



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

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MEETING MINUTES

September 10, 2013

The Wayland Planning Board met on **Tuesday September 10th, 2013 at 7:30PM** in the Wayland Town Building, 41 Cochituate Road, Wayland, MA relative to the following agenda items:

7:30 Review Agenda / Public Comment/Town Planner Update re:

- **Rail Trail**

7:35 Continuation of Public Hearing for the Site Plan Approval application and any other necessary approvals and modifications for Brendon Properties, LLC. The Wayland Planning Board will review and may vote on the application submitted by Kevin Giblin as required in Article 23, entitled Mixed Use Overlay District (MUOD), of the Town of Wayland Zoning Bylaw. The Applicant proposes the construction of 42 Town Homes located in the new Town Center, at 400-440 Boston Post Road. The public is invited to attend and offer comments regarding this application.

8:00 Michael Rd bond posting/ Lot release/Summer Lane bond reduction

8:10 Town Planner performance review

8:45 Approve minutes / Adjourn

Attendance:

Mr. Kent Greenawalt, Chair

Ms. Colleen Sheehan, Vice Chair

Mr. William Whitney, Associate Member

Mr. Ira Montague, Member,

Mr. Andrew Reck, Member,

Mr. Kevin Murphy, Clerk

Also present was Mr. Sarkis Sarkisian, Town Planner. Minutes taken by K. Murphy

7:32PM Open and Public Comment:

K. Greenawalt opened the meeting. S. Sarkisian reviewed the agenda.

Public Comment:

There was no Public Comment

Town Planner Update:

Rail Trail

S. Sarkisian, K. Greenawalt and K. Murphy met with MA DCR on Sept 4, 2013 to discuss the Wayland Section of the Mass Central Rail Trail. It was agreed (assuming DCR's request to MEPA to avoid an EIR is approved) that Wayland would apply for a "Temporary Construction Access Permit" to allow a contractor to begin removing the existing rail equipment and constructing a usable trail. Several items still

need to be determined including the required materials for the trail surface and the bidding process for iron rail removal.

S. Sarkisian will obtain a copy of DCR's application to MEPA to see if it contains any requirements governing materials used for constructing the trail.

7:50PM Continuation of Public Hearing for Site Plan Approval for construction of residential units in the Town Center MUOD

S. Sarkisian informed the Board that the Applicant had requested a continuation of the hearing until September 24, 2013.

Also, S. Sarkisian and K. Greenawalt attended the Selectman's meeting on Sept 9, 2013 to discuss the pending application for Brendon Properties, LLC. The Selectmen were informed that the PB is close to approving an application for site plan approval which contains 42 units, far fewer than the maximum of 88 approved in the MUOD. The PB's concern regarding potential ambiguity relating to the housing based payment to the town (calculation is included in the Memorandum of Agreement between the Town of Wayland and Twenty Wayland, LLC dated March 28, 2006, as amended, the "Developer's Agreement") was expressed to the Selectmen. The selectmen requested that two conditions be included in the decision: (i) a commitment to make the entire affordable housing related payment to Wayland and (ii) a commitment to make the entire market-rate housing related payment to Wayland.

Note: The ambiguity noted above derives from language in the Developer's Agreement that specifies that payments (for both the 'Gift' and the Affordable Housing Trust Fund) are made on a per-unit basis as non-affordable units are sold. The amount of the payment to be made as each unit is sold was determined based on the maximum number of units approved (88). Since substantially fewer units are being constructed, the total of the per-unit fees paid will fall short of the total amount referenced in the agreement. The conditions requested by the Selectman would require that regardless of the actual number of units constructed, the entire amount of the housing related portion of the Financial Gift (\$2,300,000) and the Affordable Housing contribution (minimum of \$537,240).

Subsequent to that meeting, staff was informed that the Applicant, Brendon Properties, LLC would accept the affordable housing requirement as this payment will be the obligation of the Applicant but that it could not accept responsibility for the non-affordable housing related payment as this is the responsibility of Twenty Wayland, LLC.

Motion: Continue hearing until Tues 9/24/2013 @ 8:15pm

Move: C. Sheehan

Second: A. Reck

Vote: 5-0

8:10PM Michael Rd/Summer Lane lot release and bond reduction

Applicants were not prepared to present this evening. PB will address at future meeting.

8:17PM Town Planner Review

K. Greenawalt summarized and shared feedback provided by PB members with S. Sarkisian. After discussing the comments, K. Greenawalt agreed to consolidate all of the commentary/ratings information into a formal written review. In general, members were very pleased with the overall performance of the Planner while providing specific areas for improvement.

8:55PM Other Items

Agenda for Sept 17

Warrant article discussion for potential special town meeting

Agenda for Sept 24

PB Goals

Tree Hearing

Brendon Properties

Finnerty's Update

- ZBA plan has been submitted
- Applicant and ZBA are still reviewing the status of the way
- PB will be asked to provide a recommendation at some point

9:00PM Review/Approve Minutes

Motion: Approve minutes for 8/27/2013 as amended.

Move: K. Murphy

Second: K. Greenawalt

Vote: 5-0

9:10PM ADJOURN

Motion: Adjourn

Move: A. Reck

Second: C. Sheehan

Vote: 5-0

Respectfully submitted,

Kevin Murphy, Clerk

Date