



APPROVED

TOWN OF WAYLAND Massachusetts

TOWN PLANNER

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Planning Board

Anette Lewis, Chair
Jennifer Steel, Vice Chair
Larry Kiernan
Ira Montague

Meeting Minutes
Planning Board Meeting
Tuesday, March 26, 2024 at 7:00 p.m.
In Person & Virtual via Zoom

The Wayland Planning Board met on **Tuesday, March 26, 2024** at 7:00 p.m. in Person and via ZOOM. Information was available on the Planning Board website so that the public could access the ZOOM meeting. The meeting was recorded and will be available on WayCam shortly after the meeting.

Attendance:

Anette Lewis, Chair
Jennifer Steel, Vice-Chair
Ira Montague, Member
Larry Kiernan, Member

Absent: None

Town Staff: Robert Hummel, Town Planner

7:05 p.m. A. Lewis called the meeting to order, noted that the meeting was being recorded and took attendance via roll call.

7:05 p.m. Public Comment

D. Hill addressed the Board to inform them that he has resigned from the Planning Board as he is in the process of moving out of Town.

7:08 p.m. Review & Approve Draft Minutes of 3/12/2024

Motion: Approve minutes of March 12, 2024, as amended at the March 26, 2024 meeting

Moved: J. Steel

Second: I. Montague

Vote: 4-0 to approve

7:10 p.m. Public Hearing on Proposed Amendments to Chapter 198 of the Code of the Town of Wayland (Zoning Bylaws) to Allow “Solar Compact Development” That Would Support Medium-density Housing, Solar Design, Land Conservation and Agriculture

A. Lewis read the legal notice for the Zoning Public Hearing and the language of the proposed zoning amendment line by line. She explained that Town Counsel had advised her, as the Planning Board Chair, to read the entire proposal into the record at today's public hearing. A. Lewis stated that the proposed zoning amendment was referred to the Planning Board by the Select Board on January 26, 2024 and that the Planning Board is required to hold a public hearing within 65 days thereafter. The Planning Board had waited as long as it could before scheduling tonight's public hearing and had arranged for the first publication of the required legal notice of hearing to appear in the Monday, March 11 edition of the newspaper. The Planning Board received a revised version of Petitioners' zoning proposal from the Select Board on Tuesday, March 19. Tonight's hearing is for the purpose of receiving comments only on Petitioners' originally advertised proposal.

The Board asked the Lead Petitioner Windsor Mallett to provide an overview of the proposed zoning amendment. W. Mallett explained that the proposal was meant to encourage new multi-family housing utilizing sustainability methods.

Public Comments

Several members of the public commented and voiced the following:

- Support for more multi-family housing that is more environmentally sustainable
- It is an exciting concept to allow more multi-family housing
- Excited for the preservation of farmland and the green design concepts

Board/Staff Comments

Comments voiced by the Board and the Town Planner included:

- Lack of definition on what would constitute a "solar compact development"
- The proposal lacks clear standards and criteria to apply in assessing individual projects
- The permit granting authority needs to be able to ensure fair and consistent reviews of all projects
- The proposal and Petitioners' presentation are too closely tailored to one specific project on a specific parcel of land and would need more work to be made generally applicable across town
- Any zoning amendment needs to carefully consider the interrelationship of all other provisions of the Town's existing zoning bylaws

A. Lewis noted that the Board could close this public hearing tonight, vote, and issue a Planning Board report at the next Planning Board meeting. Or, in the alternative, the Board could continue this public hearing to a set date and time that would coincide with a public hearing on Petitioners' more recently submitted proposed zoning amendment, review Petitioners' newer proposal, and issue a combined Planning Board Report covering both public hearings.

7:48 p.m.

Motion: Close Public Hearing

Moved: J. Steel

Second: L. Kiernan

Vote: 4-0 to close the hearing

The Board then discussed what to include in its Report: it is an interesting concept and worth further exploration; the current proposal is not presented in an actionable form for an amendment to our bylaws; the concept would need a great deal more work for it to be turned into a workable bylaw; inclusion of the comments from the public hearing.

7:52 p.m.

Motion: Recommend Article NN, Solar Compact should be further explored

Moved: L. Kiernan

Second: I. Montague

Vote: 4-0

Other Matters:

7:52 p.m. PB #24-01 – 534 Boston Post Road (Parcel 21-006) – Review of Approval Not Required Plan (ANR)

J. Steel asked if the proposed Approval Not Required plan had any effect on the proposed MBTA Communities zoning for that parcel. The answer is that it has no effect. R. Hummel advised that the property is owned by a trust and he was able to resolve the issue of who had the authority to submit the application on behalf of the trust. He had just received a revised application form signed by the two current trustees.

