



# TOWN OF WESTON

Planning Board Meeting July 15, 2020

Document Prepared by Dana Orkin

## Link to Recording:

<https://weston.vod.castus.tv/vod/?video=7d8bb043-2071-4fed-9f29-d5e58417524e&nav=programs%2FPlanning%20Board%20-%20Weston%20MA>

## Meeting called to order at 7:02 PM

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

*Italics indicate formal action taken*

## 1.0 Public Comment

None

## 2.0 Continued Public Hearing

### 2.1 576 North Ave. – Special Permit Flexible Subdivision – 6 Lot Subdivision

**Representation:** Rob Gemma, Metrowest Engineering; Mike Nowicki, Landscape Architect

**Overview:** Gemma stated that they repositioned the house footprint on lot 1. Stated that the houses on lots 5 and 6 would be 1.5-story cape style houses. Stated that they had extended the limit of developable areas to preserve more natural buffers. Nowicki presented the landscape plans.

#### Documents:

- [Meeting notes dated 7/15/2020](#)
- [Landscape plans dated 7/15/2020](#)
- [Flexible Subdivision Proposed Site Plan dated 7/15/2020](#)

#### Discussion:

SO asked why Gemma thought limiting the homes on the east side to 1.5 stories was appropriate but not on the west.

Gemma stated that they were cutting the grade down on the west side. Stated that the peak of the houses on the west were 20 feet less than the abutter to the west.

SO stated that he would like the whole development to be 1.5 stories to maintain consistency in the subdivision.

KT stated that she worked with the applicants on the landscape plans. Recommended to the applicants that they try to establish larger street trees along the proposed subdivision road.

SO asked why there were so few street trees.

Nowicki stated that they could address those topics during the site plan review process.

SZ stated that they shouldn't require a formal street tree plan this early since the trees could grow to a tremendous size.

KT agreed that they could look into adding more trees throughout the process.

LG stated that she wanted to see more mature trees along the lot lines to remain.

Nowicki stated that most of the area along the proposed street was a meadow. LG stated that she would like to have more discussion next time about looking at trees to be saved.

DC stated that once a flexible subdivision was approved the only area that would be cleared would be for the road way and infrastructure. Stated that they would not clear the lot once the flexible subdivision special permit was granted.

Public Comments:

Lynne Bower, 345 South Great Road, stated that the minimum height of the proposed trees should be greater than 10-12 feet. Stated that trees buffer sound.

*LG moved to continue the public hearing to July 15, 2020. SO seconded. All in favor.*

**2.2 36 Church Street – Scenic Road Site Plan Approval – New House**

Representation: Matt Harkins, Benchmark Builders; Bill Andrews, Benchmark Builders; Angela Kearney, Landscape Architect; Al Gala; Ralph Kilfoyle, Architect

Overview:

Andrews stated they had added the attic space to the RGFA calculation. Kilfoyle stated that they would reuse the bracketed hood over the door of the existing house as requested. Stated they had lowered the 1<sup>st</sup> floor lower than the existing home and taken the house down as low as possible. Andrews stated the ridge height was lowered 8” since the last meeting. Kearney stated that they removed three lights facing the Rail Trail. Stated that the planting plan was made more naturalistic. Stated they would reuse the existing stones for the retaining walls and that they were able to able to save two more trees since the last meeting.

Documents:

- [Plan set dated 7/7/2020](#)
- [Site Photos dated 7/13/2020](#)

Discussion:

KT stated that the lighting reduction was improved but that the plantings should be less linear. Stated that she could field locate the trees during construction for more natural look

SZ asked what was currently in the area of proposed vegetable garden.

Kearney stated it was a mix of dense invasive vegetation.

SZ asked how far it was from Church Street.

Kearney stated it was about 30 feet.

LG asked if any trees would be removed for the regrading at the driveway entrance.

Kearney stated they proposed to do minor grading and remove brush to make it easier to see when pulling out of Church Street.

SO asked why the existing trees along the vegetable garden were not shown on the plan.

Kearney stated that the survey must have not accounted for them.

AP stated that all the significant trees should be added to the plan.

LG stated that she would like to visit the site again to take photographs.

