



TOWN OF WAYLAND
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WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

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APPROVED MEETING MINUTES

February 11, 2014

The Wayland Planning Board met on **Tuesday February 11, 2014 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

7:35 Continuation of Public Hearing for Zoning-Related Warrant Articles that was opened on February 4th 2014. Articles are being considered for the 2014 Annual Town Meeting.

8:15 Adjourn

Attendance:

Mr. Kent Greenawalt, Chair, Via phone

Mr. Ira Montague, Member,

Ms. Colleen Sheehan, Vice Chair

Mr. Andrew Reck, Member, Absent

Mr. William Whitney, Associate Member, Absent

Mr. Kevin Murphy, Clerk

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

7:32PM Open and Public Comment:

C. Sheehan opened the meeting. S. Sarkisian reviewed the agenda.

Public Comment:

There was no Public Comment

7:35PM CONTINUATION OF PUBLIC HEARING FOR WARRANT ARTICLES

Mr. I Montague suggested the Board consider the Signage Bylaw first.

Item 1: New Section 505.1.1

S. Sarkisian reviewed two of the critical impacts of the proposed insertion. The first is that the repair of non-conforming (but grandfathered) signs when there is *any* change requires a special permit.

The second impact is that any conforming sign to be repaired or changed with only the approval of the Design Review Board and the Building Inspector.

Motion: Recommend the Warrant Article creating a new Section 505.1.1

Move: I. Montague

Second: K. Murphy

Vote: 4-0 (K. Greenawalt voted remotely)

Item 2: Specimen Tree Overlay Protection District (STOP)

Public Comments:

Ms. Deborah Diaz, Oak Hill Rd – Ms. Diaz stated that she understood why Pelham Island was removed from the district but expressed concern that the Board was practicing ‘spot zoning’.

Mr. Scott Machanic, Meadowview Rd – Recommended that Pelham Island be included in the district and then debate the issue at Town Meeting.

I. Montague expressed concern regarding the likelihood of Attorney General rejection of the by-law as well as the enforceability of the by-law (he noted that Wayland does not currently have an opinion of attorney that the ZBL would be enforced).

S. Sarkisian noted that there are four options the Board could pursue.

1. Shrink the size of the district (remove Pelham Island based on resident objections).
2. Change the trigger for applicability to 5 trees within 1 year.
3. Leave the district as is and approve
4. Pass-over the article at Town Meeting (allows Board to speak to article while not pressing for passage)

Additional Public Comment:

David Larochelle, Jeffrey Rd – Q: Why doesn't the zone cover all of the Great Meadows area?

A: District was intended to cover residential districts only and cannot be expanded at this stage.

Mr. Larochelle recommended passing over the article for now.

Gary Slept, Jeffery Rd – Q: If ZBL is passed and then rejected by AG, do we set a negative precedence?

A: We're not sure but it would have to be for very similar ZBLs.

Ms. Florence Dwane, Stonebridge Road – Noted that it would be preferable to have more public meetings prior to TM. Ms. Dwane is in favor of protection but thinks the ZBL is not ready yet.

S. Sarkisian noted that a consensus was forming to not support the article based on questions regarding its enforceability. He recommended that the Board consider expressing its support for the Article's intention in its recommendation report, regardless of the vote. The best approach to do this would be to include the article and then, at Town Meeting, move to pass-over and speak to the article's merits.

Motion: Amend the Specimen Tree Overlay Protection District (STOP) Article to:

1. Limit the applicability to the Oak Hill neighborhood.
2. Set the trigger for applicability to five trees on one lot in one year.
3. Remove section labeled 2606.3.

Move: K. Murphy

Second: I. Montague

Vote: 4-0 (K. Greenawalt voted remotely)

Motion: Recommend that Article be included in Warrant, write report in favor of article intention but recommend that the town Pass-Over at Town Meeting based on lack of legal opinion regarding enforceability. Inform Town Meeting that the Board intends to continue exploring options that might provide adequate and enforceable protection for the Town.

Move: I. Montague

Second: K. Murphy

Vote: 4-0 (K. Greenawalt voted remotely)

Motion: Close Warrant Hearing for zoning-related articles.
Move: I. Montague
Second: K. Murphy
Vote: 4-0 (K. Greenawalt voted remotely)

Motion: Adjourn.
Move: I. Montague
Second: K. Murphy
Vote: 4-0 (K. Greenawalt voted remotely)

Respectfully submitted,

Kevin Murphy, Clerk

Date