

**ZONING BOARD OF APPEALS**

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November 15, 2018

Juliani Meeting Room
Town Hall

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

ZBA 2017-99, DELANSON REALTY PARTNERS LLC, 8 DELANSON CIRCLE

Present at the public hearing were Victor Sheen, Principal, Delanson Realty Partners LLC, Dartagnan Brown, Architect, and Bob Engler, Consultant.

Also present was Tom Harrington, Esq., Town Counsel.

Mr. Sheen said that since the last hearing, they met with staff and Cliff Boehmer, Architect, who is conducting a peer review. Mr. Sheen said that there are updated site and building plans, and a draft Construction Management Plan (CMP). He said that he had not received additional comments from Engineering.

Mr. Sheen discussed additional site control of 12,14, and 16 Hollis Street that will be folded into the project. He said that the plan is to preserve two existing buildings on Hollis Street to create a buffer between the project and the neighborhood. Mr. Becker said that some of the documents will have to be revised to reflect the change. Mr. Sheen said that they will circle back to MassHousing for a minor modification to the site. He said that there will be no significant impact because the two buildings with four units will be kept as is. He said that the original site letter stands and there will be no amendment until the modification is approved.

Mr. Sheen said that 12, 14 and 16 Hollis Street will give them some additional visitor parking and easement rights to allow Hollis parcels to service Delanson. Mr. Harrington said that the Town does not want an easement agreement and does not want to render a new property out of compliance with Zoning because nothing would prevent its sale in the future. Mr. Sheen said that they will decide whether they will fold 12, 14 and 16 Hollis Street into the 40B. Mr. Harrington said that the Board needs to know what property is before it can approve a permit. Mr. Sheen said that the issue will be resolved.

Mr. Seegel suggested that Mr. Sheen look at the CMP for 27 Washington Street as an example of what the Board is looking to see. Mr. Sheen said that he will ask Capital Construction to look at it.

Mr. Brown reviewed Mr. Boehmer's comments. He said that they increased the buffer along Linden and Hollis Streets and the porte cochere was removed. He said that with the new land, the project can meet dimensional requirements.

Mr. Becker asked about pulling the northern most wing back to make the building L shaped. Mr. Sheen said that Mr. Boehmer's report was based on the site without the acquisition of 12, 14 and 16 Hollis Street.

Mr. Brown said that they made the access wider for fire trucks at the back corner of the building. Mr. Seegel confirmed that Mr. Brown had not spoken with the Fire Chief yet.

Mr. Brown discussed the two-step retaining wall.

Mr. Becker asked about the curb between the walk and the driveway. Mr. Brown said that it will be a difference in paving material.

Mr. Brown said that there will be two 12 foot doors for the garage for ingress and egress.

Mr. Seegel asked about accessibility. Mr. Brown said that there will be a ramp to the elevator level.

Mr. Brown said that the garage was reorganized so that there will be sufficient space between the stackers. He said that they resolved the corner issue at the west end, moved the loading dock to the northwest side of the building, enlarged the trash/recycle room, created bicycle storage and better circulation for bikes.

Mr. Adams said that the total number of vehicles has not changed but a few spaces were added outside.

Mr. Becker asked about ventilation in the utility space.

Mr. Brown displayed floor plans.

Mr. Becker asked about the sloped areas on Hollis Street. Mr. Brown said that they will be taken off the plans.

Mr. Brown discussed the scale of the building. He said that they used different colors and pushed parts of the building back to break up the massing. He said that it will be stone clad at the base with board and batten at the top.

Mr. Brown said that the retaining walls will go from 8 feet to 2 feet and 6 feet to 4 feet.

Mr. Brown said that the revised shadow study includes additional times periods for winter and summer.

Mr. Brown display unit floor plans.

Mr. Becker asked if the changes to the building or development plans will change the target market. Mr. Sheen said that the target demographic is the same. He said that 10 percent of the units will have three bedrooms, which are likely for families, and the remainder are for empty nesters or young professionals for rent.

Jonathan Parks, Kaplan Construction, discussed the CMP. Mr. Seegel said that the Board will need to see a more developed CMP before voting a permit. He said that this is a tight site and the Board will need to see how the Developer plans to bring vehicles to the site, parking for workers, storage of materials, and snow removal during construction.

