

# TOWN OF WELLESLEY



## SUPPLEMENTAL REPORT #2 TO THE ANNUAL TOWN MEETING

MONDAY, MARCH 28, 2022  
7:00 P.M.

by the  
ADVISORY COMMITTEE

Please read this Report and bring it with you to Town Meeting.

For more information and updates, please visit [www.wellesleyma.gov](http://www.wellesleyma.gov).

**ARTICLE 38.** To see if the Town will vote to amend the Zoning Bylaw by adding new sustainability provisions as follows:

1. Amending Section 1.C Purpose to add a new Section 1.C.12 as follows:

12. To reduce emissions of greenhouse gases and to encourage the use of sustainable building and land use practices.

2. Amending Section 16A. PROJECT APPROVAL to include review of Greenhouse Gas Emissions by:

a. Amending Section 16A.C.3.a and Section 16A.C.3.b to read as follows:

a. The applicant shall submit to the Planning Board 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, and greenhouse gas emissions. The water, sewer, and storm drainage portions of the MSIA shall be prepared by engineers having expertise in civil engineering; the electric portion shall be prepared by engineers having expertise in electrical engineering; the traffic and pedestrian safety and bicycle safety portions shall be prepared by engineers having expertise in traffic and transportation engineering; and the greenhouse gas emissions portion shall be prepared by engineers having expertise in energy performance and efficiency.

b. The intent of the analysis is 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 and compatibility with the Town's greenhouse gas emissions reduction goals.

b. Amending Section 16A.C.3.c to add a new subsection vi as follows:

vi. Greenhouse Gas Emissions

identification of proposed energy consumption and emissions including analysis of measures taken to meet the Town's greenhouse gas emissions reduction goals.

3. Adding a new Section 22.C.6 to expand the Design Review Standards to include review of sustainable design, as follows:

6. Sustainable Design- Proposed development shall promote meeting the Town's greenhouse gas emissions reduction goals.

4. Inserting a new definition in Section 1B DEFINITIONS, as follows:

Heat Pump – Means a Cold Climate Air-Source Heat Pump which is listed by the Massachusetts Clean Energy Center at [https://goclean.masscec.com/wp-content/uploads/2021/01/MassCEC\\_ASHP\\_GUIDE.pdf](https://goclean.masscec.com/wp-content/uploads/2021/01/MassCEC_ASHP_GUIDE.pdf) or, if such listing is discontinued, a successor or comparable listing as confirmed by the Planning Department.

5. Amending the fourth sentence of the Section 19.B to read in its entirety as follows:

Heating, ventilation, air conditioning, swimming pool, electric generating, or other noise emitting equipment shall not be located in required setback areas except for Heat Pumps which are attached to and do not extend more than two feet from the wall of the building (but may not be attached to any part of bay windows) or are ground mounted and do not extend more than four feet from the foundation of the building, including any pad on which the Heat Pump is mounted. Plans and installation of sound reduction and/or visual screening may be required if, in the opinion of the Inspector of Buildings abutters may be affected.

or take any other action in relation thereto.

**(Planning Board)**

### **Article 38, Motion 1**

This motion seeks to amend Section 1 GENERAL PROVISIONS by amending Section C to add that one of the enumerated purposes of the Zoning Bylaw is to encourage the use of sustainable building and land use practices and the reduction of emissions of greenhouse gases.

After publication of the Advisory report, the Planning Board made wording changes to Article 38 Motion 1, triggering a discussion and re-vote by Advisory.

In the original Motion, Planning sought to add to the enumerated purposes of the Zoning Bylaw (section 1) a new Purpose “to reduce emissions of greenhouse gases...”. Advisory had several concerns relating to this language, including that it appeared to be a mandate rather than a goal and that it seemed inconsistent with another Zoning Bylaw Purpose (Section 1.C.10) that references greenhouse gas emission goals consistent with state law via the Unified Plan. These concerns ultimately led to Advisory recommending unfavorable action 10 to 4.

Upon consideration of Advisory’s comments, the Planning Board reworked the language. The language leads with the broader intent to “encourage” sustainability and references greenhouse gas emission as part of sustainability. The revised language is:

“To encourage the use of sustainable building and land use practices including reducing greenhouse gas emissions.”

### **Advisory Considerations**

Advisory appreciated Planning’s changes as responsive to the concerns raised. The revised language eliminates the feel of a mandate and is more consistent with the Section 1.C.10 Purpose statement. Members further noted that the Purpose statement should be consistent with state law that is referenced via Section 1.C.10.

**Passage requires a two-thirds majority.**

**Advisory recommends favorable action 13 – 0.**