Public Comments:

*LG moved to continue to July 29, 2020 the Public Hearing for the Scenic Road Site Plan Approval of 36 Church Street. SO seconded. All in favor.*

**3.0 Public Hearing**

**3.1 Zoning Bylaw Amendment to add Section VI.I – Communication Towers**

Representation: Chris Houston, Select Board; Chief Soar, Fire Department; Jon Witten, KP Law

Overview:

Soar stated that the radio communications in the Town were poor. Stated the importance of quality communication for emergency services and schools. Stated that antennas needed to be above the tree line, or at least 80’ high for the signals to work effectively. He requested move their main communication tower transmit site from Regis College to Paine’s Hill, which was Town-owned land. Stated that it would be used for emergency antennas only. Witten stated that this would be an amendment to the bylaw, that would create a use by-right

with no special permit required. Stated that this proposed amendment would obviate the need for a variance from the ZBA. Stated that the PB review should stand on its own. Stated that this Bylaw was used by other towns in the commonwealth.

Documents:

- [Plan set dated 7/10/2020](#)
- [Conservation Commission Special Conditions dated 7/15/2020](#)
- [Letter from Tom Seeman](#)

Discussion:

AP stated that the zoning Bylaw stated that the PB could waive height allowance for public safety services if it were necessary, and did not know why they needed to revise the Bylaw.

Witten stated that was correct, but applications would still require a special permit from the PB. Stated that the new provision meant an application would not require a special permit.

SZ was concerned that the proposed bylaw amendment would be exempt from all dimensional requirements. Stated that the FAA would be concerned over a bylaw with no height restrictions.

LG asked why they could not share the same tower with the police department, which did not seem to be having communication issues.

Soar stated they needed to get above the tree line and that the police towers were not high enough.

LG asked how the police managed.

Soar stated that he could not speak for the police. Stated that Fire Department needed to be able to communicate from inside homes, where the police had radios in their cars.

LG stated that she would like to keep the approval as a Special Permit.

SZ stated she was having a tough time understanding why they needed this bylaw when the PB had the ability to issue a Special Permit.

Witten stated that the Soar's request was not a personal wireless service tower request. Stated that it was not regulated under the Telecommunications Act, nor was it under Subsection J of the Wireless Communication Bylaw. Stated an argument would be that the PB did not have the authority to grant the excess height limit to a telecommunication tower since it was not a telecommunication tower as specified under that the act. Stated that they might need a separate stand-alone provision of the Bylaw, instead of one that was incorporated into the private services telecommunication Bylaw. Stated that if this Bylaw did not pass at Town Meeting, Chief Soar would need a variance every time the tower exceeded the maximum height. Stated that variances were difficult to obtain in Massachusetts.

SZ asked if this was a one and done and why the Town would be asking for higher communications towers in the future.

Witten stated that he had no knowledge of Chief Soar requesting more towers.

LG stated her concerns that the police and fire department should coordinate their activities, and suggested a master plan approach.

Soar stated that this was a town wide issue and that the fire department was bringing this forward. Stated that they shared equipment with the police department.

SO stated that he would like to see how tall an 80-foot tower was relative to its surroundings. Stated PB should review a site section. Stated that he would like to comment on the allowable height of towers and was not inclined to remove height limits. w

AP recommended that the PB consult with David Matson, a Municipal Wireless Consultant who helped the Town draft the previous Bylaw.

LG asked if they could just amend the existing Bylaw instead of adding a new Bylaw.

Houston stated that he would discuss with Chief Soar and Witten the comments the PB made at the meeting.

Public Comments:

Tom Seeman, 100 Highland Street, stated his concerns for the zoning amendment as specified in the attached letter.

Mark Corner, Attorney, stated that the location of the tower was in plain view of Tom Seeman's home. Stated that they had filed an appeal in the Land Court under Chapter 48 Section 17 for the variance the Fire Department had sought from the ZBA. Stated that the amendment would remove the dimensional requirements of setbacks. Stated that the fall zone was critical to consider and which was in the current bylaw language.

*SZ moved to continue the public hearing for the Zoning Bylaw Amendment to add Section VI.I – Communication Towers to September 9, 2020. LG seconded. All in favor.*

### **3.2 98 Pine Street – Special Permit Wetland and Flood Plain Protection District – Addition**

Representation: Keith Gross, Civil Engineer

Overview:

Gross proposed putting an addition on 98 Pine. A corner of the addition reached into on the Flood Plain. Stated it had already been approved by the Conservation Commission. The runoff was reviewed by the Town's stormwater engineer. Stated they were adding 20 cubic feet of storage area for the runoff. DO stated this was a Special Permit where they were concerned only with runoff impacts to abutters and utilities. DC stated that the Wetland and Flood Plain protection district was a zoning district that followed the 100-year flood zone.

