

# **MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD**

## **2009 ANNUAL REPORT**

**OVERVIEW** – The mission of the Medway Planning and Economic Development Board is to guide the future development of Medway in ways that are consistent with the vision and values outlined in the Medway Master Plan, the update of which was endorsed by Town Meeting in June 2009. The Town’s adoption of a new charter in the spring of 2008 resulted in an expansion of the Planning Board’s role to now include *economic development* and to that end we are working to meet the mandate of the new charter. We endeavor to serve the Town of Medway with the highest degree of consideration for Medway’s citizens and the community’s land/natural resources.

The updated Medway Master Plan influences our decisions on subdivision plans, site plans and various special permit applications, the development of proposals to amend the *Medway Zoning Bylaw* and the on-going fine-tuning of our administrative *Rules and Regulations*. We have focused on changes to promote economic development, affordable housing, historic preservation, low impact development techniques, improved commercial signage, and the preservation of open space.

State law also authorizes municipal planning boards to recommend street acceptance to Town Meeting, update the Zoning Map, and conduct Scenic Road public hearings. Pursuant to the *Medway Zoning Bylaw*, the Board also serves as the special permit granting authority for Adult Retirement Community Planned Unit Developments (ARCPUD), Open Space Residential Developments (OSRD), and rehabilitation projects in the Adaptive Use Overlay District (AUOD). The *Zoning Bylaw* also authorizes the Planning Board to review and act on all applications for site plan approval.

**BOARD COMPOSITION** – The Board is comprised of five elected members and an Associate Member appointed jointly by the Board of Selectmen and the Planning and Economic Development Board. At the May 2009 election, Medway’s registered voters re-elected Tom Gay to a three year term through May 2012. Following the election, the Board reorganized; Andy Rodenhiser was elected to the position of Chairman, Bob Tucker was elected to serve as Vice-Chairman, and Tom Gay was elected to serve as Clerk. Karyl Spiller-Walsh, Chan Rogers and Associate Member John W. Williams round out the group.

**MEETINGS** - The Planning and Economic Development Board meets regularly on the second and fourth Tuesday evening of each month at 7 pm in Sanford Hall at Medway Town Hall. During 2009, the Board held 22 regular and 6 special meetings including site visits or joint meetings with other boards or committees. Numerous public hearings were conducted for proposed site plans, open space residential developments (OSRD), subdivision modifications, and proposed amendments to the Medway Zoning bylaw. Staff is available for one-to-one meetings and the Board is available for informal discussions during a Board meeting with prospective developers, consultants, and residents as they consider development options for their property.

### **2009 REVIEW – KEY ACCOMPLISHMENTS**

- Established an *aerial photography data base* of Medway property through the acquisition of PICTOMETRY software and flyover data from the Metropolitan Area Planning Council.
- Facilitated the start up of *MUNIS permitting software* by 9 town boards/departments.

- Assisted in the selection of a developer to construct an affordable home at 9 Walker Street. Construction began through South Shore *Habitat for Humanity*.
- Completion and adoption of a *new Medway Master Plan*
- Establishment of *new Economic Development Committee*
- **Geographic Information System** – During 2009, in cooperation with other Town boards/departments, we submitted a proposal to the Capital Improvement Planning Committee for funding to support the establishment of a geographic information system for the town. Funding support could not be provided in fiscal year 2010, so the project is in the pipeline for consideration for the fiscal year 2011 budget.
- Annually, the Planning Board proposes *amendments to the Medway Zoning Bylaw*. The amendments listed below were approved at the 2009 Town Meetings
  1. improved the Open Space Residential Development provisions,
  2. added provisions to allow for the construction of affordable single family homes on approved infill lots in the ARII zoning district
  3. revised text regarding adult entertainment uses.

An updated Zoning Bylaw was published in November 2009.

