



TOWN OF WESTON

Planning Board Meeting March 17, 2021

Document Prepared by Susan Peghiny

Approved 7-28-21

Video Recording: <https://weston.vod.castus.tv/vod/?video=6c94f3b6-bc1b-40c8-9ed6-60f85dfbecdc&nav=search%2Fplanning>

Meeting called to order at 7:02 PM. Chair Alicia Primer read Governor Baker’s Suspending Certain Provisions of the Open Meeting Law.

| Planning Board Members | Present | Staff Members | Present |
|-------------------------------|----------------|--|----------------|
| Alicia Primer (AP) - Chair | Yes | Imaikalani Aiu (IA) – Town Planner | Yes |
| Leslie Glynn (LG) | Yes | Dave Conway (DC) - Consulting Civil Engineer | Yes |
| Steve Oppenheimer (SO) | Yes | Kim Turner (KT) - Consulting Landscape Architect | |
| Sue Zacharias (SZ) | Yes (late) | Jonathan Witten – Town Counsel | |
| Alex Selvig (AS) | Yes | | |

Italics indicate formal action taken.

1.0 Public Comments

No public comment.

2.0 Continued Public Hearings

2.1 Zoning Bylaw Amendment – Historic Heritage Overlay District

Overview: Mr. Aiu reviewed the purpose of the amendment and presented the updates which are available on the [Slide Presentation on Updates](#) document. They are:

- Updates:
 - Draft of Rules are on the Town Website that talk generally about the process.
 - FAR limits moved to Rules to provide greater Board flexibility.
 - Clarify language regarding transfer of density to Contributing Structures.
- Bylaw Allowances – Estate Lots (density seems to be the biggest incentive so they concentrated on it)
 - Transfer Flexible Subdivision density to existing structures:
 - Allow Accessory Apartment in historic structures and appropriate additions: this is an incentive to keeping historic structures (pre-1945).
- Policy Questions:
 - Incentive Level: is this what the Board wants to see? What’s enough and too much?
 - Affordable Housing Density Bonus
 - Items in Rules vs. Bylaws: they’re more stringent once they’re in the Bylaw.

Documents:

- [Historic Heritage Overlay Zoning Bylaw Amendment](#)
- [Letter from 99 Westcliff Representatives](#)
- [Overview Presentation](#)
- [Proposed Rules and Regulations for Historic Heritage Overlay District](#)
- [Slide Presentation on Updates to Zoning Bylaw Amendment 3-17-21](#)

Discussion:

Ms. Primer asked about how to include affordable housing – she likes the idea of increasing density with affordability. Mr. Oppenheimer and Mr. Selvig also liked this idea.

Diana Chaplin (Love Lane) asked for context around this idea, and Mr. Aiu explained that the purpose was to find a way to preserve unique historic structures, estates, and lots in Weston. Smaller areas are being handled by the Historic Commission. “Estate Lots” were looked at to keep it more appealing to keep the historic estate houses, while also diversifying the housing in town, especially something between affordable and million-dollar houses. Smaller multi-family sizes seem to be the best solution. Where can these be fit into the town and preserve the town character at the same time.

Al Aydelott, a Community Representative from the Historical Commission, added that a number of iconic properties have no protection. One had a proposal to demolish the building and build 3 new houses, which would have been a real loss to the community. The goal is to save these structures and also look at intelligent land use, variety of housing types, lower-income housing, etc.

Ms. Glynn asked what the options were for a large, estate house and how HHOD were different from regular Flexible Subdivision. Ms. Primer pointed out allowance to an accessory apartment and a density bonus. There was a discussion of how/if an accessory apartment could work.

Ms. Glynn suggested she prepare a comparison of the Flexible Subdivision vs Historic Heritage Overlay District and pointed out this proposal is not really preservation but is really repurposing. Ms. Primer suggested the Board have a working meeting to look at the details of how this proposal might work.

