

January 4, 2005 ADMINISTRATIVE MEETING
Senior Center

Present: Dan Hooper, Karyl Spiller-Walsh; Alan DeToma, Matt Hayes - No Eric (sick)

Also Present: Susy Affleck-Childs, Planning Board Assistant and Gino Carlucci, PGC Associates (8:00 pm??)

The meeting was called to order at 7:12 pm

CONSIDERATION OF MEETING MINUTES

Motion by matt hayes – to approve all minutes - LIST out . . . – seconded by karyl – unanimously approved.

JOINT MEETING WITH DRC

Present – Andy Rodenhiser, Julie Fallon, Gary Jacob, Katie Tortorello, Stacey Wetstein; Deirdre Murphy Sullivan; Bob Greenebaum; Gwen Hendry

Introductions all around –

Dan – I don't have a particularly formalized agenda – welcome as a group – and the hope is we can talk about where we have come since your creation at ATM 2003 – what's been working, etc.

Gary – we have been feeling our way – created by the pb – to contribute to design – looking at trail systems, looking at signs – we have had several architectural discussions (2-4 Main St) – the other extreme is the McDonalds where we had an unwilling but because of the status of that review being Medway Commons - we kind of felt our oats with that one – I just kind of wonder if we had that kind of authority over every building that may not be a good thing – do we want every building in medway to look like mcdonalds –

Dan – that was guided by the medway commons overall site plan

Gary – we had unprecedented clout in that case because of the certificate of approval – but then you look at STAR Market – it seemed they were able to pull the wool over your eyes with that – the other extreme was that we couldn't get much of anywhere with 2-4 main street – one of the other comparisons was mcdonalds and we forced them to bring in professionals – in the end it was their professionals that designed – one lesson – is to – to work with small businesses who have no access at all or money to engage a professional designer so there we can provide some direct guidance but anything larger is to get the professionals involved early on – I was very aware of differences in outcome based on who puts pen to paper

Karyl – one thing that we had a lot of trouble with (dan and I) – the STAR market was a very big box – we didn't know how far we could go – that is a big issue with big box stores

Alan – there is another whole human element – mandate already put into place by the BOS Certificate of Approval for Medway Commons.

Gary – credit to the agreement – we had incredible authority based on that one clause

Alan – the second part of my comment was this – that was a big company and a mandate – the flip side of the coin is a local guy without much money and a crappy piece of property who wants to make some improvement – that is a situation where something is better than nothing – we could have said make it look nice

Dan – there were actually 3 entities – drc, pb and bos – the applicant knew they couldn't play one off against each other – they play off different boards (concom vs. PB) –

Deirdre – Andy had a great suggestion about a status report on each project – where it stands

Bob – I think it was actually me

Gary – the thing we need to do in our minutes – is to be very clear what is going to happen next and when

Deirdre – it would be very helpful to the applicants to know that info

Dan – they play that game some time – we are a reviewing body for site plan – we don't have authority

Katie – some sort of paper trail that – susy gives us a pretty good overview – status on

Andy – CVS was a good example – concom

GINO – 7:30 pm arrived

Karyl – 2-4 main street – he played us like a fiddle

Dan – he wanted to be a hero to the town – he started with us presenting that he was going to do the whole site – but what he really wanted was to construct a new building – virgin sites vs. retrofit sites – huge difference

Alan – part of that problem would go away if site plan process was changed.

Dan – feb 15 is deadline for town meeting articles – we have been rebuffed several times – our concept is to do a citizens petition

Gary – have you submitted one to them before that they have rejected

Dan – I have talked openly with Joe D about for years – Kent would be supportive

Gary – that would be the better way

Susy – the best way is to do it both – by the PB and citizens petition and that forces the issue

Alan – if that one change could occur would give this board and the drc so much more authority to impose design review – DRCs in other towns (like Natick) have a lot of power

QUESTION - citizen petition for ATM

Andy – last night at BOS meeting – China Lotus bus license – Joe D suggested that they go to the DRC; they want to paint and do landscaping – he is required to have a certain number of parking spaces – the BOS should be able to withhold their liquor license – Bob Speroni

