

WAYLAND PLANNING BOARD **DRAFT** MINUTES

FILED BY: Sarkis Sarkisian, Town Planner
DATE OF MEETING: **August 15, 2017**
TIME OF MEETING: **7:30 P.M.**
PLACE OF MEETING: Town Building, 41 Cochituate Road

AGENDA

- 7:30 P.M. Open Meeting Comment/Correspondence/ Matters Not Reasonably Anticipated by the Chair 48 Hours In Advance Of the Meeting/Town Planner report.**
- 7:35 P.M. Mass Central Rail Trail – Vote to use existing CPA funds to repair and preserve the Cattle Crossing west of Plainview Road.**
- 7:40 P.M. Robert Duffy - Housing Trust Representative – Provide Planning board update.**
- 7:45 P.M. Vote to release Lot 1, 209 Old Conn Path from the 1989 Covenant and sign new Covenant for the Whittemore Place Subdivision.**
- 7:50 P.M. 104 Plain Road Discussion on Open Space per Decision dated February 18, 2015.**
- 8:00 P.M. Comments on 40b proposals at 24 School Street and 113-119 Boston Post Road (Cascade Development**
- 8:50 P.M. Town Planner Performance Review**
- 9:10 P.M. Approve minutes August 8, 2015**
- 9:15 P.M. Adjourn**

Meeting called to order at 7:39 PM. D. Hill; I. Montague; N. Riley; A. Reck and J. Steel in attendance.

Open Meeting Comment/Correspondence/ Matters Not Reasonably Anticipated by the Chair 48 Hours In Advance Of the Meeting/Town Planner report.

Linda Segal – wants to thank the Board for applying to the MassWorks grant. Would like to see a copy of the application that was submitted due to the wealth of information

that would be included on the proposed water project, budget, etc. Mr. Sarkisian has followed up with MassWorks for a copy of the application and will create a PDF of the materials associated with the application and will provide the same.

Anette Lewis – as a follow up to sending the information out, Ms. Lewis would request the information also be put on the website.

Town Planner Report:

Mr. Sarkisian – needs comments before the end of the month on the annual report for the Planning Board. A draft copy of the same was circulated for review.

Carroll School – going for a final certificate of occupancy. Asked if the Planning Board would like to do a site visit and walkthrough before everything is signed off. Will suggest a walkthrough on 8/25 at 8 AM.

Mr. Sarkisian let the Board know that Fresh Market would not be coming to the Whole Foods Plaza on Route 20. Verbal discussion but wanted to inform the Board. Mr. Normandon wanted to thank the Board for its work related to the plaza but also wanted to let the Board know the current status.

Update on 150 Main Street – Kathy Schriver on the design review board put together a new plan on her own time for the landscaping to try and save the existing landscaping. 150 Main Street owners have not seen it, but would like to have the Board review. A copy of the same was distributed to the Board.

Mr. Sarkisian let the Board know that around the end of next week he anticipates receiving the application for the Moore Road conservation cluster, which would end up being advertised for mid-September.

August 24th at 8:30 there will be a meeting onsite with DPW, abutters, Gary Dennis to discuss what is to be done at the end of Moore Road.

Mass Central Rail Trail – Vote to use existing CPA funds to repair and preserve the Cattle Crossing west of Plainview Road.

Mr. Sarkisian – summary of request to preserve the cattle crossing. \$250,000 in gift funds available from Town Center, and \$30,313 left in CPA funds which was from the \$445,000 for the rail trail. Depot parking lot, 3 crossings and stretch from Depot to Town Center took the majority of those funds except for the \$30,313.

K. Murphy – were the gift funds originally to be spent for the bike trail? Mr. Sarkisian – yes, the Board of Selectman negotiated and the restriction was removed so the funds can be used for any portion of the rail trail. We have the bridge crossing remaining over the Sudbury River, the estimate for that is around \$160,000 from 2 years ago – to go

out to bid and repair the bridge. We still have permitting to go through the wildlife refuge so we still have expenses just to get out of the ground. The paving will be paid for by the DCR on the Weston portion of the rail trail. There was also a thought to negotiate with Eversource to see what they were willing to do on the Weston and Sudbury sides, though Sudbury is currently stalled and the discussion has not progressed further. Recommendation was to stop and wait to see what happens with Sudbury before we go through the process of expending funds on the Sudbury side and the bridge.

