



Town of Wayland Massachusetts

Planning Board Meeting Minutes for Meeting of Nov. 16, 2015

AGENDA

Note: Items may not be discussed in the order listed or at the specific time estimated. Times are fluid given unpredictable duration of time.

- 7:30 P.M. Open Meeting and Join Board of Selectmen for a Joint Meeting to Consider and Potential Vote to Appoint an Associate Planning Board Member. After the Appointment, the Planning Board will reconvene its regular meeting as stated in the agenda below.**
- 8:00 P.M. Comment/Correspondence/ Matters Not Reasonably Anticipated By the Chair 48 Hours In Advance Of The Meeting**
- 8:05 P.M. Lot releases for Lot 6 & 7 Covered Bridge**
- 8:10 P.M. Zoning Bylaw review for 2016 Spring Town Meeting**
- 8:55 P.M. Approve minutes of November 3, 2015**
- 9:00 P.M. Adjourn**

In attendance: Andrew Reck (Chair), Kevin Murphy, Ira Montague, Colleen Sheehan, Dan Hill (Sheehan departed at 8:30)

The meeting was called to order at 7:30 PM in the Selectmen Meeting Room

I. Joint Meeting with Selectmen

Joint meeting called to order, to consider appointment to fill vacancy in associate position.

The Boards heard from Nicole Riley, an attorney at Goodwin Procter. Handles commercial real estate transactions. Nicole has some land use experience as a result of her real estate practice. Paul Morenberg is a litigator with a solo practice in Newton, focusing on employment law. Paul has knowledge of administrative law, litigation, and risk assessment. Jennifer Steele is a lifelong resident of Wayland. Her professional background is as a conservation agent/administrator for last 20 years. She is currently working for the City of Newton and is on the MACC Board of Directors. She has also taught for three years. Jennifer has served on other Wayland boards including the high school building committee.

Members of both boards expressed gratitude for three very well-qualified candidates, and noted that Jennifer would bring experience in conservation issues that the Board currently doesn't have. Kevin Murphy noted that with so much of the work of the planning board being legal in nature, it would be beneficial to have another attorney on the board. After much discussion, Jennifer withdrew her nomination and promised to get involved with another board or commission.

The Boards voted unanimously to appoint Nicole Riley by roll call vote. The planning board's vote was:

Reck (yes), Murphy (yes), Montague (yes), Sheehan (yes), Hill (yes).

The Planning Board closed its joint meeting with the selectmen, and re-convened in the planning office.

II. New Business

A. Covered Bridge

WHA director Brian Boggia will manage the lottery and qualification of potential unit owners for the affordable units.

The request before the planning board is to release the remaining two lots from the Covenant, which is the performance security for this subdivision (lots 6 and 7). Both lots are ready for certificates of occupancy. At the last planning board meeting, the Board voted to substitute a bond for the Covenant to secure the completion of the remaining infrastructure (final coat of paving) – all other infrastructure is completed. Ira moved to release lots 6 and 7 from the Covenant. Approved 4-0, Hill abstained.

B. Zoning Bylaw Review

1. *Assisted Living*

Sarkis notes that he's been getting inquiries regarding converting SF homes into assisted living facilities. These facilities are allowed by special permit under current zoning, regardless of the size of the parcel or zoning classification. Sarkis recommended limiting assisted living facilities to commercial zones. The Board decided that we should impose greater restrictions on these facilities in residential zones (but not prohibit them), perhaps by limiting the number of bedrooms or residents, and restricting facilities in residential zones to the conversion of existing dwellings (subject to minor alteration/expansion). Sarkis will work with Dan Hill to draft proposed language for the zoning article hearing, which will be Dec. 8th at 7:30 PM.

2. *Height of Buildings*

Dan Hill drafted a proposed change to the Zoning Bylaw's building height provisions, so that height is measured from natural grade (pre-construction) rather than from final grade, as it currently the standard. The Board generally agrees with this change, but members expressed a preference for Lincoln's definition of "natural grade," and the language of Weston's bylaw over

Winchester's bylaw. Dan provided sample language from these towns among others. Dan and Sarkis will work to fine-tune the language before the zoning article hearing.

3. *FAR*

The Board discussed limiting an FAR bylaw to applications for special permits of nonconforming buildings and lots, where such applications seek to increase the net floor area of the existing residential structure. Dan questioned whether a town could impose this kind of requirement on a grandfathered structure under G.L. c. 40A, §6. Sarkis will request assistance of special town counsel on this question to see whether we can do this.

C. Update on Rail Trail

Sarkis reported that Eversource is finally getting the license from MBTA to do work on rail trail. They are expected to proceed with permitting with the Conservation Commission. Sarkis will work with TEC to begin the design work for the road crossings, which the Town will be responsible for paying for.

Motion to adjourn
Move I. Montague
2 ND by K. Murphy
All in favor 9:45 P.M.

Respectfully Submitted,
Daniel C. Hill