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Donald S. McCauley
Planning Director

**PROJECT OF SIGNIFICANT IMPACT
SPECIAL PERMIT**

Application: PSI-20-01 - Project of Significant Impact Special Permit Application for Multifamily Residential Project at 140-148 Weston Road
Subject Property: 140, 144, and 148 Weston Road (PID#s 149-2, 149-3, and 149-4)
Applicant: Wellesley Park LLC
Property Owner: Wellesley Park LLC
Date: August 19, 2020

OVERVIEW

The subject application is a Project of Significant Impact (“PSI”) Special Permit application for a construction of a 3 story, 26 unit, multifamily condominium development on the west side of Weston Road just north of the intersection of Weston Road and Linden Street. Two affordable units are to be constructed in a rehabilitated home at 140 Weston after the end of the current life estate in that property. The project site has an area of 55,698 sq. ft. with frontage on Weston Road, and is comprised of three (3) parcels, 140 Weston Road (PID 149-2), 144 Weston Road (PID 149-3), and 148 Weston Road (PID 149-4).

The property is located within the General Residence District, the Water Supply Protection District, and the Residential Incentive Overlay District. The project is subject to a Development Agreement between the Town of Wellesley and the Developer. The most recent amendment to the Development Agreement was entered into on January 27, 2020.

A PSI special permit is required for any construction project (except for one-family or two-family dwellings) having an aggregate total of 1) newly constructed floor area of 10,000 or more square feet, or 2) renovated, altered and/or replacement floor area of 15,000 or more square feet in a building having 15,000 or more square feet of ground coverage to provide for a use which is different from the existing use.” Standard 1 is applicable to the subject project.

PUBLIC HEARING

At its meeting on June 15, 2020, the Planning Board approved the RIO permit and then opened the PSI hearing. At the June 15 meeting the PSI hearing was continued to July 6, 2020; t the July 6 meeting, the PSI hearing was further continued to August 3, 2020, at the August 3 meeting the PSI Hearing was further continued to August 11, 2020 and at the August 11 meeting the PSI Hearing was continued to August 19, 2020.

All members of the Board were present at each session of the hearing.

After comments were concluded on August 19, 2020, James Roberti made a motion to close the public hearing. Kathleen Woodward seconded the motion. The Board voted 5-0 to close the public hearing.

After closing the Public Hearing, the Board at the August 19, 2020 hearing, James Roberti made a motion to grant the PSI Special Permit based on the following Application Submittal Documents and Plans: Town Review Comments, Reports, and Recommendations; Findings; and Conditions. Kathleen Woodward seconded the Motion. The Board voted 5-0 to approve the motion.

As a result of the COVID 19 emergency the PSI Hearings were held as remote meetings using a Zoom Webinar platform. All sessions of the public hearing were recorded by Wellesley Media and are available at www.wellesleymedia.org.

APPLICATION SUBMITTAL DOCUMENTS AND PLANS

The PSI application was submitted on February 28, 2020, in accordance with the Rules Relative to the Issuance of Special Permits (adopted by the Planning Board on September 18, 1990 and revised March 10, 2008). Revised documents were also submitted in response to comments from the Town's reviewers, the public, and the Board. The documents submitted by the Applicant are set out in Attachment 1.

TOWN REVIEW COMMENTS, REPORTS, AND RECOMMENDATIONS

In accordance with Zoning Bylaw 16A PROJECT APPROVAL the PSI application was referred to the Town's Department of Public Works, Fire Department, Municipal Light Plant, and Board of Selectmen. The Planning Board received reviews, reports and recommendations from Town Departments set forth in Attachment 2. Certain comments were not complete because of the COVID 19 Emergency. In particular, certain work to evaluate water and sewer capacity could not be performed due to COVID 19 work restrictions.

PSI REQUIREMENTS

Section 16A, *Project Approval*, of the Zoning Bylaw, requires the Applicant to "submit...a Municipal Systems Impact Analysis (MSIA), prepared by professional engineers registered in

the Commonwealth of Massachusetts, and identifying the impact of the Construction Project on water, sewer, storm drainage, electric, traffic, intersections, sidewalks and footways, building occupant life safety, refuse disposal and recycling.” The intent of the analysis by the Applicant, Review Departments, and the Planning Board being to “determine the impact on the Town’s existing capital infrastructure in order to assess costs of providing or upgrading Town public facilities which will benefit a PSI.”

