

Minutes of the July 20, 2020 Regular Meeting of the Planning Board

WELLESLEY PLANNING BOARD
MONDAY, JULY 20, 2020, 6:30 P.M.
GREAT HALL/TOWN 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.

Call to Order/Confirmation of Participants

Ms. Johnson called the meeting to order at approximately 6:35 p.m.

Planning Board Present: Chair Catherine Johnson, James Roberti, Patricia Mallett, Kathleen Woodward and Tom Taylor

Absent: Sheila Olson, Associate Member

Others Present: Planning Director Don McCauley

Public Comments on Matters Not on the Agenda – Citizen Speak

There were no public comments.

2020 Fall Special Town Meeting – Zoning Public Hearing

Mr. McCauley presented the Zoning Bylaw Articles for the 2020 Fall Special Town Meeting via PowerPoint presentation.

Mr. McCauley noted that due to COVID-19, many articles were not presented at the 2020 Annual Town Meeting and would be considered at the Fall Special Town Meeting. He provided overview of the Planning Board Articles to be presented at the Fall Special Town Meeting:

- Zoning Map Amendment to include 323 Washington Street in Historic District
- Zoning Bylaw Section 1A - Include Large Scale Solar Overlay District in list of districts
- Zoning Bylaw Section 4 and 16D – Amend Section 4, General Residence, and Section 16D, Large House Review, to apply Large House Review to General Residence District.
- Zoning Bylaw Section 4, General Residence District, to place size limits on buildings (citizens petition)
- Zoning Bylaw Section 16E – Amend Section 16E, Tree Protection
- Zoning Bylaw Section 16F - Amend Section 16F, Natural Resource Protection Development
- Zoning Bylaw Section 22E – Delete Section 22E, Temporary Moratorium on Marijuana Establishments

- Zoning Bylaw Section 25 – Amend Section 25, Special Permits, to update references to laws for Registered Marijuana Dispensaries
- Zoning Bylaw Section 16 – Amend Section 16, Drainage Review to comply with EPA permit
- Entire Zoning Bylaw – Replace “Board of Selectmen” with “Select Board”

Ms. Johnson stated that the Zoning Public Hearing would be continued until September 8, 2020.

Mr. Roberti motioned that the 2020 Fall Special Town Meeting – Zoning Public Hearing be continued until September 8, 2020. Ms. Woodward seconded the motion. The vote was unanimous (5-0); Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye.

Residential Incentive Overlay (RIO) District

Delanson Circle – *Continued from 6/15/20*

Present: Nick Ogonowsky, Construction Manager, Dartagnan Brown, Architect; Jeff Dirk, Traffic Engineer; Susan Spratt, Civil Engineer; Erin Fitch, Landscape Architect; Jeremy Henry, Construction Project Executive

Ms. Johnson thanked the Delanson Circle team for submitting the Design Review Submission – List of Changes, which clearly depicted the design modifications. Board members agreed that the document was most helpful.

Mr. Brown detailed the changes made to the project, which included extending the sidewalk the complete length of Hollis Street, new pedestrian walk at the front of the building along Linden Street and improved entrance plaza. He provided detail regarding architectural changes.

Mr. Henry spoke outlined the construction vehicle route within the Construction Management Plan (CMP) and detailed the primary route for incoming construction traffic would be Weston Road to Linden Street. He noted that the primary exit route would be Linden Street to Weston Road towards Rte. 9, and the alternate route being Linden Street to Kingsbury Street towards Rte. 9.

Mr. Henry explained that his company would be contacting privately owned parking lots for associated construction parking, with shuttles to the work site.

Ms. Johnson suggested that the applicant contact the Traffic Commission and the Police Department to begin associated construction/traffic planning.

Mr. Johnson stressed that the focus of this meeting was to consider integration with the Town’s infrastructure part of the RIO. Mr. Brown confirmed that the Design Review Board had approved the design plan.

Ms. Johnson mentioned that Dr. Paul Mortarelli and Jean McCorry, abutters at 134 Linden Street, submitted a letter to the Planning Department outlining several concerns:

- The proposed building being out of character for the area, as it reflects a very urban/modern style
- Curb cut on Hollis Street for deliveries and pick-ups
- Benches in the respite area could encourage increased gathering
- The straightening of Hollis Street might encourage the construction of another sidewalk on the east side.

