

WAYLAND PLANNING BOARD MINUTES

FILED BY: Sarkis Sarkisian, Town Planner
DATE OF MEETING: **December 13, 2017**
TIME OF MEETING: 7:30 P.M.
PLACE OF MEETING: Town Building 41 Cochituate Road

AGENDA

1. **Open Meeting Public Comment & Town Planner Report (7:30 P.M.)**
2. **74 Moore Road Conservation Cluster Development Special Permit continuation of Public Hearing. (7:35 P.M.)**
Owner: Tamposi brother LLC
Application: for a Conservation Cluster Development
Jurisdiction: Special Permit Granting Authority
Purpose: Development in a manner consistent with the following objectives:

- Promoting the more efficient use of land in harmony with its natural features.
- Encouraging the preservation of open land for conservation, agriculture, open space and recreational use and preserving historical and archaeological resources.
- Protecting existing or potential municipal water supplies.
- Protecting and promoting the health, safety, convenience and general welfare of the inhabitants of the Town of Wayland.

Decision - Planning Board has 90 days from public hearing September 19, 2017 or December 18, 2017.

Staff Notes: See attached draft decision

Recommendation: close the public hearing and vote the final decision that was discussed on November 28th. A new Approval Not Required Plan for Hickory Hill will also be presented.

4. **Minutes of November 7, 2017 and November 28, 2017 for approval (8:10 P.M.)**
5. **Whittemore Place subdivision bond/lot release and retention basin modification 213 Old Connecticut Path. (8:20 P.M.)**
6. **Discuss potential Zoning Articles. (8:30 P.M.)**
 - § 198-505. Off- Street Parking. Consider reducing the number of parking spaces required. The proposal would also allow the Planning Board under Site Plan Approval and the Special Permit Granting Authority the ability to land bank parking.
 - § 198-506.8.1 Landscaping in parking facilities adjacent to residential land. This article would require a minimum of a 10' buffer.
 - § 198- 603.3 Notwithstanding Section 601.2, supra, any proposed nonprofit educational, religious, or child care uses land protected under G.L. c. 40A, §3 ("Section 3 Uses") shall be subject to site plan review under Article 6, which shall be limited consistent with those statutory provisions. The purpose of this Section is to ensure that all such uses and facilities are reasonably regulated in regards to bulk and height of structures and

determining yard sizes, lot area, setbacks, open space, parking and building coverage.

The Planning Board will also begin discussions on Recreational Marijuana. Ira Montague will report to the board a meeting he attended with the Youth Advisory Committee.

7. Matters Not Reasonably Anticipated by the Chair 48 Hours In Advance Of the Meeting

8. Adjourn (9:30P.M.)

7:34 PM Meeting called to order. A. Reck, D. Hill, I. Montague, K. Murphy, N. Riley and J. Steel in attendance.

Open Meeting Comment:

No public comments.

74 Moore Road Conservation Cluster Development Special Permit continuation of Public Hearing:

- Mr. Sarkisian – received comments from D. Hill and J. Steel. Handed the same out for discussion. Also handed out a memorandum from Don Leighton on the pine trees. Mr. Sullivan discussed the memo he provided related to the calculations for the square footage and lot area and the discrepancies that D. Hill discussed at the last meeting. Ms. Schuler sent a recommendation regarding the restriction on the barn.
- Discussion ensued and revisions were discussed page by page, to be incorporated into an updated draft of the decision to be discussed during the next hearing.

I. Montague made motion to close the hearing. A. Reck seconded. 5-0 in favor.

N. Riley made a motion to grant special permit subject to decision drafted and as modified during the hearing. I. Montague seconded. 5-0 in favor. (K. Murphy unable to vote; J. Steel participated)

Minutes were not provided/reviewed and will be moved to next meeting.

ANR Plan for 28 Hickory Hill Road:

- Boundary was moved to allow for the path discussed in relation to the conservation cluster to be completely within the open space parcel. Exactly the same lot size as previously approved. A. Reck moved to endorse the ANR plan. N. Riley seconded. 5-0 in favor.

Whittemore Place subdivision bond/lot release and retention basin modification 213 Old Connecticut Path:

- Whittemore Place – voted the bond amount at the last meeting for \$45,000 for Whittemore Place. Mr. Sarkisian confirmed the check has been provided. Inspection report provided for the roadway. Applicant attended the meeting to request a revision for the retention area and would like to relocate it to a slightly more southerly location. Also proposing to change the house location on lot 2A which is located closest to the existing house.
- Mr. Ed McCarthy, Attorney for Oxbow Development (Applicant), Mr. Al Litchfield, and Mr. Rich Cormier were all present on behalf of the Applicant. The Applicant stated the garage and driveway would remain the same on the lot under discussion, but the house flips north to south. Recharge basin would be moved from lot 2A to lot 3. Letter from engineer provided. Mr. Sarkisian provided the engineer report to Sean Reardon for review on

behalf of the Board.

- Mr. Sarkisian recommended we not vote tonight in order to give an opportunity for peer review.
 - Discussion ensued:
 - D. Hill – asked a procedural question: at what point do we need to re-open the hearing? Asked counsel whether he was concerned about having to re-open the hearing. Counsel for the Applicant stated he does not believe the requested revisions would require that.
 - K. Murphy asked whether the calculations had been done on how much fill would be required? Need to determine if there are impacts to the 209 Connecticut Path abutter. Need to review decision related to impervious surface restrictions on that lot.
 - The Board determined it would continue the hearing and will check the notice requirements and will get feedback from peer reviewer. Question on the performance agreement needs to be modified from 12 month period to 24 month completion.

Discuss potential Zoning Articles:

- Mr. Sarkisian handed out a package related to the zoning discussions thus far.
 - Landscape Buffer:
 - D. Hill – asked about the compelling public justification for bringing this article up again. J. Steel – pointed out that these 10' landscaping buffers can be good stormwater controls. Suggestion to put this in the site plan review regulations.
 - Parking:
 - Mr. Sarkisian - reviewed ITE manual for proposed parking. Discussed example of CVS related to required parking. Question on whether to revise by-laws to allow explicitly for land banking so issue involving the CVS parking and the discrepancy in interpretation would not be an issue in the future. Also a discussion on whether the Board should include a modification for reducing parking and also allowing for land banking. Mr. Sarkisian to review MEPC for recommendations.
 - Recreational Marijuana:
 - I. Montague and Mr. Sarkisian went to a meeting hosted by Wayland Cares. Resident will be bringing up an article on whether the Town will opt out or not. One criticism of the Board is that no one is trying to make a district to deal with this issue if the opt out does not pass. Mr. Sarkisian pointed out the commercial options to the Board. Timing was discussed whether the overlay district would have to happen simultaneously with the opt out discussion. N. Riley – preference would be to see the outcome of the opt out discussion prior to trying to create an overlay district. D. Hill – reviewed the language from the delay that was recently passed at the prior Town meeting and if the opt out did not pass the Board had the opportunity during the fall town meeting to put forth an option for an overlay district. Discussion about how this would likely be a 2/3 vote and would need to be strongly vetted first before going to Town meeting.

- Mr. Sarkisian – the Board has until January 16th to submit an article for the Spring Town Meeting.
- Review of Attorney General's letter related to limited site plan review by-law passed during last Town meeting. D. Hill will work on the language that was objected to and the Board will review for next meeting.

Next meeting is set for January 2, 2018.

K. Murphy made motion to adjourn. D. Hill seconded. 5-0 in favor. Meeting adjourned at 10:08 PM.