Rick [last name] & Tanya [last name] from the Historical Commission- estimate was from John Wathney who the Historical Commission had used for the Stone Bridge. Agreed that the estimate was likely high and included contingencies.

Mr. Sarkisian – recommendation for a peer review given VHB (the company who provided the estimate) works for Eversource.

K. Murphy – question is if the Town does not do something to approve the funds will Eversource destroy the cattle pass. Rick – plans approved by the Conservation Commission included preserving the cattle pass, so likely Eversource would not destroy the cattle pass, though they are expecting the Town to come up with funds for the repair to the concrete. DCR will be doing the railing and the top portion.

J. Steel – it appears that they are structurally sound for the intended loads. Are the funds for aesthetic repairs? Rick – inside roof of the concrete is separated from the steel beams so VHB has recommended that repairs be made per their report. A. Reck – is this more of a repair or restoration? Rick – goal is to repair the concrete deficiencies that VHB has identified. J. Steel – seems like may be aesthetic in nature now but may extend the life of the steel beams. A. Reck – would hate to spend funds and have this be a temporary maintenance activity rather than a long term fix. Tanya – goal of the Historical Commission is to preserve historical resources.

D. Hill – confused as to what is being asked for and the role of the Planning Board. What is action item for the Board? Who owns the land on both sides and is there a practical issue with being able to access the crossing to be able to perform this work? Rick – MBTA owns the right of way.

Mr. Sarkisian – as some background on why the Planning Board was involved, Wayland does not have a bicycle committee so Planning Board served as a sounding board for the bike trail. The Board also supported the article for CPA funds being used for bike trail.

Gretchen Schuler – not the formal applicant. Provided a memo that was provided to the Board of Selectman. It is unclear now who has control over the funds needed for this

work. The memo laid out all of the expenses. Thus far, on the rail trail bills have been signed by the Project Manager for the Town, Planning Board has not been approving the expenditures. Mr. Sarkisian – we have been providing guidance on the parking lot at the depot, have been taking a position on and approving the design. Needs to be a Board that approves this, and state that there are funds available. Ms. Schuler went in front of the Board of Selectman and it was unclear who was able to approve the use of these funds. Had this been identified during the initial review of this portion of the rail trail this would not be a discussion as they would have used the CPA funds toward the preservation of this cattle pass. Mr. Sarkisian – realistically we do not have enough funds to go west, so this may be a good use of the funds.

K. Murphy – is there a need for additional funds for landscaping or a path, etc? Rick – DCR will do railings but due to the wetlands on each side there will likely not be much public access beyond what is there already. J. Steel – has interpretive signage been discussed? Rick - not part of current application but they would likely want to do so in the future.

D. Hill – where is the boundary for the right of way/easement? Rick - DCR easement is in the right of way for the MBTA and is 18' wide in total. D. Hill - do we know if there is enough room to go underneath. Rick - depends on the area where the DCR will install railings.

K. Murphy – his recommendation to the Chair is that we could give an indication of the Board's intention and a list of things we need to make the decision. Ideally when we approve we have a full package and approve a full project.

D. Hill – has questions about access for the construction and providing viability for the public to be able to access and be able to have funds to go toward Sudbury rather than using these funds for historic preservation given the fact that the CPA funds can be used for this and an article can be brought for the spring town meeting for approval of the same. Ms. Schuler – as a preservation planner she thinks about the future of people that are not here and the way the items preserved inform us of our past. D. Hill – not making a judgment on this. Would like to know that we have the legal standing to undertake this project for access to the easement. Would question whether this is a good use of public funds for historic preservation. Tanya – depends on how you consider the “value”. D. Hill – concern is about the funds appropriated for building a rail trail.

