

Board Members

Andy Rodenhiser, Chair
Sarah Raposa, A.I.C.P.,
Vice-Chair
Timothy Harris, Clerk
Jessica Chabot, Member
John Parlee, Member
Alexandra Vinton,
Associate Member



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Meeting Minutes

Tuesday, April 9, 2024 @ 7:00 p.m.

Medway Town Hall, 155 Village Street, Medway, MA

	Andy Rodenhiser Chairperson	Sarah Raposa Vice Chairperson	Timothy Harris Clerk	Jessica Chabot	John Parlee	Sasha Vinton
Attendance	Zoom	X	X	X	X	X

Also in attendance:

Barbara J. Saint Andre, Director of Community and Economic Development

The Vice Chair opened the meeting at 7:00 p.m. and announced that the meeting is being recorded by Medway Cable Access.

CITIZEN COMMENTS:

There were no citizen comments.

MBTA Communities Zoning Warrant Article:

The Select Board has asked that the MBTA Communities Zoning (G.L. c. 40A, §3A) article be removed from the warrant. This article will be placed on the November warrant. This will allow more time to educate the public and to also see how the Supreme Court handles the Milton lawsuit against the State.

The members discussed the request. Chair Rodenhiser joined the zoom meeting at 7:03 p.m. The Vice-Chair noted Mr. Rodenhiser is participating remotely.

On a motion made by Sarah Raposa, seconded by Jessica Chabot, the Board voted by roll call to withdraw the MBTA multi-family housing warrant article from the May Town Meeting.

Roll Call Vote:

Andy Rodenhiser	aye
Sarah Raposa	aye
Jessica Chabot	aye
Tim Harris	aye
John Parlee	aye

Continued Public Hearing Hill View Estates Subdivision:

The hearing for Hill View Estates Subdivision was continued from the March 26, 2024 meeting. The application from One Nirvana Development LLC is to modify an approved definitive subdivision and to request a deadline extension for the completion of construction of the subdivision.

The applicant representative was present. All are in receipt of the draft decision.

Comments from the public:

Abutter Tim Donahue, 137 Hill Street, Holliston – He is concerned about water from the site coming down the road to his residence. There were photos provided to the Board dated March 28, 2024 depicting ponding on Mr. Donahue’s property from stormwater runoff.

The applicant’s engineer, Dan Merrikin, was present on zoom and communicated that the driveway was there for a long time and the proposed subdivision will not send any more stormwater off-site to the noted property. This project is not allowed to have more water leaving the site. The drainage on the site was explained along with the required treatment on the site.

The Board explained that the applicant needs to meet the new regulations relating to the stormwater system. The modification to the stormwater management system will capture some of the stormwater now leaving the site.

The decision was reviewed and the conditions of the proposed modifications.

On a motion made by Jessica Chabot, seconded by John Parlee, the Board finds that the proposed modifications to the Hill View Estates Subdivision plan as conditioned comply with the Subdivision Control Law and the Board’s Rules and Regulations Governing Land Subdivisions, by a roll call vote of 5 to 0.

Roll Call Vote:

Andy Rodenhiser	aye
Sarah Raposa	aye
Jessica Chabot	aye
Tim Harris	aye
John Parlee	aye

Motion to approve the Certificate of Action for Modification of an Approved Definitive Subdivision Plan application for the Hill View Estates Subdivision, located at 1, 2 Nirvana Way with conditions as presented and discussed by: Jessica Chabot, second: Andy Rodenhiser,

Vote: (5 to 0)

Roll Call Vote:

Andy Rodenhiser	aye
Sarah Raposa	aye
Jessica Chabot	aye
Tim Harris	aye
John Parlee	aye

On a motion Jessica Chabot, seconded by Tim Harris, the Board voted by roll call to close the public hearing for Hill View Estates Subdivision.

Vote: (5 to 0)

Roll Call Vote:

Andy Rodenhiser	aye
Sarah Raposa	aye
Jessica Chabot	aye
Tim Harris	aye
John Parlee	aye

Continued Public Hearing, 37 Holliston St:

The hearing for 37 Holliston Street was opened. The Board was informed that there has been peer review from Tetra Tech which also included responses to the April 1, 2024 review letter. There has been an update to the waiver list. These need to be discussed further.

There will need to be clarification if Member Chabot needs a Mullin Certification.

The waiver list was shown on the screen share. There were 32 waivers being sought. Most are minor in nature.

The following noted below were recommendations of waivers from the Tetra Tech review letter dated April 2, 2024.

- Soil Test pits with percolation tests – Waiver requested of requirement for perc tests, Tetra Tech is fine with this waiver.
- Requested waiver of analysis of stormwater conditions – Tetra Tech recommended that this project perform pre and post stormwater analysis of site. The system is only designed to handle the first one inch of stormwater, so an analysis to ensure abutting properties are not adversely affected is recommended.
- This does not trigger a stormwater or land disturbance permit as the area of disturbance is less than 20,000 square feet.
- An illicit discharge permit needs to be jointly filed with the DPW for both properties.

Rip rap will be added along the existing swale near Holliston Street. The pump from the foundation drain of the house next door will be moved further up the swale to generate a longer travel time.

There was discussion about the sidewalk. Member Chabot is not inclined to waive the sidewalk requirement but would be ok if the applicant wants to provide funds in lieu of sidewalks. The applicant communicated that they are not proposing any new roads and do not believe they need sidewalks.

The following conditions were discussed:

- The subdivision does not need surety, those conditions can be deleted.
- The applicant will need to obtain a MS4 Permit through the DPW. The timing of the permit would be before the building permit.
- There will need to be an estimate for construction observation to inspect the stormwater infiltration system. Consultant Bouley will provide an estimate.
- There will not need to be a pre-construction meeting. The applicant will need to provide contact information.

