

Wednesday, March 18, 2020
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio	Jessica Chabot
Attendance	X	X	X	X	X	X

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator

The meeting was called to order at 7:30 pm by Chairman Rodenhiser.

The following statement was read:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, no in-person attendance of members of the public will be permitted at this meeting. Also, this meeting will not be broadcast. The meeting agenda has been revised and Board members will be participating remotely. As this meeting includes a previously scheduled public hearing which requires an opportunity for public participation, the meeting will be accessible to the public via the ZOOM online option.

NOTE – The details for accessing this meeting via ZOOM were included on the meeting agenda.

There were no Citizen Comments.

PEDB MINUTES:

March 5, 2020

On a motion made by Rich Di Iulio and seconded by Bob Tucker, the Board voted unanimously by roll call vote to approve the minutes of the March 5, 2020 PEDB meeting as presented.

Rich Di Iulio	AYE
Tom Gay	AYE
Matt Hayes	AYE
Andy Rodenhiser	AYE
Bob Tucker	AYE

REPORTS: Susy Affleck-Childs offered the following report:

- The deadline for submittal of engineering services proposals to the Town has been extended from March 18th to April 8th.
- The Board was informed that the various ZONING BYLAW articles submitted to the BOS for the May 2020 annual town meeting have been removed from the warrant. The

BOS made this decision at its 3-16-20 meeting due to quorum concerns for Town Meeting. This was done after discussion with Chairman Rodenhiser.

- A meeting was held last week with the stormwater attorney and engineer for Medway Place Shopping Plaza and Town staff and consulting engineer Steve Bouley to review and discuss their proposed stormwater management improvements for the Medway Place property on Main Street. They need some time to pull together a revised stormwater plan to incorporate the items discussed. So, they have asked for a continuation on next week's site plan public hearing to April 14th.
- Town Hall is closed to the public indefinitely. All PEDB meetings will be done remotely through ZOOM. Town Administrator Michael Boynton has done several video presentations on the Town's Facebook page; she encouraged members to view them.

EVERGREEN VILLAGE PUBLIC HEARING CONTINUATION

The Board is in receipt of the following: **(See Attached)**

- Public Hearing Continuation Notice
- Tree replacement calculation notes prepared by Susy Affleck-Childs
- 3-17-20 email note from Sergeant Jeff Watson regarding the status of the 32" tree in the Evergreen Street right of way adjacent to the 22 Evergreen Street property
- Order of Conditions and Land Disturbance Permit issued by the Conservation Commission on February 17, 2020.
- Emails between Susy Affleck-Childs and applicant Maria Varicchione about public hearing continuation options.

Applicant Maria Varicchione and project engineer Ron Tiberi participated remotely in the hearing. Abutter John Grimes of 1 Royal Heights Drive was also a remote participant.

Ms. Varicchione explained she had met with Safety Officer Sergeant Jeff Watson about not cutting down the 32" tree in the Evergreen Street right of way as he had previously recommended. They discussed options for saving the tree and providing suitable sight visibility where the new roadway (Balsam Way) intersects with Evergreen Street. As noted in Sergeant Watson's email note dated 3-17-20, he is OK with retaining the tree under the following conditions: tree pruning, regrading the lawn area west of the new roadway, and moving back (southerly) the planned lawn landscaping in that same area, all to improve sight lines for exiting traffic. Member Tom Gay asked if the new contours resulting from some regrading would match the roadway. Mr. Tiberi responded that they would.

Susy Affleck-Childs noted that the Conservation Commission had approved the project at its meeting last week and had issued an Order of Conditions with a Land Disturbance Permit on March 17th. Susy received the Order of Conditions today from Conservation Agent Bridget Graziano. It was issued to John and Cynthia Shea as the current property owners; Ms. Varicchione is the buyer on a purchase and sale agreement. Susy will email the Order of Conditions to Ms. Varicchione and Mr. Tiberi.