K. Murphy – thinks this is a great use of the funds, and pointed out we have used some funds on historical preservation already so not inconsistent with funds used thus far, though he does really want to see a finished plan. He would prefer to see signage options now and to include a request for signage so there is an explanation so people

understand it is there even if they cannot climb down. Mr. Murphy would also like to make sure we can actually get access to it for construction purposes.

A. Reck – agrees, and would like to point out that on the plans if we can know the ownership and boundaries for where the crossing can be seen it would be helpful as part of the whole package.

D. Hill – asked for confirmation that Historical Commission is supporting this request. Ms. Schuler clarified that she is Chair of the CPC and interest is as a citizen at large and that the funds being appropriated are used appropriately. Tanya – budget for Historical Commission is \$1,000 in total so they have no funds to undertake the updated plans and signage requests.

J. Steel – sense is there are different types of outfits that could do this type of work. I. Montague – perhaps we can find someone to surface coat or somehow do this in an appropriate way not at this price point?

Mr. Sarkisian – can we use some funds to put together this plan and signage renderings? Would likely be around \$2,000. Planning Board also does not have a budget for these types of requests.

K. Murphy – motion that the Board indicate its intention to support this project and that the Planner confirm our ability to approve the use of these funds, and that limited funds be used to put together a plan. A. Reck will second. K. Murphy amends to add not to exceed \$1,500. A. Reck seconded. 5-0 in favor.

Mr. Sarkisian – in answer to who currently maintains the rail trail responded that DPW and volunteers are currently maintaining the rail trail, between mowing and picking up trash.

Robert Duffy - Housing Trust Representative – Provide Planning board update.

K. Murphy – thanks Mr. Duffy for his time and effort.

Mr. Duffy – update on what is going on – last 4 months have been very busy. The Trust has been very active in executive session so specific addresses cannot be discussed but wanted to give a general update. Mr. Duffy added he is always available for any questions. Did reference 3 categories of projects that are being reviewed by the Trust, including, 1) NIKE like projects which are larger projects, 2) single family home or duplex, and 3) parcels adjacent to Town owned land. Probate sales also being identified as possibilities. The Trust is focused on trying to look at the places no one else is looking.

Mr. Sarkisian – reminder to the Trust that they can only purchase 2 units without a Town vote.

Vote to release Lot 1, 209 Old Conn Path from the 1989 Covenant and sign new Covenant for the Whittemore Place Subdivision.

Request to release from old covenant and a new covenant drafted to be signed. Recap of the issue – after the Green's purchased Lot 1 we were asked to approve the removal of Lot 1 from the subdivision that was approved some years ago. Covenant in the old decision included obligation to not remove any lots until the road was built and certain other milestones were met. Since this time, a new decision has been approved which contemplated the release of Lot 1 from the original covenant. Our updated decision included a release of Lot 1 from the subdivision but we did not release the old covenant. There is a proposed new covenant, which was a condition of the decision that they needed to provide us with a new covenant contract. D. Hill - as a procedural point, the Board should vote to release the 1998 covenant while at the same time having the adoption of the new one. J. Steel would like copies of the old and new covenants for review.

K. Murphy – made a motion to release Lot 1 from the existing 1998 covenant. I. Montague – seconded. 5-0 in favor.

104 Plain Road Discussion on Open Space per Decision dated February 18, 2015.

Mr. Sarkisian – as an update, Sudbury Valley Trustees (“SVT”) are not interested in receiving the property. Generally SVT likes to have 10 acres and a minimum of \$20,000 in funds set aside for maintenance. Mr. **Statie** is out of the country so Mr. Sarkisian will follow up with a letter with him with the decision. He plans to address the Board and we will put on the agenda for the September 5th meeting.

Comments on 40b proposals at 24 School Street and 113-119 Boston Post Road (Cascade Development)

Mr. Sarkisian gave an update on the ongoing meetings for the 40B projects:

School Street – meeting will be September 7th at 7:30 and will only be discussing traffic, police and fire. Will be the second meeting. First meeting opened up the hearing, gave a general overview and took some public comment. K. Murphy – have we been requested by Zoning Board of Appeals (“ZBA”) to provide input. Mr. Sarkisian – yes, though there is some frustration as there has been input provided and the plans have not changed. Recommendation that there needs to be a total peer review done before we really dig in given the issues on septic.