- **Commercial I** – We pursued funding sources to continue planning efforts for a mixed-use Commercial I zoning district, including a request to renew the Priority Development Fund grant. Unfortunately, the Mass Department of Housing and Community Development declined to fund an extension for the project that would have enabled us to work on market studies, design guidelines and further public and property owner participation. We will be vigilant to pursue other funding opportunities as such may arise.
- **Oak Grove/Bottle Cap Lots** – We continued to work with Mass Development on possible funding to fine-tune a development plan for the site.
- Began the review and editing process to update the Medway *Subdivision Rules and Regulations*
- **43D Priority Development Sites** – Town Meeting approved and the Board submitted several additional locations to the Massachusetts Inter Agency Permitting Board for designation as 43D Priority Development sites. The new areas include a collection of Town and privately owned property in the Oak Grove bottle cap lot area and a number of undeveloped parcels in the East Medway Industrial Park on the north side of Route 109 near Millis. Positive action by the Massachusetts Inter Agency Permitting Board was taken on the application in February 2009.
- Continued efforts to *improve communication and collaboration with other Town boards, committees and departments*. Either a Board member or staff serves as a liaison to the following Town boards/committees - Community Preservation Committee, Design Review

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Committee, Conservation Commission, Water and Sewer Board, Board of Selectman, Economic Development Committee, Affordable Housing Committee, Zoning Board of Appeals and the Medway Community Farm Liaison Committee. We also continue to work to form better relations with other Town boards and departments which are impacted by the Board's activity such as the Treasurer/Collector's office, Assessor's office, Building Department, Department of Public Works, Zoning Board of Appeals, and the Fire and Police Departments.

- **Community Outreach** - As part of our commitment to the public at large, considerable information has been placed on the Board's pages at townofmedway.org including *Rules and Regulations* and application forms. Agendas for Board meetings are regularly posted several days in advance. Public hearing notices are also provided. Meeting minutes are posted upon approval. We endeavor to continuously improve our web page to meet the needs of both our residents and the development community.
- **Organic Farm** – The November 2008 Town Meeting authorized the Board of Selectmen to seek proposals and select a non-profit organization to operate a community organic farm on town owned property at 50 Winthrop Street. The Planning and Economic Development office assisted the Town Administrator with this project. A Request for Proposal was distributed during the first quarter 2009 to solicit proposals. The Board of Selectmen selected Medway Community Farm Inc. and entered into a lease agreement with them for 7 acres on the site.

**SUBDIVISIONS** – In 2009, no “new” subdivision applications were filed. However, the following provides a status report on previously approved subdivisions:

- **Applegate Farm** (Applegate Way) – 22 lots at the northeast corner of Coffee and Ellis Streets. The approved definitive plan was endorsed. Modest site clearance work began during 2009. However no house construction occurred.
- **Franklin Creek** (Franklin Creek Lane) – 3 lot private way subdivision on the west side of Franklin Street. The land comprising this approved was sold to a new owner in 2007. Construction continued on the roadway and infrastructure and house construction commenced during 2008. An extension of the deadline for completion was approved by the Board to June 30, 2010.
- **Country View Estates and Broad Acres Estates** (Broad Acres Farm Road, Stable Way) – The developer continued to work on project completion and street acceptance matters.
- **Pine Meadow II** (Pine Meadow Road/Lantern Lane) - 7 lot subdivision off of Fisher Street approved in 2005. Infrastructure construction was pretty much halted although an extension for the completion deadline was approved by the Board to May 19, 2010.
- **Hartney Acres** (Newton Lane) – 8 lot subdivision east of Nobscott Road. Housing construction continued.
- **Ishmael Coffee Estates** (Independence Lane and Freedom Trail) - 18 lot subdivision east of Summer Street/Route 126, north of Milford Street/Route 109. Housing construction continued. The streets were accepted as public ways at the June 2009 town meeting.
- **Evergreen Meadow** (Iarussi Way) – 15 lot subdivision south of Lovering Street. Housing construction continued.
- **Birch Hill** (Ivy and Hunter Lanes) – The developer continued to work on project completion and street acceptance matters.

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- **Rolling Hills** (Harmony Lane) – 3 lot private way subdivision on the south side of Milford Street. No construction has occurred on the roadway or infrastructure. An extension for completion of the infrastructure was approved by the Board to November 21, 2010.
- **Daniels Wood II** (Daniels Road extension) - The Board considered a modification to the previously approved plan to adjust the drainage and roadway design. Final action will occur in the first quarter of 2010.

