



TOWN OF WAYLAND
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PLANNING DEPARTMENT

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FINAL MEETING MINUTES

December 2, 2014

The Wayland Planning Board met on **Tuesday December 2, 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 / Correspondence**
- 7:35 Enter into Executive Session pursuant to Mass General Laws Chapter 30A, Section 21 (a) (3), to discuss strategy with respect to pending litigation regarding the case of Alleged Constructive Approval by Wayland Planning Board relating to 150 Main Street. Docket No. 1449CU689**
- 8:05 Review Preliminary zoning articles list from Planning Board, Town Planner and Zoning Board of Appeals – create timeline**
- 8:55 Topics Not Reasonably Anticipated by the Chair 48 hours in advance.**
- 9:00 Approve Minutes 10/22/2014, 11/06/2014 and 11/15/2014**
- 9:15 Adjourn**

Attendance:

Ms. Colleen Sheehan, Chair	Mr. Kevin Murphy, Clerk
Mr. Andrew Reck, Vice Chair -departed at 8:30PM	Mr. Ira Montague, Member
Mr. Kent Greenawalt, Member - absent	Mr. Dan Hill, Associate Member – arrived 8:45pm

The Town Planner, Mr. Sarkis Sarkisian, was also present.

7:30PM Open and Public Comment:

C. Sheehan opened the meeting, reviewed the agenda and informed those in attendance that the meeting is being taped.

Correspondence / Planner Update:

S. Sarkisian provided the Board with a letter from Gretchen Shuler which included a form for site plan approval extension requests.

S. Sarkisian also provided the Board with a letter from Scott Mechanic regarding the Specimen Tree Overly Protection by-law.

Public Comment:

Molly Upton, Bayfield Rd. Interested in hearing Town Counsel's opinion regarding public ways and set-backs (and as these would apply to 150 Main Street).

M. Lanza, Town Counsel, responded by noting the ‘way’ would have to qualify as a ‘street’ in order for setbacks to apply. ‘Public’ or ‘private’ is not relevant. ‘Hammond Way’ is a private way not open to public use and thus it does not meet the Town’s definition of a ‘Street’ and thus, setbacks do not apply. Note however, that this status can change over time.

Motion: Enter into Executive Session for the purpose of discussing pending litigation relating to 150 Main St. LLC’s claim of constructive approval of its site plan modification.

Move: I. Montague

Second: A. Reck

Vote: 4-0

C. Sheehan declared that (i) a public discussion of the matter would have a detrimental effect on the Board’s litigating position relating to this matter, (ii) the Board would be in executive session for approximately 50 minutes and (iii) Board members, Town Planner and Town Counsel would be in attendance.

A separate set of minutes will be released when the litigation is complete.

8:27PM – Motion: Exit Executive Session

Move: I. Montague

Second: K. Murphy

Vote: 4-0

8:30 PM Review Preliminary Zoning Articles From Planning Board, Town Planner and Zoning Board of Appeals:

S. Sarkisian introduced and reviewed each article that could be submitted. Tonight, the board will select the subset of articles that will be presented to Board of Selectman (BoS) as potential articles. Based on feedback and further review, the Board will then vote articles to be formally submitted during the public hearing for the warrant articles. S. Sarkisian noted that there are still some funds in his budget for professional services and he will propose to the BoS that these funds be used to hire Kopelman and Paige to assist in the warrant article review. In particular, should the Board decide to proceed with the ‘STOP’ article, an opinion regarding enforceability will likely be needed.

The Board discussed the following potential articles (descriptions below are not official article titles but and are for identification purposes only).

- A. Home Occupation
- B. Sidewalk construction / reconstruction
- C. Landscape buffers for parking areas
- D. Signage
- E. Floor Area Ratio
- F. Teardowns – nonconforming lots – standards and qualifications
- G. Measurement of building height
- H. Specimen Tree Overlay Protection District (STOP)
- I. Bus Parking Zones

The Board determined that draft articles labeled A, B, C, F and H would be submitted to the BoS. C. Sheehan noted that the Board would only proceed with the STOP article if an enforceability opinion is received prior to formal submission. S. Sarkisian noted that there may also be an administrative article to accept certain streets in Town.

9:25PM Topics Not Anticipated:

Land Use Review of Solar Panel Project

The middle school roof cannot handle additional panels. A new proposal to install panels in the parking lots (above parking spaces) is forthcoming from the Energy Committee. This will be a \$3.5mm project (paid by Ameresco) that is expected to save \$130-150k per year. Jay Abelli, Building Commissioner, has determined that this is an accessory use for the schools (they are using the power) so no Planning Board approval is needed. However, they will likely present to the Board to collect our input as this will likely require Town Meeting approval.

Rail Trail Update

Likely to get approval to hire Steer Engineering (Billy Young) to inspect the bridge over the Sudbury river.

Town Center Update

Twenty Wayland is planning to submit plans for vacant building site on north side of 'Main Street'. The building will be a one-story building that will comply with the MUOD approval. However, structural elements will be made strong enough to support a second floor development if approval for expansion is received in the future.

104 Plain Road

This is a 4+ acre lot on Plain Road. Mike and Sandy Staiti (Keystone Development) plan to purchase the lot and create a two-lot conservation cluster which will include preserving the existing house. This proposal has support from the neighbors and will include a donation of land to the town.

9:50PM Approve Minutes 11/06/2014 and 11/15/2014:

Motion: Approve minutes for November 6, 2014 as amended

Move: I. Montague

Second: K. Murphy

Vote: 3-0

Motion: Approve minutes for November 15, 2014 as amended

Move: K. Murphy

Second: I. Montague

Vote: 3-0

9:50PM Adjourn

Move: K. Murphy

Second: I. Montague

Vote: 3-0

Respectfully submitted,

Kevin Murphy, Clerk

Date