Susy Affleck-Childs informed the Board that she had asked Tetra Tech to prepare a sidewalk cost estimate for the project's Evergreen Street frontage. Sidewalk work is a requirement of the Site Plan provisions of the Zoning Bylaw. The estimate would serve as the basis for determining a payment in lieu of sidewalk construction as there is not sufficient right of way width to install a sidewalk nor are there sidewalks in the area to connect to.

She also asked the Board about the timing of site infrastructure and building construction. Does the Board want to allow the two buildings to go under construction before the site work is completed? This needs to be addressed in the decision she is drafting. Mr. Tiberi explained that the Conservation Commission Order requires the project to be phased to reduce soil erosion and manage stormwater during construction. He said the phasing plan is shown on Sheet #E1. Susy will look at the Commission's Order and include compatible language in the PEDB decision.

Mr. John Grimes of 1 Royal Heights Drive asked about the stormwater plan. He continues to be concerned. Chairman Andy Rodenhiser responded that the stormwater component of the project was reviewed and covered by the Conservation Commission and asked if he had participated in those discussions. Susy Affleck-Childs reported that the most recent site plan is dated February 27, 2020. Ron Tiberi confirmed that the 2-27-20 version is what the Commission had approved. Susy Affleck-Childs will email that plan and Conservation Commission Order of Conditions to Mr. Grimes.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously by roll call vote to continue the hearing for Evergreen Village to March 24, 2020 at 7 pm.

Rich Di Iulio	AYE
Tom Gay	AYE
Matt Hayes	AYE
Andy Rodenhiser	AYE
Bob Tucker	AYE

OTHER REPORTS/COMMENTS

Member Tom Gay noted that he had read that the 4 Marc Road property had been sold. This is the future site of the NeoOrganics marijuana cultivation facility the Board had recently approved via a special permit and site plan. Chairman Rodenhiser indicated he had learned about this transactions. The NeoOrganics folks wanted to consolidate their capital to put into the business vs. into real estate.

Susy Affleck-Childs encouraged Board members to review three a Tetra Tech construction reports on William Wallace Village from February 13, February 28 and March 9, 2020. (See **Attached.**)

FUTURE MEETING:

- Tuesday, March 24, 2020

ADJOURN:

On a motion made by Tom Gay and seconded by Bob Tucker, the Board voted unanimously by roll call vote to adjourn the meeting.

Rich Di Iulio	AYE
Tom Gay	AYE
Matt Hayes	AYE
Andy Rodenhiser	AYE
Bob Tucker	AYE

The meeting was adjourned at 8:05 pm.

Prepared by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator



March 18, 2020

**Medway Planning & Economic Development Board
Meeting**

Evergreen Village Public Hearing

- Public Hearing Continuation Notice dated 3/6/2020
- SAC notes dated 3/6/2020 with calculations for tree replacement planting and payment in lieu of amount for removal of the 32" tree in the Evergreen Street right of way.
- 3/17/2020 email from Sergeant Jeff Watson re: removal of 32" tree in the Evergreen Street right of way.
- Emails dated 3/17/2020 between Susy Affleck-Childs and applicant Maria Varicchione about continuation dates.

I have begun working on a draft decision, but I haven't gotten very far, so nothing is included right now.

Board Members

Andy Rodenhiser, Chair

Robert Tucker, Vice
Chair

Thomas Gay, Clerk

Matthew Hayes, P.E.,
Member

Richard Di Iulio, Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

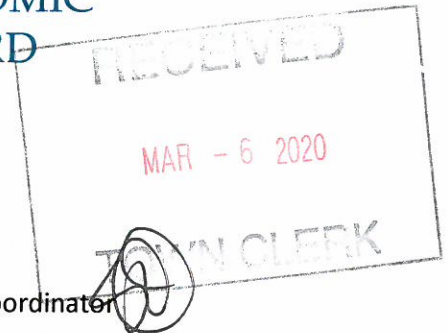
MEMORANDUM

March 6, 2020

TO: Maryjane White, Town Clerk
Town of Medway Departments, Boards and Committees

FROM: Susy Affleck-Childs, Planning & Economic Development Coordinator

RE: **Public Hearing Continuation: Evergreen Village Multi-Family Special Permit, Site Plan Review and Scenic Road Work Permit @ 22 Evergreen Street**
Continuation Date: Wednesday, March 18, 2020 at 7:45 p.m.
Location: Medway Town Hall, 155 Village Street