Mr. Brown stated that a sidewalk could be installed if the neighbors wanted it. He confirmed that such indicated provision would be included as a written condition. The Board agreed.

Mr. Taylor questioned the buried utility lines. Mr. Brown and Mr. Ogonowsky detailed a plan and noted that finalization of such plan was not finalized.

Ms. Johnson maintained that she wanted to review the Design Review Board report before approving the RIO. All Board members concurred.

Ms. Woodward mentioned the importance of the proposed respite area with benches and appealing amenities.

Mr. Roberti motioned to continue the Residential Incentive Overlay (RIO) District special permit hearing for Delanson Circle from tonight to the August 19, 2020 Planning Board meeting. Ms. Woodward seconded the motion. The vote was unanimous (5-0); Woodward - aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye.

Scenic Road Hearing – Joint Hearing with NRC

194 and 196 Pond Road – *Continued from June 29, 2020*

Present: Joseph Hassell, Applicant; Larry Shind, Attorney for Applicant; Marc Sullivan, Bert Corey

Natural Resources Commission (NRC) Members: Katie Griffith, Chair;
Jay McHale, Raina McManus, Laura Robert

Mr. McCauley announced that the scenic road public hearing for 194 and 196 Pond Road was continued and now being resumed.

Ms. Johnson stated that she would continue to act as chair of the joint meeting with NRC and Ms. Griffith would continue to act as secretary.

Mr. McCauley provided update and noted that the focus of the last public hearing session concerned the responsibilities of the NRC regarding the removal of a Maple tree on the site. Town Counsel provided written communication about Planning Board and NRC authority in this matter. Related communication was also submitted by Mr. Shind. Mr. McCauley reiterated that the scenic road aspect is under the jurisdiction of the Planning Board, and the public shade tree topic is under the jurisdiction of NRC.

Mr. McCauley detailed that Town Counsel advised that the scope of the scenic road authority and protection of trees and walls within the right of way did not extend to restrictions on adjoining properties, and removal of shade tree/s was the decision of the NRC.

Ms. Johnson commented that the Historic Commission was notified of the last scenic road hearing and the Commission requested that the Planning Board preserve the scenic nature of the scenic road. The Historic Commission stressed that Pond Road is the oldest scenic road in the Town and wanted to ensure that it remains historic. Ms. Johnson detailed that the Historic Commission would be providing a written statement.

Mr. Shind referred to documentation which substantiated that Norway Maple trees are an invasive species, and are “extremely destructive” in regard to other vegetation.

Ms. Griffith confirmed that David Howe (owner of 110 Pond Road) presented written objection with the removal of the Norway Maple tree. Several other Pond Road neighbors expressed similar objection.

Laura Robert maintained that she sought to follow the direction of Ch. 87.

Ms. Griffiths moved to approve the removal of three trees. Ms. McManus seconded the motion. The motion was denied (0-4); Griffith-nay, McManus-nay, Robert-nay, McHale-nay.

The Scenic Road Hearing – Joint Hearing with NRC was closed.

Large House Review and Scenic Road Hearing

LHR-19-13 – 194 Pond Road – Continued from June 29, 2020

LHR-19-14 – 196 Pond Road - Continued from June 29, 2020

Discussion regarding the Construction Management Plan for both sites took place. Mr. Shind stated that the applicant agreed to the conditioning requested and there was no reason to delay approval.

Ms. Woodward emphasized that 194 and 196 Pond Road were not reflective of other large house reviews whose locations are not situated on the most historical scenic road in the Town. She supported the suggestion of extending the public hearing period to allow the Board to deliberate on the Construction Management Plan.

Ms. Woodward expressed concerns regarding construction vehicle “tracking” and related stormwater considerations; as well as logistical details that needed to be documented in writing and submitted to the Board.

Mr. Hassell confirmed that road maintenance documentation was submitted to the Board. Ms. Woodward responded that she sought to see more definitive and detailed language included in the related conditioning documentation.