Gary – issue of who can speak for the DRC – even if he is not making a statement on behalf of the drc – I don't think we want to be a policeman – so we can mention it to you –

Karyl – we are not enforcers

Andy – we have the ability to take the positive feedback from McDoanlds so that businesses want to come here – we represent community standards – customers will want to go to those businesses

Gary – I don't want to be the one to point fingers

Dan – I think the first effort on your part is with other town boards – pb, bos, zba – imperative that – create respect by knowledge – you can

Karyl –

Gary – I have played different roles – concom was setting the standards and I was there as a regulatory agency – we set the standard and they agreed with the order of conditions – I can see the PB in the same role as the CONCOM – but the DRC doesn't have that and we don't want it.

Dan- I agree that you don't want to be crazy policing – we have been talking about a process with Bob – same answer –

Susy – explained the idea that is being put forth – sign violation complaints from the PB – up to the BOS –

Gary – what you need is a picture to go along with each complaint

Dan – lets talk about our priorities now – I haven't seen but I understand there exists the sign design guidelines – how is it going with the overall design guidelines?

Gary – we are struggling – that first summer we spent a lot of time research and discussing – the question is whether we have bitten off more than we can chew – we may be a little bit over our heads – I understand that the PB will not

Andy – I talked to Dick Maciolek as town counsel to see if we could use it – as long as we put something together on –

Karyl – we wouldn't want to necessarily adopt the whole thing – Bob had some good ideas to culminate some of the surrounding towns – we did decide what we didn't want – that was a biggie – what was extraneous

Dan – can I make a suggestion on this – I used to work for Sheraton for 10 years – I actually was part of the design guidelines effort – worldwide – signs to brochures - \$5 million effort – it almost seems like we need a skeletal start – it seems like we need

Gwen – we have that based on some we have liked

Dan – let's take it and just do something – we are midway and we are just starting out – get something as a framework – a year and half is good enough time to have some good experience – virgin vs. retro –

Gary – hopefully in the next month we can get to work on this

Dan - you got to get back down to something on paper – the PB should participate more than we have

Karyl – right now, on that note – we have to know where we are going – we have to be careful what we are trying to advocate – we are not trying to reproduce midway commons time and time again – it was almost painful to keep doing that time and time again - really, making everything not like everything else

Dan – that is the most difficult thing in the world to write – defined yet flexible – you need a skeleton – it may need to be a PB budget item – there may be some funding in this year's PB budget – I hope it is not lost – McDonalds – and others

Dan – I know we ran into a situation at a DRC meeting where in an instance you said you aren't going to recommend – the applicant is not obliged to attend your meeting that is perfectly discretionary right now – if they never show up, they take the materials and the form and you say here is what we recommend – here is what they prefer – that is the best we can do in the absence of them – it gives the PB and the DRC another stepping stone toward respect – it feels shallow and disrespect – not to town committees – we made a commitment to make

Bob – that was the purpose of this form – each time somebody comes in front of us – we should have a single document as to what our intentions are – this is meant as an informal type document – to give an applicant back at the end of each meeting – some codified way as we

report as a committee – something we can send to the PB and the PB can waive in front of the selectmen –

Sac – checklist to go along with a submittal to the DRC

Katie – also info on time line – when does the DRC

Dan – in some cases, maybe we should have a joint meeting on some projects – little subtleties that are hard to relate back and forth –

Karyl – the applicants know that the pb IS WAITing for the DRC's

Dan – Sometime during the course of a PB hearing it might be helpful to

Karyl – lots of times what happens to us – applicant comes in – we gave him sketches, photos – he never once hired a professional writer –

Deirdre – he didn't know what was required to –

Andy – we wanted the PB to know

Alan – That is the case where he said I am going to

Karyl – his site was riddled with issues of nonconformity 0

Andy – it was a con – to make everybody to feel warm –

Karyl – he was in france –

Andy – the recommendations were not terribly expensive details –

Bob – the reason I was so upset at the meeting is that it had't changed

Dan – that goes to the whole issue of site plan review and how much pressure we exert on them for architecture – we aren't there quite yet –