At its meeting on March 5, 2020, the Planning and Economic Development Board (PEDB) voted to continue the public hearings on the applications of Sampson Pond LLC of Medway, MA for a multi-family housing special permit, major site plan approval, and a scenic road work permit to develop a six unit, townhouse condominium community and associated site improvements at 22 Evergreen Street. The hearing will take place at 7:45 p.m. on Wednesday, March 18, 2020 in the Town Administrator's Conference Room at Medway Town Hall, 155 Village ST, Medway, MA.

The proposed development includes two, 3-unit townhouse buildings on the 1.44 acre site. One affordable dwelling unit will be provided. Access will be from a single curb cut from Evergreen Street. A total of 12, off-street parking spaces will be provided plus each unit will have a 2 car garage. Sub-surface stormwater management facilities will be installed as will landscaping, lighting, and a gardening area. Connections will be made to existing Town sewer and water services in Evergreen Street. Construction work in the Town's Evergreen Street right-of way to create the new curb cut involves reconstructing portions of the existing stone wall. The site contains wetland resources under the jurisdiction of the Conservation Commission which is reviewing the project for stormwater and a Land Disturbance Permit. The site plan entitled *Evergreen Village* dated September 5, 2019, last revised November 20, 2019 was prepared by Ronald Tiberi, P.E. of Natick MA.

The applications, site plan and associated documents for the proposed Evergreen Village townhouse development are on file with the Medway Town Clerk and at the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The materials have also been posted to the Planning and Economic Development Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/evergreen-village-condominium-development-22-evergreen>

If you wish to comment, please forward any comments to me by March 12th. The Board will be reviewing a draft decision at the March 18th meeting. Please don't hesitate to contact me if you have any questions. Thanks.

Medway Scenic Road Rules and Regulations – Tree Replacement

B. *Trees* – Unless waived, restoration shall consist of replacing the removed *trees* with nursery grade trees on a one (1) square inch per two (2) square inch replacement basis, at locations specified by the Planning Board and the Tree Warden, within (1) year after a *Scenic Road Work Permit* has been issued. A one (1) square inch per two (2) square inch replacement is calculated by finding the diameter of a *tree* in question at one (1) foot above the ground and determining its trunk area ($3.14 \times \text{tree radius squared}$). The resulting figure is halved and that square inch total becomes the equal to the square inch total of the replacement tree(s). See **Appendix C**.

$$\text{Tree Replacement} = \frac{\text{Tree radius}^2 \times 3.14}{2}$$

The restoration shall be verified by the Tree Warden as fully and skillfully performed. The species of replacement tree(s) will be determined by the Tree Warden, or otherwise will be consistent with the species of the removed *tree(s)*. The Tree Warden may determine a compensatory value for which the applicant shall be responsible, in lieu of replacement tree plantings, which is equal to the value for nursery grade tree stock and installation. Such value and subsequent payment due the Town of Medway shall be outlined in the final *Scenic Road Work Permit*.

Evergreen Village – One Tree to Be Removed

Tree Size - Diameter	Radius	Radius ²	Radius ² x 3.14	<u>Radius² x 3.14</u> 2
32" Oak	16	256	804	402

Application of the Scenic Road tree replacement formula results in a total of 402 square inches of required tree replacement. A 3" caliper tree = 7 sq. inches. Consequently, fifty-seven 3" caliper trees would need to be planted to offset the loss of the 32" oak tree which has been recommended for removal from the Evergreen Street scenic road right of way. Alternatively, a payment in lieu of tree planting can be made to the Town's Tree Fund, or a combination of both tree planting and a payment in lieu of planting can be worked out with the Planning and Economic Development Board.