Ms. Mallett agreed that additional conditioning language in regard to protection of the site/s should be included in the Scenic Road decision. She further recommended that Board members review the submitted conditioning and include comment, if necessary.

Ms. Robert opined about special restoration in such a prime historical site if unintentional damage was done to a stone wall or tree. Ms. Woodward commented that performance bonding might be a consideration.

Mr. McCauley noted that bonding performance should cover such untimely incident. Ms. Johnson commented that any violation would require enforcement measures in accordance with Scenic Road Regulations. Mr. Hassell mentioned that many large vehicle tire tracks exist on Pond Road and added that he has seen many huge dump trucks and landscaping vehicles going through the scenic road. He expressed confidence that the project can be completed without incident.

Ms. Johnson responded that related conditioning must be as finite as possible, in order to protect the scenic road area.

Mr. Shind indicated that there is a distinction between the scenic road hearing and the large house review hearing.

Owner of 62 Pond Road, Oakes Hunnewell, stated that scenic road and large house review does overlap and construction trucks would be required to park on Pond Road during the construction period. He added that such on-street parking would encourage erosion. He detailed that trucks were never allowed to park on Pond Road during construction work at his property.

Resident Charlotte Iselin, 100 Pond Road, stated that on previous occasion, construction trucks were parking on her property for a length of time when Pond Road was being resurfaced. She stressed the difficulty involved with parking on Pond Road.

Mr. Roberti motioned to close the Scenic Road Public Hearing for 194 and 196 Pond Road and continue deliberations until a Special Planning Board Meeting takes place on August 11, 2020. Ms. Woodward seconded the motion. The vote was unanimous (5-0); Woodward - aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye.

Mr. Roberti motioned to continue LHR-19-13 - 194 Pond Road to August 11, 2020. Ms. Woodward seconded the motion. The vote was unanimous (5-0); Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye.

Mr. Roberti motioned to continue LHR-19-14 - 196 Pond Road to August 11, 2020. Ms. Woodward seconded the motion. The vote was (4-1); Woodward - aye, Roberti-aye, Mallett-aye, Johnson-aye Taylor-abstain.

Mr. Taylor explained that he was while present he was not yet a member of the Planning Board when the Large House Review was introduced.

Other Business

Re-appoint Design Review Board Members

Mr. McCauley stated that Jose Soliva, Sheila Dinsmoor and Amir Kripper were willing to continue their appointments on the Design Review Board.

Mr. Roberti motioned to re-appoint Jose Soliva for a term commencing 7/1/2020 and ending 6/31/2023. Ms. Woodward seconded the motion. The vote was unanimous (5-0); Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye.

Mr. Roberti motioned to re-appoint Sheila Dinsmoor for a term commencing 7/1/2020 and ending 6/31/2023. Ms. Woodward seconded the motion. The vote was unanimous (5-0); Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye.

Mr. Roberti motioned to re-appoint Amir Kripper as alternate member for a term of one year commencing 7/1/2020 and ending 6/31/2021. Ms. Woodward seconded the motion. The vote was unanimous (5-0); Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye.

25 Upwey Road Subdivison Compliance Update

Mr. McCauley indicated that the attorney for the owner of 25 Upwey Road requested review of related Town documents and correspondence. He noted that Town Counsel was not available last week and discussion regarding this matter would continue. He expected that a set timeline would be established at the next Board meeting.

Ms. Woodward asked if Town representatives were able to view the property. Mr. McCauley responded negatively. Ms. Woodward indicated that she would not want the matter to be delayed into the fall when storms are likely to occur, and further flooding could effect neighboring properties.

Planning Director's Report

Mr. McCauley noted that the Senior Planner position was submitted to Human Resources for posting.

Mr. McCauley stated that despite COVID-19, the number of Planning Department inquires remains strong.

Planning Board Chair Report

Ms. Johnson spoke of the Board's retreat scheduled for 7/27/20.

Minutes – 6/15/20

Ms. Johnson referred to inclusion of PSI continuation date. The approval of the Planning Board minutes for 6/15/20 was tabled.

Adjourn

Ms. Johnson adjourned the meeting at 10:32 p.m.

NEXT MEETING: Monday, August 3, 2020

MINUTES APPROVED: Wednesday, August 19, 2020