Mr. Oppenheimer suggested they create additional incentives to keep an original structure with perhaps more units.

There will be a working group meeting (probably in June) to look at potential incentives.

Ms. Glynn suggested working with the assessors to get information on what other towns are doing.

Public Comments:

Adam Marcus, owner of 55 Love Lane, suggested that the Board consider tax incentives, land donation, etc. rather than create too many restrictions.

Sarah Rhatigan, from Affordable Housing Trust, agreed that creating incentives was good (especially density bonuses). She pointed out that creating smaller units is greatly needed. She suggested the Board get input from developers to better understand what will work and what will not.

Tracy Shulkin, realtor, asked if there has ever been a beautiful historic property that was lost to redevelopment. Ms. Primer said there are numerous examples of this happening.

Terry Eastman, 59 Conant Road, suggested that conservation restrictions can also be used to protect land and includes a tax incentive.

Motion:

Mr. Selvig moved to continue the Public Hearing to June 2, 2021. Ms. Glynn seconded and the motion passed unanimously by rollcall vote.

2.2 1 Stoneridge Lane – Flexible Subdivision (269-275 Winter) Site Plan Approval – New 4,904sf RGFA House

Representation: Jason Lavoie, Project Engineer; Karen Sebastian, Landscape Consultant; Eric Grunigen, architect; Ben Finnegan, builder & developer.

Overview: Ms. Sebastian reminded the Board that last time she had presented an image of proposed screening, but it did not include the house. She showed an updated slide of the proposed screening with the house. Also, she and Mr. Finnegan met with the abutter Mr. Nolan and discussed the planting plan. They found that there is an area that might possibly take up to 3 evergreens, which Mr. Nolan seemed to like. Ms. Sebastian worked with Ms. Turner

to identify where some canopy trees could be eliminated to add more screening which would be higher on the slope.

Mr. Selvig asked if the screening would be to the Nolan's satisfaction. Ms. Sebastian said she believes the original screening would have been satisfactory, but the extra screening will fill in and block.

There was a discussion about the flexibility that will be needed when placing the trees

Documents:

- [Architectural Plans for 1 Stone Ridge - 12/3/2020 \(PDF\)](#)
- [Civil Plans for 1 Stone Ridge Lane - 2/24/2021 \(PDF\)](#)
- [Landscape Plan for 1 Stone Ridge Lane - 3/26/21 \(PDF\)](#)
- [Lighting Fixtures](#)
- [Pre-Submission Plans for 1 Stone Ridge Lane - 1/26/2021 \(PDF\)](#)
- [Rendering of House with Screening from Stoneridge Lane](#)
- [Site Sections for 1 Stone Ridge - 1/29/2021 \(PDF\)](#)
- [Stormwater Report for 1 Stone Ridge \(PDF\)](#)
- [Support Letter 5 Stone Ridge - 2/8/2021 \(PDF\)](#)
- [Support Letter 7 Stone Ridge - 2/8/2021 \(PDF\)](#)
- [Support Letter from 15 Nonesuch- 2/15/2021 \(PDF\)](#)
- [Abutter Letter from 285 Winter Street w/ Response - 2/12/2021 \(PDF\)](#)
- [Winter Street Design Narrative \(PDF\)](#)

Discussion:

Ms. Turner felt that Ms. Sebastian had fully covered their discussions.

Board members asked various questions about the tree varieties and their locations.

Ms. Glynn asked if it was possible that they would hit ledge. Ms. Sebastian said yes, which is why they are keeping existing trees to avoid it. Ms. Glynn asked if they could test for ledge before building. Ms. Sebastian said they would have to do this because it's such a steep hill.

Public Comments:

Mr. Nolan of Winter Street said the first image that Ms. Sebastian showed (with the house added) misrepresents the steepness and height of the hill, and the location of the house. He asked that the Board visit the site to determine if the image is accurate. Ms. Primer reminded Mr. Nolan that the goal is to mitigate the impact of new construction not completely shield it.