The Board reviewed the findings in the draft decision.

A resident on Broad Acres asked if there were similar subdivision projects that did not propose an additional way that contributed to the sidewalks in lieu fund, and if so, what are those examples? There needs to be a consistent approach towards applying or waiving the bylaw under these circumstances. This is just a single family home. The realtor then reiterated this statement.

Another resident stated that the Town's processes for approving this project are too long.

The Board was informed that the draft decision will be ready for the Board to review for the next meeting.

Motion made by Jessica Chabot, seconded by Andy Rodenhiser, the Board voted by roll call vote to continue the hearing to April 23, 2024 at 7:00 p.m.

Roll Call Vote:

Andy Rodenhiser	aye
Sarah Raposa	aye
Jessica Chabot	aye
Tim Harris	aye
John Parlee	aye

Member Chabot left the meeting at 8:15 p.m.

Continued Public Hearing, 56 Summer St:

The hearing for 56 Summer Street was re-opened.

The Board is in receipt of the draft decision. This was shown on screen share.

Mr. Murphy who was representing the applicant was present. He explained that there was not a need for a waiver of the tree planting requirements under the Board's regulations. The applicant will make a contribution of \$7,200.00 to the Conservation Commission tree fund (as agreed to with the Conservation Commission) but will also comply with the Board's dbh requirements. The findings and decision criteria were discussed at the last meeting.

On a motion made by Andy Rodenhiser, seconded by Tim Harris, the Board voted by roll call to adopt the findings set forth in the draft decision in Section VI subsection A, B, and C as presented and discussed.

Roll Call Vote:

Andy Rodenhiser	aye
Sarah Raposa	aye
Tim Harris	aye
John Parlee	aye

The Board discussed the waivers. The waiver pertaining to the tree planting has been withdrawn. The applicant will be planting larger caliper trees. The applicant communicated that a letter was sent about the waiver. It was communicated that this letter, dated March 28, 2024, was sent to the Conservation Commission and not the Board. The applicant will provide the letter. The Board would like the applicant to make sure that the plan and decision reference the landscaping plan and plantings required.

The Board reviewed the proposed conditions. The affordable housing conditions were reviewed. The applicant explained that the affordable units will be constructed in Phase 1 within the first 4 buildings in the quad. The Board members explained that these units need to be evenly distributed and the developer will need to hire a lottery agent to run the process. In Phase 1 there are to be 8 market units and 2 affordable units. The stormwater and infiltration will be maintained by the Condominium Association. There will not be dumpsters on site but there will be a management plan in place to take care of the trash. If there is any fill brought into site; it needs to be from an approved site or be tested. There will need to be a pre-construction meeting.

It was noted that there was a comment that there are existing trees located in the sight triangle for the proposed intersection of Mockingbird Lane and Summer Street. These appear to be within the Summer Street right of way and may require a public shade tree removal approval. There was a question as to whether there is an issue with light trespass onto Summer Street, Ms. Raposa believes this has been resolved.

All the comments will be put into the draft decision.

Motion was made by Tim Harris, seconded by Andy Rodenhiser the Board voted by roll call vote to continue the hearing to April 23, 2024 at 7:00 p.m.

Roll Call Vote:

Andy Rodenhiser	aye
Sarah Raposa	aye
Tim Harris	aye

John Parlee aye

Andy Rodenhiser left the meeting at 9:15 p.m.

Consultant Bouley left at 9:15 p.m.

Discussion Micro Forest:

Chair of the Conservation Commission, David Travalini, provided information on micro forests. There are active micro forests in Natick and Cambridge. The idea of this came when Open Space member Jim Wickis communicated that he needed a permit to remove invasive species at Idylbrook. These invasives species keep returning. A benefit of growing a micro forest is that they help crowd out and eradicate invasives. These forests need to be native and are known to grow five times faster than regular forests. These are self-sustainable. The only thing needed to have this forest is an area for planting, money for trees, and labor. There was discussion that the funds could come from the Conservation and Planning and Economic Development Board (PEDB) tree funds. It was communicated that the PEDB funds are under the Department of Public Works (DPW) and they decide how funds get allocated. Those who could help are the trail committee, girl scouts, boy scouts, vocational schools, and garden club. There will need to be maintenance done while the forest is established. There will be a site visit next Wednesday to look into this project. The Board thinks it is a great idea.

Zoning Board of Appeals Application: 192 Main Street:

The Board is in receipt of an application for the Zoning Board of Appeals for property located at 192 Main Street. There is an existing 6 unit building and the applicant wants two more duplexes in the back of the site. They are seeking a variance exceeding the density. The Board decided to not comment on this application.

Minutes:

March 12, 2024:

On a motion made by John Parlee, seconded by Tim Harris, the Board voted to approve the minutes from March 12, 2024.

March 26, 2024:

On a motion made by John Parlee, seconded by Tim Harris, the Board voted to approve the minutes from March 26, 2024.

Adjourn:

On a motion made by John Parlee, seconded by Tim Harris, the Board voted to adjourn the meeting at 9:52 p.m.

Respectfully Submitted,

Amy Sutherland
Recording Secretary

Edited by

Barbara J. Saint Andre
Director, Community and Economic Development

List of Documents Reviewed at this meeting

1. Hill View Estates Subdivision Modification Draft Decision
2. 37 Holliston Street Subdivision Draft Decision
3. 56 Summer Street Special Permit and Major Site Plan Draft Decision