Mahoney's – first meeting will be opened up on August 22nd and will be continued to some time in September.

D. Hill - ZBA has 6 months to close the hearing so we need to provide comments in relatively short order.

Review what has been proposed. Present concerns of the various boards in a productive manner, force the Developer to the table and come up with a cohesive plan that works.

N. Riley – what is status of ad hoc committee? Went in front of Board of Selectman 2 weeks ago and is back in front of them next week. Doug will be putting together a charge and will run it past town counsel to make sure no issues with ZBA.

D. Hill – will continue working on the comment letter and will circulate for comments. Mr. Sarkisian – will work on a rough plan based on the Brookline presentation for our next meeting.

D. Hill – recommendation to wait on providing comments on this one for now to focus on School Street.

Route 20 is slated for reconstruction. If this happens the road cannot be reopened for 5 years. Applicant has been informed.

Continue the discussion during our next hearing on these projects.

Town Planner Performance Review

D. Hill - last evaluation was back in 2013 so long overdue. Gotten advice from Town Administrator and Assistant Administrator to get advice on how to deal with this and the chain of command. Thinking is for this evaluation, we would generate some preliminary comments and constructive criticisms and items for improvements that would be memorialized and that we would not have a formal review during this meeting and we would then evaluate the progress at the end of the year or some other period.

Public comments. None.

1. **Job Knowledge:** best attribute is experience and knowledge. Interaction with our zoning by law and other by laws is also a great strength. One point of constructive criticism – perhaps because of the knowledge base, there may be some questions of minutia that sometimes may be lost and we may need technical assistance on so that may be one thing to look out for. The Board definitely relies on Mr. Sarkisian's expertise in zoning and the various laws.
2. **Quality/Quantity of Work:** perhaps a bit of a crack in the process, could use some assistance with proof reading, some of the things that are brought to the Board could use some massaging before it comes in front of the Board.

Organizational process is likely the biggest thing to work on. Need to better guard the cutoff times for getting things on the agenda. Timing and prioritization of information is key in making sure the Board meetings are as productive and smooth as possible.

3. **Interactions:** positive interactions with residents and applicants. There are some constant critics that may get under Mr. Sarkisian's skin that we need to work through. May also be an observation that there is a preference toward applicants. As a point of emphasis, it may be worth making sure the interactions outside of the meetings do not appear to be favoring applicants; though the difficulty is recognized that as the point of contact there becomes a level of familiarity and as Mr. Sarkisian is a friendly person (which was noted as a positive) this may be misconstrued by the outside observer.
4. **Judgment:** It was noted that 90% of the time there is good judgment exercised, though there are a few times where there has been some concern on advice not given in front of the Board. As a whole, we need to work on the 10% of situations where things are not being run through the Board to avoid the situation where an applicant feels (whether correctly or not) that the Board is making a determination on something when the Board is unaware of that recommendation.
5. **Initiative:** Part of the discussion above.
6. **Attendance & Punctuality:** Excellent attendance was noted.
7. **Leadership:** Does not manage a department so not applicable.
8. **Managerial:** Does not manage employees. D. Hill noted a letter received from Nan Balmer regarding oversight of a few projects. One noted is the rail trail. Safe Harbor request for certification on the Whole Foods Plaza. 104 Plain Road issue. All have been discussed and addressed above. May be some internal personnel issues that need to be dealt with in Town Hall. As a note, the Planner does not report to the Town Administrator but rather the Board, which is a bit of a unique circumstance.
9. **Other/Goals:** No comments not otherwise covered.
10. **Overall:** See above discussion.
11. **Areas for Improvement:** See above discussion.

Adjourn

K. Murphy motion to adjourn. A. Reck seconded. 5-0 in favor. 10:37 PM.