



TOWN OF WAYLAND Massachusetts

TOWN PLANNER

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Planning Board

Anette Lewis, Chair
Jennifer Steel, Vice Chair
Dan Hill
Ira Montague
Larry Kiernan

Meeting Minutes
Planning Board Meeting
Tuesday, March 12, 2024 at 7:00 p.m.
In Person & Virtual via Zoom

The Wayland Planning Board met on **Tuesday, March 12, 2024** at 7:00 p.m. In Person and via ZOOM. Information was available on the Planning Board website so that the public could access the ZOOM meeting. The meeting was recorded and will be available on WayCam shortly after the meeting.

Attendance:

Anette Lewis, Chair
Jennifer Steel, Vice-Chair
Ira Montague, Member
Larry Kiernan, Member
Dan Hill, Member

Absent: None

Town Staff: Robert Hummel, Town Planner

7:01 p.m. A. Lewis called the meeting to order, noted that the meeting was being recorded and took attendance via roll call.

7:05 p.m. Review & Approve Draft Minutes of 2/27/2204

Motion: Approve minutes of February 27, 2024, as amended at the March 12, 2024 meeting

Moved: J. Steel

Second: L. Kiernan

Vote: (4-0-1, D. Hill Abstained).

7:10 p.m. Public Hearing on Proposed Amendments to Chapter 198 of the Code of the Town of Wayland (Zoning Bylaws)

- Add a new Article 27 Multi-Family Housing Overlay District (a/k/a MBTA Communities Zoning), along with associated conforming amendments, and amend the Town's Zoning Overlay Districts Map to add a Multi-Family Housing Overlay District composed of four sub-districts

WAYLAND TOWN CLERK
2024 MAR 27 AM 10:02

Anette Lewis read the legal notice for the Zoning Public Hearing. She then provided an explanation of the state's MBTA Communities Law and the process that the Planning Board has gone through to comply with the law and the State's Guidelines. The Town must create a multi-family housing district of at least 50 acres, made up of at least 25 contiguous acres and several smaller areas of no less than 5 contiguous acres each. The district must support a minimum density of 15 units per acre, on average, across the entire district. She further outlined the other requirements in the State's guidelines and noted that they call for zoning that encourages development of a scale, density and aesthetic that are compatible with existing surrounding uses. She explained that the Board was proposing to create an overlay district with four sub-districts – Route 20 West, River's Edge West, Town Center Development Area, and Planned Development District – Central. The current zoning for each area will remain in place and the new multi-family zoning will be superimposed over the existing zones. At the option of the property owner, development and use of the land may be undertaken using either the existing zoning or using the new overlay zoning. The Planning Board has begun drafting design standards for site layout and development that will be adopted separately as regulations. She said that the State's Guidelines make it clear that the new law is not a mandate to construct a specified number of housing units and the Town is not required to create multi-family housing. Like all zoning, it is a planning tool that delineates which specific uses can be located within which areas of town. The City of Salem has gotten an approved MBTA Compliance Plan without making changes to their zoning ordinances and they only expanded their existing multi-family zoning district slightly to bring it into compliance.

The Board and the public reviewed the draft zoning bylaw amendment section by section and the Board solicited comment as they went along.

Staff/Board Comments

The comments voiced by the Town Planner and Board included:

- The word "housing" needs to be added in the name of the proposed district throughout the bylaw
- Affordable Housing
 - Ask Town Counsel whether we can require cash payment for fractional units
 - Consider whether to change the "in perpetuity" provision to some lesser amount of time per suggestion of the housing consultant
 - Any condominium documents and fees shall be submitted prior to the 1st building permit
 - The units shall be similar in size and indistinguishable from market-rate units with regard to quality of interior and exterior materials and finishes; and shall have use of all common areas including parking areas and amenities
 - Ask Town Counsel about housing consultant's suggested changes to the local preference definition

Public Comments

Comments voiced by the public included:

- A request to revise the definitions of building height and lot coverage
- With regard to the proposed Planned Development District – Central Sub-District
 - At least two-thirds of the existing area is wet
 - Prospective buyers will be aware of the potential for increased development and will not want to make the purchase
 - Why was that name was chosen for the sub-district (Answer: Because it is located in the existing Planned Development District)

- A majority of the 25+ acres is unbuildable, how can this be in compliance and would buildings all be concentrated in the dry area in the center of the parcel (Response: The Town will reach out to the Barrett Planning Group for an answer)
- There is a trail located on the site
- The Town should be looking for sites that don't have existing buildings on them. Have the two existing golf courses been considered? (Answer: Yes, but there are environmental constraints and they are going businesses that, from a planning perspective, the Town would like to retain)
- Pre-existing commercial buildings should be exempted from the front setback requirement in the new district
- Can the Town adopt design guidelines?
- Has the Town or the Board estimated the amount of grant money that the Town would lose if we don't comply? (Answer: The Finance Committee is gathering that data)
- Will the underlying adult entertainment and medical marijuana district in the Limited Commercial Zone be affected by the proposed overlay?
- The Town should look again at a resident's proposed 25-acre area comprised of a large portion of the Route 20 West Sub-district, the River's Edge Sub-district, municipally-owned land that was a landfill and connecting them via the state-owned rail trail
 - Has the Town talked to the Town of Sudbury about what that town's plans are for complying with the MBTA Law and perhaps taking a combined approach? (A. Wayland's Town Planner has talked to the Sudbury Planning Director in the last few months and the Town of Sudbury is not planning to locate their MBTA sub-districts near the Sudbury-Wayland Town line. The MBTA Communities program assesses compliance only on a town-by-town basis. Even if Sudbury wanted to combine for a joint effort at Wayland's western border, each town would still need to achieve compliance within its own borders.)

The Board took a recess between public hearings from 8:58 p.m. – 9:04 p.m.

- **Add Retail Self-Storage as a new commercial use allowed only in a new Sub-district B-1 in the Business B Zone, along with associated conforming amendments, and amend the Town's Zoning Map to add a new Sub-district B-1 in the Business B Zone**

The Petitioner, Rebecca Stanizzi presented a chart comparing the existing dimensions for the Business B Zoning District with the proposed Sub-district B-1 dimensions.

The Board reviewed the draft zoning bylaw amendment section by section and the Board solicited comment as they went along.

Staff/Board Comments

Comments voiced by the Town Planner and the Board included:

- With regard to the Table of Permitted Principal Uses
 - As long as the proposal is to take the uses out of alphabetical order, why not use the reserved #7 and place the proposed new use there
 - The table indicates that Site Plan Approval is "Not Required". This change is inconsistent with existing Article 6 – Site Plan Approval. Section 601.2.1 does not exempt self-storage retail from Site Plan Approval. And Site Plan Approval should be required for any new structures.
 - The table indicates that the use is allowed by-right by listing "Yes". Allowing it by-right contradicts the article summary in the proposed amendment that says the ZBA will issue a Special Permit.

- There is no mention anywhere in the proposed zoning bylaw language assigning the role to the ZBA of Special Permit Granting Authority for Retail Self-Storage.
- The definition of Retail Self-Storage should be augmented to define what it is not as well.
- The standards and requirements listed in Section G., appear to limit the latitude of the Special Permit Granting Authority by prescribing specific standards for decision-making in the case of a Special Permit for this one use. The Special Permit Granting Authority would have little room for deviating from these prescriptions.
- The proposed minimum parking is not enough to serve the retail self-storage use and additional uses on site. The parking requirements in other sections of the existing bylaw should be used here.
- The Maximum Lot coverage of 35% in Sub-district B-1 should match the maximum lot coverage of 25% in the existing Business B zoning district.