Additionally 6 *Subdivision Approval Not Required (ANR) Plans* were acted upon. Through this process, 2 new house lots were created and 4 lots were realigned.

**STREET ACCEPTANCE** – The process of accepting subdivision roads as public ways is quite involved. There are a number of long standing subdivisions that are working toward street acceptance including Birch Hill, Country View Estates, and Speroni Acres. The Board facilitates this process with the Board of Selectmen and Town Meeting. With the change in Town Counsel, a more rigorous standard has been established to ensure the Town receives acceptable title to the roads and associated utility easements. The roads in the Ishmael Coffee Estates subdivision (Freedom Trail and Independence Lane) were accepted as public ways at the June 2009 town meeting.

**SITE PLANS** – The Site Plan section of the *Zoning Bylaw*, approved by the 2005 Town Meeting, simplified the site plan process by combining the reviewing and permit granting authority to rest with the Planning Board. The Site Plan provisions also distinguished between minor and major site plan projects. The Board makes itself available for informal, site plan pre-application meetings with businesses and developers interested in developing, expanding, or opening a business in Medway.

**Murphy Insurance Agency (133 Milford Street)** - In July 2008, the Board approved a site plan for this 32,811 sq. ft. parcel located on the south side of Milford Street/Route 109. The approved project includes: demolition of all existing structures; construction a new, one-story, 3,309 sq. foot Cape style office building to be used exclusively by the Murphy Insurance Agency (this use is allowed by right in the Industrial III zoning district); extension of Town water service to the new building; installation of a new septic system; construction of stormwater management/drainage to mitigate and treat stormwater flows; parking lot construction to accommodate 10 vehicles; and other site work including landscaping, lighting, pathways and sidewalks/curbing. Construction was completed in the summer of 2009. A very attractive new building at the gateway to Medway from Milford has been achieved.

**Marian Community Retreat Center (Summer Street)** - In April 2008, the Board approved a limited site plan for the Marian Community's proposed three story, 32,094 sq. foot retreat center/lodging facility to be constructed on their property at 154 Summer Street. The scope of the site plan review was limited as the use is substantially exempt from the state zoning law because of its religious purpose. The facility is to be comprised of 72 double occupancy lodging rooms, each with its own bathroom; 2 custodian/ caretaker lodging spaces; related gathering, conference and classroom space; a limited service kitchen; and ancillary storage, mechanical and supportive space in the basement. The facility would be located approximately 1260 feet east of Summer Street. The development would also include the construction of approximately 1180 linear feet of roadway and a pedestrian pathway connecting the existing Spiritual Life Center to the new retreat center/lodging facility; the addition of 115 new parking spaces (85 to be located south of the Spiritual Life Center's existing parking lot, 27 to be located directly adjacent to/north of the Spiritual Life Center building,

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and 3 handicap spaces to be located adjacent to the retreat center/lodging facility); and associated site work. Construction on the Retreat Center is in process.

***The Little Gym (74 Main Street)*** - In October 2008, the Board approved an application of NAGOG KNOLL Realty Trust plans to demolish a 400 sq. ft aging glass solarium that had been located along the southern façade of the building which is occupied by The Little Gym at 74 Main Street in the Rugged Bear (formerly Gould's Plaza). The solarium is to be replaced by a framed construction structure of the same size located on the same footprint. No other site improvements (parking, landscaping, lighting, etc.) are planned. No signage changes are planned. Accordingly, neither parking nor drainage requirements will be affected by the proposed modification. Work was completed in early 2009.

***Modification to 51 Alder Street Site Plan*** - In February 2009, the Board reviewed and approved an "unsubstantial" modification to the original site plan for the 51 Alder Street building. The proposed modification involved adding a 42"- 48" by 6.5' steel door on the north façade of the building. This portion of the 51 Alder Street building is presently occupied by AZZ/CGIT. The reason for installing a door is to provide improved employee access between the inside manufacturing facility and the adjacent outdoor materials storage area (*instead of employees having to repeatedly open and shut the existing 12' overhead garage door throughout the day.*) The new door will be more convenient for employees, will allow the building's heating and cooling system to work more effectively, and will result in energy and cost savings. This work has been completed.