FINDINGS

Based on the aforementioned *Application Submittal Documents and Plans* and the *Town Review Comments, Reports, and Recommendations*, along with the consideration of information received at the public hearing sessions, the Wellesley Planning Board has made the following findings:

1. Upon the receipt of additional investigations, completion of any associated work, and/or receipt of reimbursements as described in Conditions 3, 11, 12, and 13, and otherwise in compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to WATER service, as specified in Section 16A.C.3.e;
2. Upon the receipt of additional investigations, completion of any associated work, and/or receipt of reimbursements as described in Conditions 3, 10, and 13, and otherwise in compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to SEWER service, as specified in Section 16A.C.3.e;
3. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to STORM DRAINAGE service, as specified in Section 16A.C.3.e;
4. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to ELECTRIC service, as specified in Section 16A.C.3.e;
5. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, including conditions 6, 7, 8, 9, and 14 requiring studies and improvements related to traffic, pedestrian, and bicycle safety, the project meets the minimum service standard with respect to TRAFFIC, PEDESTRIAN AND BICYCLE SAFETY, as specified in Section 16A.C.3.e;
6. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to FIRE PROTECTION AND LIFE SAFETY service, as specified in Section 16A.C.3.e; and

7. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to the REFUSE DISPOSAL SYSTEM, as specified in Section 16A.C.3.e.

CONDITIONS

This decision is made based on the Applicant, the Project, their successors and assigns complying with the following conditions:

1. The Project and all improvements to the site shall be constructed in accordance with the following plans and materials set forth in Attachment 1.
2. Modifications or material changes to the Project shall be presented to the Planning Board for review. The Planning Board shall determine whether such changes generate an intensification of use. If such changes generate an intensification of use, the owner/developer shall prepare and submit to the Planning Board a report or reports, prepared by engineers who meet the requirements of the Zoning Bylaw for preparation of Municipal Service Impact Analysis, showing whether the minimum service standards continue to be met. If any such report shows that one or more of the service standards are not met, based on additional impact generated by the Project owing to the material change or intensification of use, or if any required negotiated improvements or conditions cannot be completed, the owner/developer shall meet with the Planning Board to negotiate reasonable additional or alternative mitigation measures. This requirement shall not be interpreted as waiving any provision of the Project of Significant Impact process.
3. Prior to the issuance of foundation or building permits by the Building Department, the Department of Public Works shall confirm their approval of all planned work associated with the municipal water system, sewer system, and storm drainage system, both on and off-site. Prior to the issuance of a Certificate of Occupancy for the first residential unit within the project, the owner/developer shall submit to the Department of Public Works as-built plans for all applicable utilities and systems installed, and the Department of Public Works shall confirm that all work has been completed to the Department's satisfaction.
4. All work regarding the municipal electric system, both on and off-site, shall be completed to the satisfaction of the Municipal Light Plant prior to the issuance of a Certificate of Occupancy for the first residential unit within the project.
5. All refuse and recycling from the Project shall be handled by private haulers in accordance with Town regulations and shall not be the responsibility of the Town.
6. The owner/developer shall be required to install the following sidewalks within the public right-of-way of Weston Road:

- a) Sidewalk on the west side of Weston Road from the site to Linden Street
- b) Sidewalk on the west side of Weston Road across the site and north to Howe Street as required under the Residential Incentive Overlay District Special Permit for the Project

Such sidewalks shall be of bituminous concrete (asphalt), shall maintain the existing curbs and otherwise in accordance with specifications approved by the Board of Selectmen (or their staff designee). Prior to the issuance of a Certificate of Occupancy for the first residential unit within the project, the Board of Selectmen (or their staff designee) shall confirm that such improvements have been installed as approved.

7. If after further consideration at a public meeting (notice of which is given by mail to all properties on Howe Street as well as notice required by law to other abutters and by publication) by the Board of Selectmen and the Planning Board determine that such installation is appropriate, to reimburse the Town for all costs to construct a crosswalk connection to Howe Street, including ADA-compliant wheelchair ramps and a Rectangular Rapid Flashing Beacons (RRFB) aka "Pilecki Light" for pedestrian safety and as a benefit to those who reside at the proposed development. Such determination should occur within eighteen (18) months after the issuance of certificate of occupancy.
8. Reimburse the Town of Wellesley for all costs incurred and to be incurred by the Town to design and implement an optimal traffic signal timing and phasing plan for the Weston Road/Central Street intersection, such plan to include a review of the cycle length, "yellow" and "all-red" vehicle clearance intervals, the timing for the pedestrian phase (i.e., "walk" and "don't walk" intervals), and consideration for turn restrictions at the direction of the town.
9. Conduct a Roadway Safety Audit (RSA) for Weston Rd. and Linden St. and Weston Rd. and Central St. intersections and establish an escrow account to make a financial contribution to the short term transportation improvements identified for consideration within the RSA and ultimately selected by the Town. Such review shall be done in coordination with the review under PSI 20-02 of the project proposed for Delanson Circle by the applicants for such project. Expenses for the RSA and the selected contributions for the transportation improvements the Town shall be shared equally by both this project and the project subject to PSI 20-02. Based upon the Town-designed improvements, the Planning Board will establish the required escrow amount in consultation with Environmental Partners Group, Inc. The escrow amount for the subject project is to be established prior to the issuance of Certificate of Occupancy.
10. Oil/water separators that are accessible for maintenance should be provided for any floor drains or for the parking stacker system, if necessary, prior to sewer discharge.