Ms. Primer and Ms. Glynn will visit the site – they will work with Ms. Sebastian to find a convenient time.

Mr. Oppenheimer and Mr. Selvig felt the developer was trying very hard to accommodate Mr. Nolan and that he needs to accept that he will see a house.

Mr. Finnegan asked if it was possible to get approval tonight contingent upon Ms. Turner's approval in the field. Ms. Primer said that because of the historical importance of Mr. Nolan's house she felt the Board should take the extra time and step to visit the site.

Ms. Sebastian wanted it on the record that the site has been developed exactly as it was originally approved. The house is in the envelope of where the house should be, the footprint is the same, it is smaller and lower than originally approved and they have added additional screening.

Andrew Dawson, owner of 1 Stonebridge Lane, asked if there is a way to get approval unless there is something egregiously wrong. Ms. Primer said that cannot be done until the site were signed off on.

Motion:

Ms. Glynn moved to continue the Public Hearing to March 31, 2021. Mr. Selvig seconded and the motion passed unanimously by rollcall vote.

2.3 10 Hitching Post Lane – Site Plan Approval under Flexible Subdivision Special Permit – New 6837sf RGFA House – Item will be continued

Motion:

Mr. Selvig moved to continue the Public Hearing to April 28, 2021. Mr. Oppenheimer seconded and the motion passed unanimously by rollcall vote.

3.0 New Business

3.1 Accessory Structure Regulations

Overview: Mr. Aiu reviewed the discussion of the March 3rd discussions. He has compiled the possible methods, and asked if anything should be added:

- Overall Size Limitations
- Interior Size Limitations, especially enclosed space
- Specific Site Limitations – pool house vs. detached garage
- FAR Ratios (specific to accessory structure).
- Hight Limitations

Discussion: Mr. Aiu outlined what the schedule needs to be to get these to the May Town Meeting. Mr. Oppenheimer said this issue was too ambitious to rush to this Town Meeting. Others agreed. The Board agreed to work to get it on the November Town Meeting

Ms. Primer asked if the Board could determine what make a building an accessory structure (similar to the Building Department’s list of items that make something a dwelling). Mr. Aiu said he thinks the Board can, but that it should be clarified with Town Counsel because of the Building Code.

Ms. Glynn also pointed out that new technology makes it very easy to change building usage (e.g. by plugging in a microwave to get cooking ability) and wonders how they can do this and if there were other towns who have already done this. This will be looked into.

Ms. Glynn also suggested the Board consider parking.

Mr. Oppenheimer asked whether they should look at FAR ratios or just percent coverage. Also, could the Board regulate the percentage of the property that can be impervious surfaces.

Mr. Primer added that perhaps they should consider all types of accessory uses, such as sports courts, pools, etc.

Ms. Zacharias joined the meeting at 8:30pm

3.2 75 Doublet Hill Road – RGFA Site Plan Approval Amendment – Addition to Existing 14,896sf RGFA House

Representation: Mike Traynor, General Contractor, Rebecca Verner, Landscape Architect’ Catherine Chute, Architect

Overview: Ms. Verner showed a view of the 4.5 acres of the site with existing structures. The proposal is for an enclosure for the existing ½ court basketball court. It is over 350 from the golf course, and 200+ from existing trails on Town land. The proposal includes an expanded 2 car garage and enclose the court. They will create a paved are for maneuverability with a porous paving material. There will be a stairway along the court enclosure for maintenance, retaining walls added, maintaining a grass walkway. 3 existing trees have been saved. 21 trees in total will be removed but they will be replaced by 23 trees which will be larger than required. She outlined other plantings that are planned. She showed elevations of the garage and enclosure. She said the site has quite a lot of lumens already (close to 118,000), but it will come down to about 22,000. They are all downlit and many are deeply recessed.