***45 Place Master Sign Plan (45 Milford Street/Restaurant 45 site)*** - The Planning Board's Site Plan Decision for Restaurant 45 from October 2006 included a requirement that the applicant/property owner prepare a master sign plan for the multi-tenant development to be constructed at 45 Milford Street adjacent to Restaurant 45. That development is now known as *45 Place*. A master signage plan for 45 Place was reviewed by the Medway Design Review Committee on July 20, 2009 and approved by the Planning and Economic Development Board on July 28, 2009.

***4 Main Street*** - The subject premises at 4 Main ST is an approximately 5.5 acre parcel owned by Robert Potheau of Medway MA. The property is located on the north site of Main Street/Route 109 in the Business Industrial zoning district. Phase III of this site plan development project pertains to the middle portion of the parcel. The applicant proposes to demolish the existing, dilapidated, approximately 2500 square foot, one-story block building that sits very close to the roadway. The existing 2 story block building with gambrel roof that is located immediately behind and adjacent will remain in place. The existing wooden fence and concrete block wall will be removed and replaced with approximately 100 linear feet of decorative white vinyl fencing. The portion of the remaining building that faces Main Street and which is outside of the fence and visible from Main Street shall be refaced with brick in a similar color to the brick that is used elsewhere on the site. The present gravel driveway in front of the fence will be graded and paved in bituminous materials for use by MetroWest Auto Sales for auto display. Other site work includes the installation of three 7' by 15' planting areas for business and development signs. A master sign plan for the entire site will also be finalized. The public hearing on the Phase III plan began in September 2009 was continued to October 2009 and again to March 2010.

***Informal Discussion with Cumberland Farms (126 Main Street)*** - The Board convened the Development Review Coordinating Council to meet on October 15, 2009 with representatives of Cumberland Farms regarding their plans to redevelop the Cumberland Farms parcel at 122-126 Main Street. Those plans involve partial demolition of the existing structure and construction of a

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new 3,300 sq. ft. convenience store (the new Cumberland Farms prototype) and a 20' by 83' gas canopy (with 3 pumps/6 fueling locations). They were looking for guidance on the permits they will need, any concerns the Town might have, and the expected likely issues they may encounter along the way. The Board expects to receive a site plan application from Cumberland Farms during the second quarter of 2010.

***Informal Discussion with Medway Mill*** – A joint meeting of the Conservation Commission and the Medway Planning & Economic Development Board and a tour/site walk took place in December 2009 to meet with the owner of the Medway Mill. Redevelopment options including the creation of additional parking, a new access/entry to the site and possible construction of rental housing were discussed.

***OPEN SPACE RESIDENTIAL DEVELOPMENTS (OSRD)*** – The 2005 Annual Town Meeting approved a substantive overhaul to the OSRD section of the Zoning Bylaw. The new provisions provide for the preservation of open space in the community by allowing for the clustering of residential units on a parcel of land. During 2009, construction continued at the ***Village at Pine Ridge***, a 20 unit, townhouse condominium community located off of Candlewood Drive. This OSRD project includes the permanent preservation of 14.4 acres of open space to be open to the general public as walking trails and natural wildlife areas; the land will be deeded to the Town through the Conservation Commission, but maintained by the future Pine Ridge condominium association.

