



# TOWN OF WESTON

Planning Board Meeting May 20, 2020  
 Document Prepared by Leslie Glynn

## Virtual Meeting called to order at 7:02 PM

Planning Board Members	Present	Staff Members	Present
Leslie Glynn (LG)	yes	John Field (JF) – Inspectional Services	partial
Steve Oppenheimer (SO)	yes	Dana Orkin (DO) - Asst. Town Planner	yes
Alicia Primer (AP) Chair elect	yes	Dave Conway (DC) - Consulting Civil Engineer	partial
Sue Zacharias (SZ) pro temp Chair	yes	Kim Turner (KT) - Consulting Landscape Architect	partial

*Italics indicate formal action taken*

## 0.0 Special Order

### 0.1 Election of new Planning Board Chair

SZ announced that as Tony Flynn, Chair of the Planning Board, had formally resigned from the Board effective 7:00 pm on 5-19-2020, she as senior member would serve as pro-temp Chair. SZ read Tony Flynn’s resignation letter into the record. LG read a narrative commending the number of improvements and the positive win-win attitude Tony had brought to the Board. The Board agreed.

SZ asked for nominations for the position of Chair. SO nominated AP. SZ seconded. There were no other nominations. AP was elected Chair unanimously.

AP thanked the Board and said her number one goal for the board is transparency and that the Chair position is an administrative role, not a policy setting role. Further, she is very concerned that the posting of the PB minutes are extremely delinquent.

LG asked if going forward Chair term limits would be 1 year. AP replied that she would follow the Chapter 81A rules and that if at any point the Board wanted her to step down she would.

### 1.0 Public Comments

Terry Eastman spoke about the wonderful job Tony Flynn had done while a member of the Board.

### 2.0 Public Hearing

#### 2.1 Continued: 13 Pigeon Hill Rd. – Scenic Road Site Plan Approval Amendment, Unpermitted Tree Removal

Representation: Matthew Watsky, Attorney for Dobbemann, Owner of 13 Pigeon Hill Rd; Kevin O’Leary engineer, Jillson Engineering

Overview: Continuing discussion about unpermitted removal of significant trees from 13 Pigeon Hill - a designated Scenic Road - as well as water run-off from 13 Pigeon Hill flooding a neighbor’s home.

Documents:

- [Hydro Analysis Letter dated 5/18/2020](#)
- [Hydro Analysis Report dated 5/18/2020](#)

Discussion:

DC said that

- he had received the storm water hydrology analysis from the Owner’s engineer, Kevin O’Leary the day before so he only had a short time to review it.
- the analysis found that there was no difference between the drainage pattern and flow off the property between 2012 and May 2020.

- he needs to discuss the assumptions made in the analysis with O’Leary. DC explained that determining the level of existing landscape conditions as well as projected future landscape conditions is a mixture of professional judgement and quantifiable data. For example, whether a lawn is in good or poor condition affects the outcome of the analysis.
- he wants to see hardscape solutions as well as landscaping to ensure that runoff water remains on the site.

There was general discussion as to why the analysis had been received so late when the Board had been clear at their last meeting that the analysis needed to be received in time for DC to review it. Further that the PB had been understanding about the difficulties of doing business in the pandemic but it had been 5 weeks since the initial request. Also that it may be time to ask John Field if he would consider levying fines for non-compliance.

SZ questioned how it was that Jillson could find no difference in then water runoff between 2012 and 2020 given the significant flooding the downstream neighbor has experienced.

Matthew Watsky said that documents necessary to determine the conditions of the property in 2012 were in the Town Hall and the Town hall was closed to the public due to the pandemic. This is why the analysis took so long. Also he doesn’t want O’Leary to design a hardscape solution until DC weighs in on the analysis.

Michael O’Leary (*called in on his cell part way through discussion*) said that he had originally proposed a “slip trench” and swale to control run-off in addition to landscaping and didn’t understand why the PB needed to understand previous conditions.

DC replied that the PB needed the 2012 baseline in order to determine what unauthorized changes were made or conditions were not met.

DC and Michael O’Leary would discuss the Analysis assumptions etc.

AP summarized that DC and O’Leary will meet next week to discuss the analysis and will come to an understanding before June 3<sup>rd</sup> meeting so DC can make a recommendation.

- O’Leary will have a proposed hardscape infrastructure such as a swale and slip trench to ensure that the landscaping alone doesn’t protect the neighbors from flooding.

After the drainage solution is understood and agreed to, replacement landscaping will be proposed by the owner to remedy the unpermitted tree removal and restore privacy to the neighbors and an appropriate view for a scenic road.

#### Public Comments:

Emily Curry and Tiger Li, next door neighbors at 3 Pigeon Hill, said that they could not comment on the engineering details of the Analysis assumption but did note that when their basement was flooded with runoff, the lawn at 13 Pigeon Hill had been dug up. Also there used to be tree cover (8-10 trees were cut down) and shrubs between their house and 13 Pigeon Hill which provided a visual and acoustical screen. Now they cannot only see who is in the neighboring kitchen they can also hear them.

Dianne Butt, 15 Old Rd abutter, said that she doesn’t want any of the run-off directed towards her property

Terry Eastman underscored the fact that Pigeon Hill is a designated Scenic Road and that the views along the road as well as the storm water problem need to be addressed.

*Public hearing continued to 3 June 2020*

## **2.2 Continued: 576 North Avenue – Special Permit Flexible Subdivision – 6 lot Subdivision**

Overview: The Town Manager recommended that during the pandemic the PB reviews of significant projects such as sub-divisions be postponed until guidelines for in-person meetings and presentations are better established.

There was general discussion as to how to hold a site walk with the PB and staff (<10people), applicant team and the Public when gatherings are limited to 10.