7:55 p.m.

Motion: Approve the 534 Boston Post Road Approval Not Required Plan (Parcel 21-006) as presented

Moved: J. Steel

Second: L. Kiernan

Vote: 4-0 to approve

Discussion of Public Outreach for Proposed Zoning Multi-Family Housing Overlay District Bylaw (a/k/a MBTA Communities Zoning)

A. Lewis was asked to participate in the Town's Housing Partnership housing forum on April 10th to discuss the Planning Board's proposed MBTA Community zoning amendment. There is a Wayland SPIRIT of Community Interactive Workshop at the High School on Sunday, April 28th. At least one of the Planning Board members will attend to represent the Planning Board and hand out flyers regarding the proposed MBTA Zoning amendment. The Board reviewed a draft MBTA Communities Flyer and provided feedback to I. Montague to finalize with Town staff.

Meeting Schedule Leading to Town Meeting (Only Two Scheduled -- April 9 & 23)

The Planning Board started to discuss possible dates for holding a public hearing on the revised Solar Compact zoning proposal. A. Lewis explained that she had reached out to the Select Board Chair to find a date for a joint Select Board/Planning Board community forum to share with the public what was being proposed to comply with the MBTA Communities Law requirements. The Board discussed possibly hosting the public forum during the week of April 22nd or the week of the April 29th. The Board next reviewed a schedule of events leading up to Town Meeting and polled the members on their availability from April 2 through May 13 and thereafter.

Per Massachusetts law, within 14 days of receipt, the Select Board is required to refer a petition for adoption of a zoning bylaw and send it to the Planning Board. The revised Retail Self-Storage zoning bylaw proposal was referred to the Planning Board on March 22nd. The Planning Board must hold a public hearing within 65 days. So the Planning Board has until Friday, May 24 to hold that hearing and has another 21 days after that until Friday, June 14 to issue a Report.

The revised Solar Compact zoning proposal was referred to the Planning Board on March 18th. So the Planning Board has until Wednesday, May 22nd to hold that public hearing and has Wednesday, June 12th to issue a Report. The Board can choose to hear both revised zoning proposals at the same zoning public hearing or on different dates.

Some Board members were concerned that the deadlines were too tight to hold a zoning public hearing and submit a Planning Board report prior to Town Meeting. One idea would be to hold a combined public hearing on Tuesday, April 23rd and hold the MBTA Communities public forum with the Select Board later that week or the next week.

The Town Planner explained that he has reviewed the revised Solar Compact proposal and it still needs significant thought and work. He noted several significant shortcomings such as the need to carefully meld the proposed language with all the related sections of the Town's zoning code and provide clear definitions and standards to ensure fair and consistent reviews and approvals.

J. Steel made a motion to schedule the zoning public hearing for the two Petitioner's proposals on April 23, 2024. It was second by I. Montague. The vote was 2-2 and the vote failed.

A. Lewis noted that if Town Meeting were to reject the article after a Planning Board disapproval recommendation, the proposed amendment could not be brought back to Town Meeting for 2 years.

The Board next looked at dates after Town Meeting (May 16th & May 21st). There were conflicts with both dates to have enough Planning Board members in attendance. After Town Meeting, the new Planning Board member would be sworn in and could participate in the zoning public hearing. The Board next discussed May 9th. One or two members will be absent on that date. The Board went back to the week of April 22nd and the week of April 29th.

Motion: Authorize Anette Lewis to work with the Select Board on a date for a joint MBTA public forum for the week of April 22nd or on May 1st and schedule the required zoning public hearing for the two petitioners' articles.

Moved: J. Steel

Second: I. Montague

Vote: 3-0-1 in favor (A. Lewis, Abstained)

The Board did not set dates but placed holds on the dates discussed at tonight's meeting for the public hearings.

9:58 p.m. Adjourn

Moved: J. Steel

Second: L. Kiernan

Vote: 4-0 to adjourn

Documents Used During the Meeting

- 1) 3/26/2024 Agenda
- 2) 3/12/2024 Draft Planning Board Minutes
- 3) Notice of Public Hearing, Draft Solar Compact Development proposal, Town Planner's comments dated March 22, 2024
- 4) 534 Boston Post Road ANR Plan, dated March 20, 2024 & Form A application form
- 5) Draft MBTA Outreach Flyer as discussed on March 26, 2024
- 6) 3/26/24 Possible Wayland Planning Board Meeting Schedule April 1 – May 13, 2024

Minutes submitted by Robert Hummel, Town Planner