Documents:

- [Architectural Plan for 75 Doublet Hill](#)
 - [Engineering Site Plan for 75 Doublet Hill](#)
 - [Engineering Drainage Calculations for 75 Doublet Hill Road](#)
 - [Landscape Plans 75 Doublet Hill Rd](#)
 - [Septic As Built Plan for 75 Doublet Hill Road](#)
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- [Site and Drainage Plans for 75 Doublet Hill](#)

Discussion:

Mr. Conway said the site was well-designed and sees no issues. Ms. Turner agreed and thinks the landscape plan is good.

Ms. Zacharias thanked them for lowering the lumens on the property.

Ms. Glynn asked why the 2-car garage is so high. Ms. Chute said they are proposing workout space on the second floor which would be open to the basketball court.

Ms. Glynn also asked if there is a well, and Ms. Verner said there is an irrigation well on the property and showed it on the site plan.

Motion:

Ms. Zacharias moved to close the Public Hearing. Mr. Selvig seconded and the motion passed unanimously by rollcall vote.

4.0 Public Hearings

4.1 9,11,15 and 20 Riverside Road – Zoning Bylaw and Map Amendment – Rezone from Business and Commercial Districts to proposed Office and Research B District

Representation: Kevin Sheehan, Greatland Realty Partners; Teri Ford, Director of Development; Lorenzo Dantas, VHB; James Ward, Nutter, McClellan & Fish

Overview: Mr. Sheehan said are proposing a zoning amendment to all life sciences use on the properties.

- Existing Campus: Mr. Sheehan showed several images of the existing buildings on the campus. He pointed out that there are 2 separate properties. One is a ground lease from Mass DOT. Proposed Project: Ms. Ford showed what the change would be without the zoning amendment (with only minor landscape changes) and including 2 buildings that have parking as part of the structures. The lab conversion shows that buildings A&B remain, but C&D are replaced with new lab construction.
 - Building C adds about 55,000 feet of density. However, in life science use each employee needs more square footage so parking ratio goes down (therefore the 850 existing spaces can be maintained).
 - Buildings A, B & C have mechanicals on the roof. Lab buildings require additional mechanicals, but they will be screened.
- Zoning Amendment: Ms. Ford explained that 20 Riverside is currently zoned as Business B. The fee simple parcel is zoned at Commercial. Their proposal is to create a single “Office & Research Development District B” zone which is modeled after Business B District. There are 2 differences:
 - Height excludes rooftop screening and mechanicals. These are set back to they don’t add to the mass of the building.
 - One parking spot per 375sf as a minimum, with maximum number capped at 850 which is the existing number.
- Traffic Improvements: Ms. Ford presented draft plans including a sidewalk, lines for safer travel in the area, etc. More information on traffic will come later.
- Schedule/Next Steps: The biggest issues are this Public Hearing, Town Meeting, and the Site Plan Review and Review of Special Permit. These will give community members opportunities to provide input.

Mr. Sheehan pointed out the website they created for the proposal: WestonRiversideRoad.com

Documents:

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|--|---|
| • Acoustical Peer Review | • Exhibit A Park Road Improvements |
| • Applicant's Presentation 3-17-21 | • Exhibit B Land Swap Plan |
| • Article 31- ZBL Amendment Office and Research and Development District B | • Exhibit C Additional Improvements |
| • Draft Development Agreement | • Liberty Mutual housing option memo by neighborhood(3.11.21) |

- [Proposed Zoning Map Change](#)
- [Riverside Campus Redevelopment Traffic Impact Assessment - 2021-03-11](#)
- [Riverside Campus TIA Peer Review](#)
- [Riverside Lab Conversion Air Quality Opinion Letter](#)
- [Riverside Lab Conversion- Estimated Tax Revenues](#)
- [Riverside Rd Traffic Scoping Info Memo with figures](#)
- [Traffic Impact Analysis Appendix - Residential Add - 2021-04-02](#)
- [Traffic Peer Review Presentation](#)
- [Warrant Article to Amend Zoning Bylaw by Adding Office & Research District B](#)
- [Warrant Article to Amend Zoning Bylaw by Adding Office & Research District B Ramsayer](#)
- [Weston Riverside Community Noise Information](#)
- [Weston Riverside Community Noise Information Revision 2 4-13-21](#)

Discussion:

Ms. Glynn said that screening should be acoustical and that readings are taken before and after to ensure that neighbors are not impacted.