Documents:

- [Plan set dated 7/10/2020](#)
- [Conservation Commission Special Conditions dated 7/15/2020](#)

Discussion:

LG asked if the 20 cubic foot compensatory storage area would account for any additional runoff. DC stated that it would, the Conservation Commission had reviewed.

Public Comments:

None.

*LG moved to continue to July 29, 2020 the Public Hearing for the Special Permit Wetland and Flood Plain Protection District of 98 Pine Street with a decision to review. SO seconded. All in favor.*

## **4.0 Old Business**

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### **4.1 44 Oak Street – Scenic Road Site Plan Approval Amendment – Sunroom Addition**

Representation: Beth Nolan, Attorney

Overview:

DO recapped that the PB requested that the trees along the Bradley's property be verified for compliance to the approved plans, and as well as viewing the proposed glass for the sunroom. DO stated that he visited the site with KT and verified that the trees were 10-12 feet, per the approved plans. He showed a video of the proposed glass, which showed a slight tint.

Documents:

- [Landscape plan dated 6/17/2019](#)
- [Video of glass](#)
- [Glass Specifications](#)
- [Elevations dated 7/1/2020](#)

Discussion:

KT stated that they verified that the buffer plantings met the required 10-12-foot height.

Public Comments:

William Bradley, 38 Oak Street, stated that the proposed sunroom loomed over his home. He was concerned for the buffer would not block the view to the sunroom. AP stated PB had tried to address neighbor concerns as best they could.

Bradley asked what additional plantings could be added to provide screening all year.

AP stated they had tried to meet his needs but that there were limits to what they could request.

*SO moved to continue to July 29, 2020 the Public Meeting for Scenic Road Site Plan Approval Amendment for 44 Oak Street with a decision to review. LG seconded. All in favor.*

## **5.0 New Business**

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### **5.1 241 Glen Road – Scenic Road Site Plan Approval Amendment – Driveway change**

Representation: Michael White, Symbio Design

Overview:

DO stated that the proposed driveway at 241 Glen which was approved by the PB in 2019 did not meet current fire department requirements for turning radius. DO presented a plan which showed the new configuration that the fire department required. It would remove two maple trees (6” and 22” diameter) and about 15 linear square feet of stone wall. White stated that they proposed to add a mix of understory plantings along the proposed driveway entrance.

Documents:

- [Tree removal plan dated 7/14/2020](#)
- [Tree planting plan dated 7/14/2020](#)
- [Fire truck access plan dated 4/13/2020](#)
- [Pictures](#)

Discussion:

LG asked if the stone wall portion being removed could be added to the end of the wall to extend it along Glen Road.

White stated that there was room in the site layout to extend the opposite side of the stone wall.

LG stated that there should be no mortar used to construct the stone wall extension.

Public Comments:

None

*SZ moved to continue to July 29, 2020 the Scenic Road Site Plan Approval Amendment of 241 Glen Road with a decision to review. LG seconded. All in favor.*

### **5.2 185 & 191 Weston Road – Approval Not Required**

Overview:

DO stated that the plan to give part of the lot at 191 Weston Road to 185 Weston Road.

*SZ moved to sign the Approval Not Required for 185 & 191 Weston Road, contingent upon John Field verifying that it needed signatures from the Weston PB. LG seconded. All in favor.*

### **5.3 669 Boston Post Road – Approval Not Required**

Overview:

DO stated that the plan to give part of the lot at 669 Boston Post Road to 671 Boston Post Road

*LG moved to sign the Approval Not Required for 669 Boston Post Road. SO seconded. All in favor.*

### **5.4 25 Green Lane, 31 Green Lane, 63 Cart Path – Approval Not Required**

Overview:

Jay Lavoie, engineer, stated that the plan to give land from 31 Green Lane to 25 Green Lane. Stated that the driveway on 31 Green Lane would be on 25 Green Lane as an easement.

*LG moved to sign the Approval Not Required for 25 Green Lane, 31 Green Lane, 63 Cart Path. SO seconded. All in favor.*

## **6.0 Decisions**

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None

## **7.0 Other Business**

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7.1 Approve Minutes

SZ moved to approve the [4/7/2020](#) Minutes with the changes noted. LG seconded. All approved.

SO moved to approve the [4/15/2020](#) Minutes with the changes noted. SZ seconded. All approved.

SZ moved to approve the [4/22/2020](#) Minutes with the changes noted. LG seconded. All approved.

7.2 Town Planner Report

None

7.3 Revised Stormwater Condition

*Discussion moved to July 29.*

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

Meeting adjourned at 10:10 p.m.