms. Mallett stated that her state employer compensates interim positions in that manner and agreed with the proposed rate for Mr. Panak. Mr. Roberti stated that he was in support of that compensation plan and thanked Ms. Johnson for all her efforts in this regard.

Ms. Johnson recommended a staff protocol should Mr. Panak be absent for any reason during this period of Planning Department transition.

Ms. Woodward commended Mr. Panak for the work he did at Town Meeting.

Ms. Johnson informed the Board that when the proceeding Director left, there was an allotted remaining funding in the budget.

Mr. Pinto remarked that Mr. Panak has done an incredible job as Interim Planning Director and many Town Meeting Members expressed that same sentiment as well.

Mr. Roberti moved to authorize that Planning Board Chair Catherine Johnson present an interim director compensation plan for Victor Panak to the Human Resources Board matching the compensation of previous Planning Director Michael Zahner, to begin February 12, 2019 and to conclude with the end of Victor Panaks' term.

Ms. Johnson stated that the Board of Selectmen has forwarded a new Citizen Petition regarding the construction of two-family structures, which was a concern at recent Town Meeting. Ms. Johnson suggested a public hearing to address this Petition at a June Planning Board meeting.

Mr. Pinto asked if this Petition would apply to all lots in the general residence district with 10,000 feet or more, such that any new two-family structures would be limited to 3,600 square feet. Mr. Panak confirmed the statement. Mr. Johnson stated that there might be areas that the Board can suggest, change or tweak.

Ms. Mallett suggested that the Board could work with resident petitioners to revise such regulation. Ms. Johnson agreed.

There being no further business, Ms. Johnson adjourned the meeting at 8:30 p.m.

Next Meeting: May 6, 2019

Minutes Approved: August 19, 2019

Victor Panak, Interim Planning Director