Ms. Glynn asked about exhaust stacks, and Ms. Ford said those are included in the discussion about mechanicals and the maximum height of the mechanicals is 25 feet.

Ms. Glynn then asked why nothing was happening with the building on the land leased from DOT even though the proposed zoning change would include it. Ms. Ford they are including it so it could accept life science tenants (which only needs interior changes). Any mechanicals change will be up top like the others.

Regarding traffic Ms. Glynn asked how they would keep people off of the residential streets. Mr. Dantas said they had been talking with neighbors to discourage additional traffic. The draft improvements being proposed could include a speed table, additional signage, lane striping, lower speeds on Park Ave, addition of a sidewalk, vegetation management – all designed to slow cars down.

Mr. Selvig asked what type of life sciences they are thinking of. Ms. Ford said they could be bio or chemical with 50/50 office/lab. They are very regulated facilities, and the building owners must be sure tenants are keeping up with their permits. Mr. Selvig ask if there would be animals, pathogens, etc and what level of labs might be there. Ms. Ford said they don't expect above BS Level 2. She does not think there will be animals but there could be small insects, perhaps mice but no chimps, etc. Ms. Ford said any animals would have to go through the permitting process.

Mr. Oppenheimer said it should be required that there are air quality tests, which might need to be in the Zoning Bylaw.

Ms. Zacharias asked if it's even possible to get a large ventilation system down to 40db. Mr. Ward said there are ways to do it and they committed to 40db in the Special Permit Amendment plus there are State requirements which have mostly been included in the existing permit.

Ms. Glynn said they may need an acoustical engineer and have a baseline established now. Also, decibels isn't the only issue – pitch of the noise matters too.

Ms. Primer asked what the benefit is for Weston. Mr. Sheehan said it's a good, sustainable approach to the development of the parcel, there will be significant tax revenues, and traffic improvements in the area.

Public Comments:

Judy Nitsch, 17 Blake Road, explained the history of how the development approached the neighborhood and what they agreed to. They agreed to support the Zoning change. After the January Planning meetings they submitted a report that does not support the redevelopment of the area for housing but do support the change for the labs.

Robert Froh, Council on Aging Housing Committee, said that some of the group are encouraging thinking about housing and why is it coming later to discuss. Ms. Primer said there is nothing solid enough to discuss right now but the plan is to discuss this at the next meeting.

Hugh Kelly, 59 Orchard Avenue, said he had originally negotiated the Liberty Mutual agreement in 2000 and explained that the Town did not follow the agreement and some of the traffic improvements did not happen. Therefore, they are cautious about moving forward on this proposal. They are against housing on the site because they don't feel there's adequate access.

Ms. Primer asked Mr. Aiu to circulate the Liberty Mutual agreements so the Board can review them.

Paul Demona, 16 Tamarack Road, asked if any changes to the plan would significantly impact other issues. Ms. Primer said yes which is why it is premature to discuss housing. Mr. Ward said that traffic data assumes the additional 55,000sf but does not include any housing proposals.

Ms. Glynn asked if the two parcels of Town land are still included in the plan. Mr. Sheehan said the current proposal does not include any development on those parcels.

Youssef Rahban, 9 Blake Road, said he is concerned about the total height of the buildings with mechanicals (about 70 feet and said he had asked about the sound level at night and was told 5db at night and would like this clarified. Mr. Sheehan said the total height is correct about the total height but doesn't think there will be visual impact on the neighborhood since the change is not that great. He said that they agreed to 5db above background which is significantly stricter than the State standards. They will measure at day and at night so the sound does not exceed that level.