- There was concern that the site walks would exclude residents from attending and that the PB wouldn’t hear abutters concerns.
- If there was no discussion between the PB then it would need to be posted as a public meeting.
- JF noted that site walks don’t need to be a posted meeting.
- It was suggested that after a site visit PB members could email questions to DO to go to developer to be addressed in their next presentation.
- SZ asked for Rob Gemma to present his overview of the proposed sub-division before the PB visited the site visit and the board agreed to this approach.
- DC will ask Rob Gemma to send copy of his presentation before the June 3 meeting.

### **2.3 Continued: 183 Ridgeway Road Scenic Road Site Plan Approval – New House.**

#### Overview:

AP said that the applicant had come before the historic com. And it was a one to one replacement with the exception of a small addition. Also the site was readily visible from the road so that a site walk would not be necessary if members would be willing to do a drive-by on their own before our next meeting. The members agreed to do so.

### **2.4 235 Wellesley Street – Regis College – Special Permit – Dedham Youth Commission**

Representation: Rob Blaney, Dedham Youth Commission

Overview: Rob Blaney said that the Dedham Youth Commission is a town department in Dedham who serves the youth and families of Dedham. For the past years the DYC has held a program called College Bound at Regis which allows high schoolers to experience a bit of what college life is all about. They live in dorms, attend intro classes and orientation seminars with faculty and college students, etc. Normally 30 students and 8 staff attend for a week. This year it is doubtful the program will occur due to the pandemic. The DYC is applying this year since the Special Permit is for 4 years and they are very hopeful there will be a camp next year. This is a very successful program in Dedham.

#### Public Comments:

None

*SZ moved to close the Public Hearing and that the PB would review the COA for approval at the June 3 meeting.*

### **2.5 77 Autumn Road RGFA Site Plan Approval Amendment for Patio Extension, Original Approval in 2014 with Updated landscape Plans in 2018**

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Representation: Mike Nowicki, MacDowell; John and Amy Grimm, Owners

Overview: The Grimms bought the house in 2018 and at that time there were a number of trees that had died or were taken down - so the landscaping no longer reflects the Scenic Road approval conditions. This application proposes replacing the existing patio (375 SF) with a patio of 460 SF as well as replacing 8 trees which died. The new bigger patio will be in the same location as the existing patio and will re-use the existing bluestone. It will be encircled with a low stone sitting wall. There will be regrading at the rear of the property to fix a problem which causes water to pond in the center of the play yard. Proposed Dark Sky compliant light fixtures pathway and low wall lights will add 3200 Lumens so the overall lumen count of the house will be 17240.

#### Documents:

- [Existing Conditions plan dated 5/15/2020](#)
- [Terrace Comparison plan dated 5/13/2020](#)
- [Erosion Control plan dated 5/15/2020](#)
- [Planting and Lighting plan dated 5/15/2020](#)
- [Materials and Grading plan dated 5/15/2020](#)

#### Discussion:

Nowicki said the structure to the right of the patio is an enclosed garden surrounded by a 3' fence. KT said that she had been working with the Applicants and she was satisfied with the design. Replacement conifers will be 10-12' high and Norway spruce. She said that it is likely the trees died because they were too densely planted initially and species were not very shade tolerant. The new proposal calls for all the trees to be Norway spruce. When the landscaping is completed there will be 22 trees more than the original PB Conditions called for. DC had reviewed the engineering drawings and found them to exceed code and regulation requirements with additional infiltration.

#### Public Comments

None

Required submission documents not complete. SO moved to continue the hearing to 3 June 2020, SZ seconded and the PB voted unanimously in favor.

### **3.0 Decisions**

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#### **3.1 None**

### **4.0 Other Business**

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#### **4.1 Approve Minutes**

AP said that she was very concerned that the PB is behind with their meeting minutes. She noted that the lack of a Town Planner and the pandemic has made the problem worse. LG volunteered to write up tonight's meeting notes.

SO moved to approve the [12/11/2019](#) Minutes with the changes noted. SZ seconded. All approved.

SZ moved to approve the [1/8/2020](#) Minutes with the changes noted. LG seconded. All approved.

LG moved to approve the [1/15/2020](#) Minutes with the changes noted. SZ seconded. All approved.

SO moved to approve the [5/6/2020](#) Minutes with the changes noted. SZ seconded. All approved.

#### **4.2 Fire Department Driveway Requirements**

SO reported on the zoom meeting which he, LG and DO had with Chief Soars and Captain Robertson of the Weston Fire Dept. on 5/12/2020, SO's notes are [attached](#). The Chief will forward graphic information on the turning radius required for fire engine/ladder truck. SO and LG agreed that it was a very positive meeting and look forward to finding common ground.

#### **4.3 Town Planner Recruitment Update**

Tony Flynn reported in a letter that of the 2 finalists - one withdrew. He wrote that the PB could #1: choose the single finalist, #2: bring another candidate forward or #3: keep the process open longer. The PB agreed it was a difficult time to be looking for work and also to be hiring. The PB asked AP to let the Town Mgr. know that they want to be looking at more than 1 candidate.

#### **4.4 Future Agenda Topics**

All agenda items should be forwarded to AP and DO by the Friday before the next mtg.

LG reminded the PB that the Rules and Regs need to be consolidated. AP said that this could be a task of the new Town Planner since it would allow them to acquaint themselves with Weston and that Jon Witten could be of help. SO noted that the Town Planner could pull all the Rules and Regs together by topic for the PB to discuss and consolidate. The PB agreed this should be done in a meeting dedicated solely to this topic

*LG moved to adjourn, SZ seconded. All in favor, none opposed.*

*Meeting adjourns at 8:57 p.m.*