11. Conduct water and hydrant system testing as described in the Memorandum dated August 11, 2020, from George Saraceno, Senior Civil Engineer, Town of Wellesley Department of Public Works, to Don McCauley, Planning Director (“DPW 8/11 Memo”).
12. Install fire hydrants in accordance with the DPW 8/11 Memo;
13. The applicant shall perform or reimburse the Town of Wellesley for all costs incurred or to be incurred in connection with:
 - a) improvement, repair, and/or replacement of water lines, hydrants, and associated facilities serving the project if the Department of Public Works determines that any changes need to be made to the same to accommodate additional demands of the project.
 - b) replacement of 8” sewer main with 12” PVC sewer main from SMH 162 to SMH 4153 as shown on Map labeled 148 Weston Road I/I Projects dated April 23, 2013 prepared by Town of Wellesley Department of Public Works (“DPW Map”)
 - c) installation of Infiltration/Inflow mitigation work as agreed with the Department of Public Works to decrease sewer flow at a 4:1 ratio, or approximately 80,000 gpd (55 gpm); such work to be on Weston Road unless otherwise agreed by DPW and in accordance with mitigating impact standards as set forth in 314CMR Division of Water Pollution Control Scope defined in 13(b) shall be credited against the overall I&I mitigation work as determined by DPW.
14. Hours of operation for utility trenches in Weston Road shall be approved by the Department of Public Works.
15. Comply at all times with the terms and conditions of the Development Agreement for the Project including the provisions for Affordable Units as provided therein. The Owner shall agree with the Board of Selectmen on the amount of escrow to be provided under Section 3.3(ii) of the Development Agreement prior to the issuance of a Building Permit for the Project. Any changes to the exterior of 140 Weston Road shall be reviewed by the Historical Commission prior to the issuance of a building permit for 140 Weston Road renovations.
16. Comply at all times with the terms and conditions of the Residential Incentive Overlay District Special Permit issued with respect to the Project.
17. Prior to the issuance of any permits from the Building Department and prior to the issuance of any and all Certificates of Occupancy for residential units within the project, the Planning Director shall be responsible for determining the compliance of the project, and any plans therefor, with the PSI special permit and these conditions. During the course of construction, the Planning Director shall have access to the project site with reasonable notice to the owner/developer.

18. No encroachments shall be made on abutting properties including the Crosstown Trail and bounds acceptable to and in general compliance with the Town's encroachment policy be installed.
19. No scheduling deliveries during peak hours of 8 am to 9 am and 4:30 pm to 5:30 pm Monday through Friday.
20. Comply with the provisions of the Construction Management Plan dated August 3, 2020
21. No impact the Town or neighboring residents and landowners as a result of snow removal operations at the site.

ADDITIONAL PROVISIONS

The issuance of this permit does not in any way modify or release any obligations of the Applicant/Owner and its successors and assigns under the Development Agreement with the Town regarding the project.

The issuance of this permit does not in any way modify or release any obligations of the Applicant/Owner and its successors and assigns under the Residential Incentive Overlay District Special Permit issued by the Planning Board for the project.

The Planning Board retains the right to submit to the Zoning Board of Appeals or other applicable boards or commissions any comments deemed appropriate by the Planning Board in connection with Site Plan Approval under Section 16A PROJECT APPROVAL of the Town's Zoning Bylaw or any other permits or approvals required in connection with the Project.

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Appeals from this decision, if any, shall be made pursuant to general laws, Chapter 40A, Section 17, M.G.L. and shall be filed within 20 days after the date of the filing of this decision in the office of the Town Clerk, subject to any extensions or stays of such filing or appeal periods including any extensions or stays set forth in applicable legislation, executive orders, or rules or orders of the Supreme Judicial Court pertaining to COVID - 19.

This special permit shall be recorded at the registry of deeds in accordance with the provision of Chapter 40A, Section 11, M.G.L.