Public Comments

The Board received and acknowledged 48 public comment letters and e-mails in advance of the public hearing. Comments voiced in the letters and in person during the hearing included:

- Can the retail self-storage be turned into a warehouse?
- The Planning Board should be allowed to require site plan approval.
- The proposed retail self-storage would change the character of the existing village area.
- The drafting of the Petitioners' article shouldn't be assisted by the Planning Board or staff.
- Concerns with proposed Section F if a proposed retail self-storage is built and then goes out of business, what other Business B use could that building really be put to.
- The proposed amendment needs to reflect the required parking for other uses in the building besides retail self-storage.
- The requirements under Section G are conditions that the Special Permit Granting Authority should make through a public hearing process and not by being prescribed by the Petitioner in advance.
- This is spot zoning and not an appropriate location for a warehouse use.
- Support for the zoning amendment because it would allow community space and it has net zero provisions.
- The proposal will change the character of the neighborhood and is not in keeping with the Town's existing Master Plan for the Cochituate Village area.
- Concerns about inadequate on-site parking requirements for the called for community use space and that the increased number of visitors to the site will be crossing not well lighted, busy, heavily trafficked roadways especially at night.
- Safety concerns for those wishing to access the site when trucks are pulling in and out.
- Look at the neighborhood context; the proposed use would allow a structure that would be much too large for the surrounding residential area.
- Concerns were raised about the environmental sensitivity of the parcel adjacent to wetlands and Snake Brook.
- As drafted, the proposed bylaw amendment conflicts with other provisions in the zoning bylaws and it is unclear how the proposed bylaw would actually work in practice.

10:18 p.m. Close of the Public Hearing

Motion: Close Public Hearing

Moved: J. Steel

Second: L. Kiernan

Vote: (5-0).

The Board deliberated on each of the articles and discussed the points to make in the Planning Board Report to Town Meeting concerning each of the proposed zoning amendments. A. Lewis will work on the draft for the Multi-Family Housing Overlay District and the Town Planner will work on the retail self-storage proposal. The Board will review the final Multi-Family Housing Bylaw and a draft Report to Town Meeting at its next meeting on March 19. The materials are due in the Town Manager's office by 10:00 a.m. on March 20.

10:56 p.m. Article T, MBTA Communities Vote

Motion: Approval of Article T, MBTA Communities

Moved: D. Hill

Second: L. Kiernan

Vote: (4-0-1, L. Kiernan Abstained).

11:15 p.m. Article KK, Retail Self-Storage Vote

Motion: Disapproval of Article KK, Self-Storage

Moved: A. Lewis

Second: I. Montague

Vote: (5-0).

R. Hummel reported that he has started to draft the Retail Self-Storage Planning Board report. The two Planning Board reports will be reviewed and voted at next week's meeting.

R. Hummel reported that the Council on Aging groundbreaking is scheduled tomorrow at 11 am.

11:18 p.m. Adjourn

Moved: J. Steel

Second: L. Kiernan

Vote - (5-0).

Documents Used During the Meeting

- 1) 3/12/2024 Agenda
- 2) Draft 2/27/2024 Planning Board Minutes
- 3) Memo to Planning Board from Town Planner Robert Hummel re: Retail Self-Storage Zoning Amendments
- 4) Liz Rust, RHSO Housing, Comment Letter on Affordable Housing for MBTA Bylaw, dated March 5, 2024
- 5) Zurich Comment Letter on MBTA Bylaw, dated March 8, 2024
- 6) MBTA Powerpoint, dated March 11, 2024
- 7) The MBTA Overlay District Map, dated March 11, 2024
- 8) Zoning Packet, dated March 12, 2024 including Notice of Public Hearing, Draft MBTA Multi-Family Bylaw (2.16.24) and Overlay District Map, Petitioners' Warrant Article KK Retail Self-Storage Bylaw
- 9) Petitioners' Slide of Business B vs. B-1 Dimensional Comparisons for Self-Storage, submitted March 12, 2024

Minutes submitted by Robert Hummel, Town Planner