In May 2009, the Board issued an OSRD Special Permit and approved a Concept Plan for the proposed ***Williamsburg Condominium*** development, to consist of nine duplex buildings (for a total of 18 residential dwellings including three affordable dwellings) located on a 13.86 acre site at 66A, 70, 70R and 72 West Street in the Agricultural Residential II zoning district. The site includes wetlands, a tributary of Hopping Brook, upland meadows, wet meadows, a pine grove, a vernal pool and several stone walls. Planned site improvements include construction of a sixteen foot wide one-way private way/driveway approximately 1,134 foot long, approximately 1,200 linear feet of interior sidewalks/pathways, connection to Town sewer and water services, associated stormwater drainage facilities, and 8.7 acres of permanently preserved open space to be accessible to the public with three designated visitor parking spaces. Site access and egress will be from West Street. 8.63 acres of the 13.86 acre site will be preserved as open space. In September 2009, a new owner of the property filed the application for the required Definitive OSRD plan which includes detailed engineering. Approval is expected during the first quarter of 2010 and construction will begin immediately thereafter to make

***ADULT RETIREMENT COMMUNITY PLANNED UNIT DEVELOPMENTS (ARCPUD)*** – An ARCPUD is a planned residential development for residents 55 years of age and older, also known as an active adult retirement community. During 2007, the Planning Board approved an ARCPUD Special Permit for ***Walnut Creek on the Charles (formerly known as River Bend Village)***. To be developed by Abbott Real Estate of Boston, the 125-unit active adult/over 55 condominium development was to be located on a 58 acre site south of Village Street abutting the Charles River. The project was to include construction of 48 apartment style units and 77 townhouses, along with 26 acres of dedicated open space including 5500 linear feet of unpaved walking trails/paths, river access and a canoe launch available to the public. During the summer of 2007, the developer decided to not pursue the project due to the economy and financing difficulties in the troubled real

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estate market. The special permit issued in 2007 has expired. The property owner is evaluating other development alternatives for the site.

In May 2007, the Planning Board approved an ARCPUD Special Permit to Barberrry Homes of Wayland, MA to develop a 51 acre site located on the west side of Winthrop Street south of Lovering Street as *Daniels Village*, to be comprised of 80 single family homes and townhouses for active adult/over 55 persons. The plan included the dedication of 20.4 acres of preserved open space including trails that will be available to the general public with access from Winthrop Street and connections to trails on adjacent properties. The special permit included a provision that the developer would donate \$108,000 to the Town to be used exclusively to support the construction of the Senior Center addition. Subsequent to the decision, Barberrry Homes filed suit in Norfolk Superior Court against the Planning Board, alleging the Board exceeded its authority regarding the mitigation payment. The case went to trial in November 2008. The Court determined the board had acted beyond its scope of authority. The Court vacated the decision and remanded the project back to the Board for reconsideration. The public hearing on this project was re-opened in April 2009. The property owner is evaluating options and is scheduled to meet again with the Board in April 2010.

**ADAPTIVE USE OVERLAY DISTRICT (AUOD) SPECIAL PERMITS** – An Adaptive Use Special Permit provides for the commercial and mixed use of residentially zoned property, in scale with the surrounding homes, on portions of Main Street/Route 109 between Mechanic Street and Elm Street. This special provision of the *Zoning Bylaw* encourages improvements to existing residentially zoned dwellings while promoting the highest and best use of these highly visible parcels. The goal is to facilitate economic investment and expand Medway’s tax base by allowing for building renovation and new construction to convert residential property to limited business uses with sensitivity to the neighborhood’s residential character. Although no AUOD Special Permit applications were received during 2009, the Board and staff met on several occasions with the new owner of 146 Main Street to discuss the feasibility of an Adaptive Use project for that site.

**SCENIC ROAD WORK PERMITS** – Medway has designated 25 roadways as official Medway Scenic Roads. To protect the scenic/rural quality of these roadways, efforts are made to preserve the trees and stone walls that are located in the right of way of these Town streets. Whenever construction occurs on a scenic roadway that would result in the removal of trees or the destruction of stone walls that are located in the Town’s right of way, the Medway Planning & Economic Development Board and the Tree Warden are required to conduct a public hearing and issue a Scenic Road Work Permit. In 2009, there were no applications for scenic road public hearings or work permits to consider.