WELLESLEY PLANNING BOARD

By: Catherine L. Johnson
Catherine L. Johnson, Chairman

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with the Town of Wellesley Zoning Bylaw, I hereby certify that thirty (30) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

2020 MAR 31 P 3:13

ATTACHMENT 1
SUBMITTALS AND PLANS

1. Application Form for Review of Project of Significant Impact, dated 2/28/2020
2. Project Narrative Dated February 28, 2020
3. Proposed Trash Management Narrative dated February 28, 2020
4. Letter dated February 24, 2020, by John J. Del Tufo, Wozny/Barbar & Associates, to National Grid regarding Natural Gas Requirements
5. Municipal Systems Impact Analysis prepared by McKenzie Engineering Group
6. Letter dated February 24, 2020, by Salim Afsar, Wozny/Barbar & Associates, to Bargmann Hendrie + Archetype regarding Electrical Loads
7. Letter dated February 26, 2020, by Casey Archacki, Wozny/Barbar & Associates, to Bargmann Hendrie + Archetype regarding Electrical Loads
8. Municipal Systems Impact Analysis Letter prepared by Walter Lewinski, P.E., Engineering Design Consultants, Inc., dated September 19, 2014 and "Received September 24, 2014;
9. Letter dated February 20, 2020, from Jeffrey S. Dirk, Vanasse & Associates, Inc. to Victor Sheen re: Supplemental Transportation Impact Assessment, Wellesley Park, 148 Weston Road, Wellesley Massachusetts with the following attachments:
 - a. Trip-Generation Calculations (26 Unit Development Proposal)
 - b. Transportation Impact Assessment dated February 2018 by Vanasse & Associates, Inc.
 - c. October 4, 2018 Transportation Peer Review Commentary by Vanasse Hangen Brustlin Inc.
 - d. October 9, 2018, Response by Vanasse & Associates, Inc. to Transportation Peer Review Commentary
 - e. October 18, 2018, Supplement by Vanasse & Associates, Inc. to October 9, 2018, Response by Vanasse & Associates, Inc. to Transportation Peer Review Commentary
10. Letter dated May 28, 2020 from Jeffrey S. Dirk, Vanasse & Associates, Inc. to Meghan C. Jop, Executive Director, re Response to Transportation Impact Assessment Peer Review
11. Drainage Calculations and Stormwater Management Plan for 148 Weston Road prepared by McKenzie Engineering Group dated February 28, 2020
12. Construction Management Plan Wellesley Park prepared by Wellesley Park LLC

13. Memorandum dated July 23, 2020 from Victor Sheen to Meghan Jop responding to Walker Consulting report dated April 24, 2020
14. The following Project Plans prepared by Bergmann Hendrie + Archetype:
 - a. Cover Sheet dated 7/20/2020
 - b. Site Plan S1.2 dated 7/20/2020
 - c. Ground Floor Plan A0.2 dated 7/20/2020
 - d. First Floor Plan A1.2 dated 7/20/2020
 - e. Second Floor Plan A2.2 dated 7/20/2020
 - f. Third Floor Plan A3.3 dated 7/20/2020
 - g. Roof Plan A3.5.2 dated 7/20/2020
 - h. Elevations A4.2 dated 7/20/2020
 - i. Elevations A5.2 dated 7/20/2020
 - j. Aerial Views A6.2 dated 7/20/2020
 - k. Sections A7.2 dated 7/20/2020
 - l. Exterior Materials A8.2 dated 7/20/2020
 - m. Front Door Signage dated 7/20/2020
 - n. Driveway Signage dated 7/20/2020
 - o. Landscape Plan L1.2. dated 5/21/2020, revised 7/20/2020
 - p. Existing Conditions C-1.2 dated 2/28/2020 revised 6/22/0202 and 7/1/2020
 - q. Boring Log Plan C-2.2 dated 2/28/2020 revised 6/22/0202 and 7/1/2020
 - r. Site Development Plan C-3.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - s. Grading and Drainage Plan C-4.2 dated 2/28/2020 revised 5/22/2020
 - t. Utilities Plan C-5.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - u. Site Cross Section A-A Plan C-6.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - v. Site Cross Section B-B Plan C-7.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - w. Sewer Profile C-8.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - x. Construction Details C-9.2 dated 2/28/2020 revised 5/22/2020
 - y. Construction Details C-10.2 dated 2/28/2020 revised 5/22/2020
 - z. Construction Details C-11.2 dated 2/28/2020 revised 5/22/2020
 - aa. Stormwater Infiltration System C-12.2 dated 2/28/2020 revised 5/22/2020
 - bb. Stormwater Infiltration System C-13.2 dated 2/28/2020 revised 5/22/2020
 - cc. Erosion & Sedimentation Plan C-14.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - dd. Fire Truck Access Plan C-15.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - ee. Fire Truck Access Plan C-16.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
 - ff. Refuse Truck Access Plan C-17.2 dated 2/28/2020 revised 5/22/2020 and 7/1/2020
15. 148 Weston Road – Proposed Retaining Wall Plan prepared by Bergmann Hendrie & Archetype, Inc.
16. Wellesley Park Construction Management Plan received August 5, 2020
17. 148 Weston Road – Proposed Parking Logistics Plan received August 5, 2020
18. Construction Management Plan prepared by Wellesley Park LLC dated August 3, 2020

