



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

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PLANNING BOARD MEETING MINUTES

February 6, 2018

Town Building

Meeting called to order at 7:35 by D. Hill, Chair

In attendance: J. Steel, A. Reck, N. Riley, I. Montague, D. Hill, Sarkis Sarkisian (Town Planner)

1. Open Meeting Public Comment (7:30 P.M.)

- No public comment.

Planning Board waited for William Steinberg to arrive representing the Finance Committee.

2. Public Hearings Re: Proposed Zoning By-Law Amendments (Opened hearing at 8:01 P.M.)

2a. Proposed Parking Amendment

Summary

- The proposal is to add a new section to Article 6 (Site Plan Approval) of Zoning Bylaw that the Site Plan Approval Granting Authority (SPAGA) may, through a site review decision under Article 6 of the Zoning Bylaw, permit any or all of the off-street parking spaces required under this Section 506.1 (Parking) to be: (a) identified on a site plan but not constructed until the actual need or demand for such spaces is determined by the SPAGA, and/or (b) provided on a different parcel of land than the underlying principle use, provided that the SPAGA finds that the location of the parking spaces is sufficiently proximate to the underlying principle use so as to be safe and convenient to the general public.
- Genesis of this is based on recent CVS development where Planning Board took action to land bank some parking with its purported authority, however, it was determined that supportive language was not explicitly included in the By-Laws. The purpose of this proposed amendment is to codify the Planning Board's intent to minimize asphalt and maximize landscaping and open space if/as possible.
- February 21, 2018 is the deadline for the amendment.

Regulatory Authority

- G.L. c.40A, § 5 Statutory requirement for adopting a zoning By-Law. The Planning Board must present a report with recommendations to town meeting. This report may be oral or written. If twenty-one (21) days have passed between the Planning Board hearing and the

town meeting vote, then the town meeting may act on the article even in absence of a report from the Planning Board.

- Town Meeting will have to approve the proposed change to the Town's Zoning Bylaw
- Site Plan Approval.

Documents presented

- Sarki Sarkisian shared background information/report, including Concord's parking study and data from the Institute of Transportation Engineers Manual. The parking requirement in Wayland is very high.

Presentation and Discussion

- Annette Lewis suggested that: the article seemed subjective as written, applicants would be challenged, litigation could ensue, clear criteria for required parking would be better, parking regulations for exempt uses should be developed, and that authority to regulate parking under site plan approval is questionable (D. Hill will run this question past Town Counsel.
- J. Steel suggested that an analytical framework be provided to guide applicants.
- B. Steinberg noted possible problems with land banking on leased land. He also noted that people are driving less and suggested considering minimum parking requirements.

2b. Proposed Limited Site Plan Review Amendment

Summary

- The Planning Board is proposing to adopt an amendment to the Zoning Bylaw that would establish a limited site plan approval for all proposed uses of land protected under G.L. c. 40A, §3 (i.e., agricultural, educational, religious, or child care uses) ("Section 3 Uses") shall be subject to site plan review under Article 6, which shall be limited consistent with those statutory provisions. The purpose is to ensure that all such uses and facilities are reasonably regulated in regards to bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage.
- A very similar amendment, based on previously approved Concord by-law, passed at Town Meeting last year, but a defect in the advertising was discovered through an appeal. The AG disapproved the amendment for the reason of the defect and noted concerns with some of the content. In the interest of getting the Amendment through the AG's office, the language has been amended to reflect the comments in the AG's letter. Sudbury has a similar by-law that is even stricter. Natick copied our by-law and it was approved.
- State law disallows special permit review for "Section 3 Uses", but does allow Towns to apply certain standards to the uses. Currently Wayland has no review process, except informally through Building Inspector.
- February 21, 2018 is the deadline for the amendment.

Regulatory Authority

- G.L. c.40A, § 5 Statutory requirement for adopting a zoning By-Law. The Planning Board must present a report with recommendations to town meeting. This report may be oral or written. If twenty-one (21) days have passed between the Planning Board hearing and the town meeting vote, then the town meeting may act on the article even in absence of a report from the Planning Board.
- Town Meeting will have to approve the proposed change to the Town's Zoning Bylaw

- Site Plan Approval

Documents Presented

- Attorney General Notice of December 1, 2017 regarding Site Plan Approval Case#8302