Maria Shoker, 19 Tamarack Road, has supported the life sciences project. She said the bottleneck with the Mass Pike is used by other towns in the area. She opposes added housing on the site because of the density.

Motion:

Ms. Glynn moved to continue the Public Hearing to March 31, 2021. Ms. Zacharias seconded and the motion passed unanimously by rollcall vote.

6.0 Decisions

6.1 2 Fields Pond – Scenic Road Site Plan Approval Amendment – Modify Approved Pool House and Landscaping

Documents:

- [Fields Pond 2 Scenic Road Site Plan Approval Amendment Add Fence COA 2018](#)
- [COA Amendment Fields Pond Fence and Tree Replanting Final](#)
- [Fields Pond 2 Scenic Road Site Plan Amendment Fence and Tree Replanting COA 2019](#)
- [2 Fields Pond COA Amend Pool](#)
- [Skating Pond 18 RGFA Site Plan Approval Amendment Tree Removal COA 2019](#)
- [Skating Pond 18 RGFA Site Plan Approval Amendment Garage and LoW 2019](#)
- [18 Skating Pond COA Amend Pool Addition](#)
- [18 Skating Pond COA Amend Pool Addition](#)
- [COA Amendment 18 Skating Pond Tree Removal Final](#)

Discussion:

Ms. Primer said she felt the draft decision did not represent the discussions.

Ms. Zacharias and Mr. Oppenheimer felt the memo to the Board of Health did not make sense unless they refuse the proposal. Ms. Aiu said Town Counsel had recommended they send the memo.

The Board discussed the proposed decision and what would happen afterwards.

Mr. Oppenheimer said he had reviewed the Zoning Bylaws and found that the building is a dwelling based on the bylaw. Since it cannot legally qualify as an Accessory Apartment, per section 6G, it does not comply with all zoning requirements. Section 11.F.11 of the Standards & Criteria for Site Plan Approval says that "the Site Plan shall comply with all zoning requirements". He feels he cannot vote for the proposal because of this research.

Ms. Glynn asked that this description be included in the COA.

Motion:

Mr. Oppenheimer moved to approve the Certificate of Action for Scenic Road Site Plan Approval Amendment for 2 Fields Pond Road pool house modifications, with the changes noted. Motion was seconded and the motion failed unanimously by rollcall vote.

6.2 1 Stoneridge Lane – Flexible Subdivision (269-275 Winter) Site Plan Approval – New 4,904sf RGFA House

This item was not discussed.

7.0 Other Business

7.1 Town Planner Report

- Reviewed the upcoming schedule for the Board, including a tree issue with the Ash Street sidewalks.

Ms. Zacharias left the meeting at 10:15pm.

- Showed the board a plan for 183 Ridgeway, where the homeowners want to remove a tennis court and replace it with native plantings. The Board supported this administrative approval.
- 12 Westerly has minor changes (decreased spa size, addition of step on the lower terrace, fence moved from the retaining wall, addition of a bluestone paver which eliminates some planting. The Board supported this administrative approval.
- 40B's:
 - 751 Boston Post Road is still in negotiations.
 - 104 Boston Post Road – Mr. Aiu needs to speak to Town Counsel
 - 518 South Avenue – the appeal was denied, and he's not sure if they will appeal. There was a discussion of how to proceed.

Campion Center Sign – no update.

Church Street Tree – nothing has come from DPW

Land's Sake – will be on the April 28th meeting.

9.0 Approval of Minutes

No minutes were approved.

10.0 Future Meetings

March 31, 2021

April 14, 2021

11.0 Adjournment

Ms. Glynn moved to adjourn. Mr. Selvig seconded. The motion passed unanimously by rollcall vote.

Meeting adjourned at 10:25 p.m.

Respectfully submitted,

Susan Peghiny

Recording Secretary