



Town of Wayland Massachusetts

Planning Board

Meeting Minutes for Meeting of Dec. 8, 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 Comment/Correspondence/ Matters Not Reasonably Anticipated By the Chair 48 Hours In Advance Of The Meeting

7:35 P.M. Public Hearing Zoning By-Law Amendments

**LEGAL NOTICE
TOWN OF WAYLAND
PLANNING BOARD**

PUBLIC HEARING RE: ZONING BY-LAW AMENDMENTS

The Wayland Planning Board will hold a public hearing on Tuesday, December 8, 2015 at 7:35 p.m. in the Planning Board Office, Wayland Town Building, 41 Cochituate Road, Wayland, Massachusetts, 01778. The subject of this hearing will be proposed amendments to the Wayland Zoning Bylaw, which will be considered at the 2016 Wayland Spring Annual Town Meeting. The text of these amendments and maps can be viewed at the Planning Board Office and outside the Building Department Office at the Wayland Town Building (8:30 AM to 4:00 PM during normal work days), Reasonable accommodations and audio-visual aids and services will be available upon request. The proposed amendments and subject matter to the Wayland Zoning Bylaws are summarized as follows:

- 1. Replace sections in all commercial districts regarding the construction/location of sidewalks in the right of way.**
- 2. Insert a new section regarding landscaping in parking areas abutting residential property.**

3. **New definition regarding Home Occupation Customary (customary home occupation)**
4. **NONCONFORMING STRUCTURES AND USES** Any building, which includes residential structures, or use lawfully in existence or lawfully begun or as to which a building or special permit has been issued before the first publication of notice of public hearing on any provision of this Zoning Bylaw, or any amendment thereto, required by MGL c. 40A, § 5, may be continued or completed although such building, structure, or use does not conform to the terms of said provision or amendment, subject, conditions.
5. **Apply a Floor Area ratio to undersized residential lots.**
6. **Conservation Cluster Developments regarding, open space requirements, total number of dwelling units on the tract of land and affordable units required.**
7. **New definition regarding Building Height.**
8. **New requirements for Assisted/Independent Living, Nursing Homes in residential districts.**
9. **New requirements for Sales of used motor vehicles by owners of service stations as an accessory use.**

8:55 P.M. Approve minutes for November November3, 2015 and November 16, 2015

9:00 P.M. Adjourn

In attendance: Reck (Chair), Murphy, Montague, Hill, Riley

The meeting was called to order at 7:35 PM in the Selectmen Meeting Room

I. Public Comment

Elisa Scola Chair of Historical Commission appeared to discuss the concept of a demolition delay bylaw. In 2003, a proposal for a similar bylaw was defeated. Commission is proposing a bylaw that protects 100-year old buildings and structures or an architecturally-important building

II. New Business

A. Zoning Bylaw Amendment Hearing

1. *Sidewalks*

Hill suggests that we need to work on language to make clear when an existing commercial use would need to comply with the sidewalk construction requirement. Sarkis explained

Murphy suggested that we should allow for exceptions to the requirement that the sidewalk be in the ROW, as there may be circumstances where it would appropriate to have the sidewalk outside the ROW.

Gretchen Schuler noted that there may circumstances where the Board of Public Works may not want the sidewalk in the ROW as it may interfere with roadway operations or enlargements.

2. *Parking Screening*

Hill proposed some tweaking to the language. The Board was generally in favor of the concept.

3. *Home Occupation*

There was some discussion about the trip generation cap proposed restriction. The Board was generally in favor of pursuing this amendment. Murphy commented that we may need to also alter the Table of Uses.

4. *Nonconforming Structures and Uses & FAR*

Board decided that nonconformities and FAR change should be in same article.

There was discussion of the illustrative types of uses that would not trigger the special permit requirement under G.L. c. 40A, §6.

A resident Mike Lowry provided opinion that the .4 FAR proposal is too restrictive, and that it discriminates against small lot owners. He thinks it will not likely pass Town Meeting.

Murphy noted that the definition of basements that are consider a story above grade should be better defined.

5. *Conservation Cluster Bylaw*

Murphy stated that he has changed his view on bonus provision – would prefer not providing for this in the Bylaw. The Board reviewed the comments from Sherre Greenbaum, and concurred with all but the last one.

6. *Height*

The Building Commissioner was in agreement with the proposed language. The Board had no other comments.

7. *Nursing Home*

Currently these facilities are allowed by special permit in residential zones. The proposal would limit these to 4 units. Otherwise, nursing homes are allowed in business districts. Hill is okay with the concept, but Murphy and Reck don't believe these facilities should be in residential zones. Montague is okay with the concept but shares concerns with impact in residential neighborhoods and thinks we should study further. The Board supported to change the amendment, to change the designation from "SP" not "N in the residential zones (for uses 24 and 32).

8. *Used Auto Sales*

Board of Selectmen referred this issue to Planning Board over concerns of certain establishments expanding their used car sales operations. Board decided this requires further study. Hill will follow up with Sarkis and the Board of Selectmen.

Board voted to continue this hearing to Jan. 5 at 7:35. Moved by Murphy seconded by Hill. Approved 4-0.

B. Next Planning Board Meetings

December 16th at 6:30 – to consider an ANR application. Possible another meeting on January 12th.

Motion to adjourn made at 9:45 by Murphy, seconded by Montague.
All in favor

Respectfully Submitted,
Daniel C. Hill