Presentation and Discussion

- A. Lewis noted concerns with certain aspects of the proposed language.
 - Town is allowed to control certain things listed in the statute so long as we have reasonable regulations. Do we have bulk regulations? If no, we don't have control over it.
 - Do we have open space for an exempt use?
 - No parking requirements for an exempt use.
- It was recommended that in the "Arguments in Favor" draft: reference to "major" educational... be struck; "by passing this" be changed; the word "broad" be struck.
- Kurt Tramosch from 2 Weir Meadow Rd. asked whether agriculture should be included (it was excluded from previous drafts last year). He noted that Concord does not include agriculture in the list of regulated Article 3 uses. He called the proposal "a solution looking for a problem". B. Steinberg noted that any current farmers would not be impacted unless a change of use is proposed. A. Lewis stated that if agriculture is to be left in, the Table of Principle Uses (that states site plan approval is not required) must be amended.

Vote

- Motion: A. Reck moved to submit to town warrant the parking amendment by-law as amended.
- Second: N. Riley.
- Vote: 4-0 in favor.

Vote

- Motion: N. Riley moved to submit to town warrant the limited site plan review as amended.
- Second: I. Montague.
- Vote: 4-0 in favor.

Vote

- Motion: N. Riley moved to close the public hearing.
- Second: A. Reck.
- Vote: 4-0 in favor.

3. Approve Minutes of January 19, 2018

Vote

- Motion: N. Riley moved to close the public hearing.
- Second: A. Reck.
- Vote: 4-0 in favor.

4. Discuss 40B projects: Windsor Place 24 School Street and Cascade 113-115-117-119 Boston Post Road

Summary

- The two 40B projects before the town are still under review by the ZBA.

- The next hearing for Cascade is February 27, 2018. The hearing must be closed by March 24, 2018.
- If the Planning Board is going to provide any information, it would need to be in before 3/24.
- The next School Street hearing is March 20, 2018.

Documents Presented

- S. Sarkisian handed out three separate memos from the Board of Health that were received in today regarding both 40B Projects.

Presentation and Discussion

- Planning Board made a request for \$25,000 to the Finance Committee for a hydrogeo report for the two proposed projects. D. Hill provided an updated scope of work which has been provided to Nan. D. Hill also met with the Board of Health and has had email communications with the Board of Health and Conservation Commission director. Conservation Commission is doing limited peer review of the stormwater for the School Street project. That review could include some of what we have asked to be undertaken and Conservation Commission is not currently reviewing the Cascade project as nothing has been filed with them. Board of Health is not currently undertaking anything independently on these issues. Asked for input on proposed scope of work with the hope that by the end of the week we will have an approved scope of work by both Board of Health and Con Comm. Currently tabled with Finance Committee, with the hope of going before them again next week. School Street project extended to a date in May, with Cascade currently set forth in mid-March. Cascade developer is working on a hydrology report to be finished in the next few weeks.

5. New Town Website – No discussion.

6. Town Planner presentation on Boston Post Road visioning

- S. Sarkisian walked through a draft presentation on potential planning for the Route 20 corridor. Some discussion on the old landfill site for potential solar development, also being looked at by DPW for a laydown area as well as school bus parking. S. Sarkisian outlined some options for this area as well, such as lookout tower, equinox sunwheel, connection to proposed Mass Central Rail Trail. Looking forward, need a connection with Pelham Island Road with Town Center. Potential for overlay district on the Russell's parcel in terms of the potential for housing. S. Sarkisian will continue working on the options for this area. D. Hill asked for a memo of some sort that explains what the sewer constraints are for this area and our potential solutions and path forward.

7. Sign plans for recording Conservation Cluster Developments: 15 Training Field and 74 Moore Road – no discussion

8. EllenTohn of the Energy Committee-presentation on Warrant Article regarding Energy and Carbon Savings on Municipal Buildings

- The Energy Committee will be proposing an aspirational, non-binding resolution for Town Meeting to approve to seek cost-effective design and construction of all new municipal building construction and substantial renovation projects to minimize carbon-based energy use through cost-effective energy efficient design, building system controls, and on-site renewable energy generation and energy storage. PMBC, Finance Committee and Board of Selectman all voted unanimously in favor.

Vote

- Motion: I Montague moved to support resolution.
- Second: A. Reck.
- Vote: 4-0 in favor.

9. Matters Not Reasonably Anticipated by the Chair 48 Hours In Advance Of the Meeting

10. Adjourn 10:50 P.M.

Vote

- Motion: A. Reck moved to adjourn.
- Second: N. Riley.
- Vote: 4-0 in favor.