The Tree Warden has provided an estimate cost of \$355 for a 2.5 to 3" caliper tree, not including installation. Based on trees only without installation, the maximum amount of a tree replacement payment in lieu of planting would be \$20,235.

Susan Affleck-Childs

From: Sgt. Jeffrey Watson <JWatson@medwaypolice.com>
Sent: Tuesday, March 17, 2020 8:19 AM
To: Susan Affleck-Childs
Subject: 22-24 Elm St.

Suzy,

I had an opportunity to speak with the land owners of 22-24 Elm St. I met with them on Sunday to discuss options other than cutting down the large Oak tree located on the North West side of the lot. They were able to show me the location of the driveway. Having this information I was able to come up with another option other than cutting down the tree. They have agreed to taper and grade the landscape down to the height of the existing stone wall in the front. They will remove all current plantings to create a better site line. They have also agreed to move the new plantings back 25 feet from the back of the existing wall.

I believe these changes will help with the site line without having to remove the tree.

Respectfully,

Jeffrey W. Watson
Sergeant/Safety Officer
Medway Police Department
315 Village Street.
Medway, Ma 02053
Office Telephone:
508-533-3212

Susan Affleck-Childs

From: Maria Varrichione <dreamhomesmv@gmail.com>
Sent: Tuesday, March 17, 2020 8:54 AM
To: Ron; Susan Affleck-Childs
Subject: Re: FW: 22-24 Elm St.

Susan, Thank you for the clarification, in that case please schedule me for soonest available date. If possible for 3/24, or 4/7, or 4/14. If you will be adding any meetings to catch up on cancellations due to the current events I obviously would like to be in the agenda as soon as possible. Thank you and stay healthy!

On Tue, Mar 17, 2020 at 8:47 AM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Maria,

The hearing will only have minimal discussion as I know I will not have a complete draft of a decision for the Board to review. We will still need to continue the hearing as we discussed yesterday.

As standard operating procedure, the Board does not close a hearing until after the written decision/permit is finalized and voted. If we close before that, an applicant is not able to participate in discussions about the content of the decision.

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Maria Varrichione [mailto:dreamhomesmv@gmail.com]

Sent: Tuesday, March 17, 2020 8:43 AM

To: Susan Affleck-Childs

Subject: Re: FW: 22-24 Elm St.

Thank you Susan, fantastic news on tree and that we can still hold meeting electronically. Thank you I will await your directions.

On Tue, Mar 17, 2020 at 8:23 AM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Maria,

See note below from Sergeant Watson about the tree. Confirms our conversation of yesterday. Such good news all around.

Working on details now for tomorrow night's hearing and will send you directions later today. We are going to do it through ZOOM. Stay tuned.

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Sgt. Jeffrey Watson [mailto:JWatson@medwaypolice.com]

Sent: Tuesday, March 17, 2020 8:19 AM

To: Susan Affleck-Childs

Subject: 22-24 Elm St.

Suzy,

I had an opportunity to speak with the land owners of 22-24 Elm St. I met with them on Sunday to discuss options other than cutting down the large Oak tree located on the North West side of the lot. They were able to show me the location of the driveway. Having this information I was able to come up with another option other than cutting down the tree. They have agreed to taper and grade the landscape down to the height of the existing stone wall in the front. They will remove all current plantings to create a better site line. They have also agreed to move the new plantings back 25 feet from the back of the existing wall.

I believe these changes will help with the site line without having to remove the tree.

Respectfully,

Jeffrey W. Watson

Sergeant/Safety Officer

Medway Police Department

[315 Village Street.](#)

[Medway, Ma 02053](#)

Office Telephone:

508-533-3212

--

Maria Varrichione

dreamhomesmv@gmail.com

Mobile- 508-561-6048

RE/MAX Executive Realty
Platinum Club, Hall of Fame
& Lifetime Achievement Award Recipient

--

Maria Varrichione
[dreamhomesmv@gmail.com](mailto:mv@gmail.com)
Mobile- 508-561-6048

RE/MAX Executive Realty
Platinum Club, Hall of Fame
& Lifetime Achievement Award Recipient