**PERSONNEL** – The Planning and Economic Development office is staffed by Susy Affleck-Childs who works full time as the Planning and Economic Development Coordinator and by Administrative Secretary Fran Hutton Lee whose time is split between Planning/Economic Development and the Building Department; this has created opportunities for strengthened communication and cooperation between the two departments. In late 2009, Amy Sutherland was hired on a part time basis as recording secretary for the Planning and Economic Development Board to take notes and produce minutes of all Board meetings. Welcome aboard Amy! During 2009, the office provided staff support to the Planning & Economic Development Board, Design Review Committee, Open Space Committee, Affordable Housing Committee, the new Economic Development Committee, and the Master Plan Update Committee as it completed its work. .

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Gino Carlucci, of PGC Associates, the Town's consulting planner, has increasingly aided the Board in developing strategies to improve the Town's residential and commercial development, particularly for redevelopment of Route 109/Commercial District I. His help has been instrumental in fine-tuning draft zoning bylaw proposals. Gino also provided consulting services to the Open Space Committee, Board of Health and the Affordable Housing Committee. He participates in various regional planning and economic development organizations and chairs the Southwest Area sub-region of the Metropolitan Area Planning Council. He is a staunch advocate for Medway and always represents us well.

Tetra Tech Rizzo (TTR), based in Framingham, now serves as the Town's engineering consultant; we are ably assisted by professional engineer Dave Pellegrini. TTR assists the Board by conducting the technical engineering reviews for all development projects; TTR also conducts site inspections during infrastructure construction of subdivision and other development projects.

The Board is also grateful to Town Counsel Barbara Saint Andre, Petrini and Associates for her ready advice and assistance as we attempt to craft creative zoning initiatives and manage the legal details of subdivisions and special permit projects. A high commitment to protecting the Town's best interests is inherent in all her work.

We sincerely appreciate Susy, Fran, Amy, Gino, Dave and Barbara for their loyal service to Medway.

**WHAT IS AHEAD FOR 2010?** As we begin 2010, our plate is full with many important activities:

- Start up of a Geographic Information System, pending inclusion in the Capital Improvement budget
- Continued work to Expedite Permitting process in Medway
- Assist the Energy Committee with implementation of the Green Communities Program
- Propose the establishment of a Medway Agricultural Committee
- Continued zoning work
- Resume work to update the *Subdivision Rules and Regulations*
- Support the Affordable Housing Committee and Trust Fund to secure the services of an Affordable Housing Consultant
- Resolve street acceptance issues for one subdivision
- Work to secure funding for an Oak Grove redevelopment plan
- Complete survey work to participate in Northeastern University Economic Development Partnership program

**CLOSING COMMENTS** – Although it has continued to be a very challenging economic period for development, we believe Medway is on the cusp of a reinvention that will invigorate and excite the possibilities for future generations of Medway's residents.

This Board continues to believe that good results come from good planning. With that philosophy, we hope that Medway will continue to contribute and support us as elected officials and support the fundamental soundness of good planning and engineering practices. With each passing year and the

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build-out of more of Medway's land, it becomes even more imperative that Medway be vigilant in its efforts to grow smartly. This is how we endeavor to serve.

We will work toward a vision that establishes and promotes a more diversified tax base for Medway, thereby creating a more stable community for us to live in. We do that by utilizing proper planning techniques, giving attention to design elements that make our community attractive, and respecting residents' opinions and perspectives. Past Planning Boards built the platform from which the current Planning and Economic Development Board works. They developed and promoted the adoption of zoning bylaw amendments to expand the available supply of commercially zoned land that had not previously been available for development. Other zoning changes allowed for alternative housing options such as adult retirement communities and open space subdivisions. Compared to conventional subdivisions, these types of residential development offer a wider array of housing opportunities, preserve open space, and reduce the financial burden on the Town. Those bylaw changes are starting to bear fruit as reflected in the various developments described in this report.

It has been my privilege and pleasure to serve Medway this past year with my fellow Board members Karyl Spiller-Walsh, Chan Rogers, Bob Tucker, Tom Gay and John Williams. On behalf of all of us, I want to thank you, the citizens of Medway, for giving us an opportunity to help guide the growth and development of the community we love.

Respectfully submitted,  
*Andy Rodenhiser, Chairman*