Mr. Kaplan discussed the construction truck route. Mr. Seegel said that this is a residential area and trucks will not be permitted before 8 am when kids are walking to school. He said that the CMP should define how they plan to do it.

Mr. Seegel said that the CMP assumes use of the sidewalk on Linden Street.

Mr. Seegel discussed phasing, flow of construction, parking, materials for construction of the building, storage and field office on 10 to 12 Hollis Street, peak construction workers, carpooling, and staging. He said that there shall be no construction parking on any street. Mr. Sheen said that they will demonstrate that they will provide safe parking.

Mr. Parks said that they expect the project to have a 14 to 16 month duration. He said that the panelized wood frame will be made off-site and trucked in. Mr. Sheen said that they looked at modular but found that it was not suitable.

The Board discussed the construction truck routes.

Mr. Seegel asked about blasting. Mr. Parks said that it looks like there will be no blasting or ledge removal.

Mr. Seegel discussed the possibility of police details at the gates and at the end of Linden Street. He said that the full CMP should describe the type of trucks and where they are coming from.

Mr. Adams said that acquiring the adjacent properties may help with construction of the retaining walls.

Mr. Adams asked about the number of elevators. Mr. Sheen said that the intent is for two elevators. Mr. Adams said that one of the two units on the second and third floors completely surround the elevator, so the acoustics could be tough.

Mr. Becker asked about changes in the grading and drainage plans. Mr. Sheen said that minor modifications reduced the footprint and adjusted some areas but are consistent between the plans. He said that the intention is to issue a conforming set of architectural and civil plans as a single final package.

Mr. Seegel said that the CMP should discuss snow removal, mud control, and wheel washes.

Mr. Adams said that the Applicant worked hard to respond to Town concerns. He said that there have been three significant re-designs, the density was reduced with the newly acquired properties, the number of units was reduced, the building looks less blocky, and the square footage and the number of units have been reduced but it is still too big for the site. He said that no much parking was added.

Mr. Sheen said that they addressed technical aspects, will not add to traffic, addressed stormwater management, there will be no blasting or ledge removal, they bought additional land, and reduced the massing 11 to 12 percent. He said that the project has met the state standard to be feasible. He said that this is for mixed income. He said that there are challenges with the cost of construction, cost of land, and rents that can be charged for affordable units. He said that the project can only work if there are some trade offs for density. Mr. Adams said that a smaller project would lower the threshold for the required number of affordable units. Mr. Engler said that the process is that the Applicant has to tell the Board what density they want and the Board looks at feasibility and whether it is uneconomic.

Mr. Seegel asked about pavement width on Hollis Street. Mr. Parks said that the pavement is 26 feet.

The Board discussed continuing the hearing to December 13, 2018. The Board said that new submittals should be submitted a week ahead of time.

Dan Hill, Esq., said that the Board asked the Applicant to prepare a CMP and it only got a draft, which resulted in lost time. He said that the Applicant should grant a 30 day extension tonight. He said that there have been changes to the plan. He said that the parcels on Hollis Street parcels may not be incorporated in the plans without going back before MassHousing for determination of substantial change, which is a requirement in CMR 56-05. He discussed concerns about the civil site plan, notes on the prior draft, the detention basin, grading changes, lack of details, environmental protection of the trees and demonstration that complying with the Tree Bylaw would make the project uneconomic. He said that the project is very dense with 90 units on 1.4 acres. He submitted a letter for the record. He said that the Board should put a strong deadline for submitting plans.

Mary Anne Towle, 7 Oakencroft Road, said that Mr. Boehmer suggested that the building be changed from a U to an L shape. She discussed moving the building away from Oakencroft, not Hollis. She discussed the height of the retaining walls. She discussed issues that buying the property on Hollis Street will not fix. She said that there have been repeated requests for 3-d views of the site but she has not seen them.

Mr. Adams moved, Mr. Becker seconded the motion, and the Board voted unanimously to continue the hearing to December 13, 2018.

As there was no further business to come before the Board, the hearing was adjourned at 8:55 pm.

Respectfully submitted,

Lenore R. Mahoney
Executive Secretary

DRAFT