

**ZONING BOARD OF APPEALS**

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September 5, 2019

7:30 pm

Juliani Meeting Room

Town Hall

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

ZBA 2019-53, CEDAR PLACE LLC, 3 BURKE LANE

Present at the public hearing on behalf of the Applicant were Lynne Sweet, Development Consultant, LDS Consulting Group, Dennis DiSchino, owner, and John Federico, PE.

Present on behalf of the town were David Hickey, Town Engineer, and Ivria Fried, Town Counsel.

Mr. Becker said that the Board would discuss the landscaping plan and plans that were updated since the previous hearing, retaining walls and waiver list, as well as comments and questions from the public.

Ms. Sweet discussed two changes to the Landscape Plan regarding tree planting detail and a planting schedule. Mr. Federico said that five to eight trees or shrub bush type plantings were added. He said that they will provide additional screening from the neighbors in the landscape area on top of the wall and that they will be reflected in the final Landscape Plan. He discussed an underground irrigation system for all of the planted areas. He said that they will use a landscape contractor.

Ms. Sweet discussed the comments from the August 6, 2019 hearing. She said that there is no reason to go onto abutting properties to construct the wall.

Mr. Federico said that they will be working with a wall contractor. He discussed the August 29, 2019 site plans and work near the proposed dumpster pad, which was reduced to allow an additional three feet of separation from the property line.

Mr. Becker said that it would be useful to have documents that show the construction sequence. He said that it looks like there are two #2 walls on the site plan. He asked about the bench between the two walls.

Mr. Becker asked about perspective from adjacent properties. Mr. Federico said that some of the roof will not be seen due to screening plantings. Ms. Sweet said that they cannot go onto the neighbors' properties without permission. She said that the neighbors will see the new landscaping on top of the new wall.

Ms. Sweet discussed concerns about porous pavement. She said that they will add a 12 inch wide trench drain and a drywell in the patio paver area to act as an overflow.

Mr. Becker asked about shoring the retaining wall. Mr. Federico said that they are looking at cost effective options for shoring.

Mr. Seegel asked about benchmarks on the property. Mr. Federico said that currently there are no benchmarks set.

Mr. DiSchino discussed the pad for recycling and trash, single-stream recycling and dumpsters.

Mr. Adams asked about the fence on top of the wall. Mr. DiSchino said that it will be six foot high black chain linked fence. He said that they can reduce the height of the fence.

Mr. Federico discussed meeting with DPW, their concerns about cutting into the hill and shoring techniques. He said that they are open to doing exploratory borings. He said that the existing slopes are steep. He said that the shorings will be done in the least impactful way possible.

Mr. Hickey discussed the high potential for impact to the abutting property and impact to the vegetation. Mr. Federico said that many of the trees on the hill have roots exposed due to erosion over the years. He said that some trees are decaying or have already come down. He said that anything new that is planted will provide better screening for the neighbor at 15 Burke Lane. Mr. Hickey said that he is concerned about the long line of shoring and severed roots. Mr. Adams said that it is a tight corner there and the Board would like to have more information about what the approach will be. Mr. Seegel asked about providing a bond to protect the neighbors.

Mr. Adams asked about any anticipated blasting.

Brian Germani, 22 Willow Park, asked about adding topics to the agenda. He confirmed that the parking lot will be porous pavement. He said that the slope is going toward his property. Mr. Adams said that the plan is to keep all of the water on the site. He said that a trench drain and a drywell were added to the plans. Mr. Germani asked about a town catch basin. Mr. Becker said that would be part of a much larger project.

The Board discussed the Waiver List.

Mr. Becker said that the Board needs further information from Ready Rock and the CMP.

The Board discussed extending the hearing beyond 180 days. Ms. Sweet said that they Applicant would be willing to grant a 30 day extension if the meeting is scheduled for early October. She said that it will take about three weeks to get the CMP.

The Board voted unanimously to continue the hearing to October 2, 2019.

Respectfully submitted,

Lenore R. Mahoney
Executive Secretary

DRAFT