Gary – a lot would depend on how the site plan regs are written

Andy - with the Iarussi property, we didn't know what to talk about

Dan – open space subdivision – it came in fast and it came in with some understandings – we don't anticipate that happening again

Dan – I think we are going to have to keep communicating – how can we take the skeletal design guidelines and bring it to some oife

Gwen – one idea we had was to break up the table of contents and have different people write it

Andy – set a standard format

Gwen - draft and swap

Dan – Maybe we could take a good draft and then take it to a professional

Bob – it the stuff in the middle that is useful – we get bogged down

Dan – is that

Alan – I think gwen's idea of beaking up the sections – that is a rough draft – then as a committee you look at the whole draft –

Dan - bring a good revised draft – it doesn't have to get down to such details

Bob – one of the problems is that we haven't really been addressin it as issue and reponse to issue – it has been a mismosh – our intention is now to really get down to it – I think it is an issue

Dirdre – I think we really need to start with a table of contents – make up a super list – then each of just tackle a chapter – use the other guidelines as a reference –

Katie – we need one editor initially to take what everybody has written

Deirdre – guidelines need to be adapted toward midway – I have worked on these before – I went around researching and phtogrpahing the whole town of norwood – I think it is important that the guidleins incoproate positive and negatives in the town –

Alan – I remember that discussion – different regions/sections of the town –

Dan – you will find that you cant make a one fits all – it is a guidelines – it is not a law or a rule/reg – it is your discretion to help them get around it if it makes sense –

Gary – to change the subject and we need to move forward –I want to bring up another issue all together – I want to have a gathering of some of the other committees – historical commission, CPC, in terms of what their goals are – so I am thinking of just having something like that – I would include the PB – more the touchy feely committees than the regulatory boards – another area where we can talk – this whole issue of concrete wall down by my house – I have tried to point out the travesty – some way for the committees

Dan – design guidelines in your hand and do an outreach effort to various groups – midway business coundil , etc – here is who we are and this is what we are guided by – I would have somelkthing in place that would give you the credibility – what – I don't think the DRC is settled into the brains

Gwen – we were hoping to get some input from some of them to include in the guidelines –

Alan – like a research mission

Dan – I think you will get bogged down

Gwen – I think we should just go to them to one of their meetings -

Gary – groups ought to get together –like concomm and PB – to discuss drainage – I want to do it for several reasons- keep the groups small – Saturday morning or wed evening.

Dan – it is very rare to have this kind of get together – I am exactly in the same line of thinking as that – like once annually - town meetings are not the time to do this – all boards meeting – I think it is an opportunity missed – I have tried to talk Joe D into that – he is just simply not for it – I think he thinks it would be a waste of time – have the moderator run the session and have boards submit questions –

Karyl – from my little observation – the board that is having the biggest visual struggle is the ZBA with the 40B projects – they are lost on many levels and one of them is architecture and landscaping – lost as to even what they should consider – they are going to be around us and are coming in -

Dan – hopefully we can get some things rolling – having design guidelines would be of huge help

Kent – developers have design packages – this model or that model – they have to show that they have worked with the town – but if the zoning board does not have the tools –

Karyl – the ZBA doesn't even know –

Kent – Communicating the purpose of the DRC

Dan – Kent is doing an unbelievable job on the BOS -

Gary – our action items – from your point of view is the design guidelines – I want to propose some effort to get committees together whether we go door to door – we have talked about some input to your site plan rules and regs – we would want to have some input – we would suggest that you take a more aggressive approach that anything that is going to end up being town property you can be tougher -

Andy – we need to get tougher – you have to create your reputation

Dan – we went to Springfield – back and forth – we are getting there –

Kent – you need to get away from the perception that – documenting what your criteria and guidelines should be – get that together in a DRAFT form – bring that to them – this is our current thinking –

Gary – my initial thought wasn't to work on the guidelines but to talk

Dan – don't forget the new administrator when that time comes – Susy and I talk about this we would like to see a bit more of visionary role for the TA; the TA has a lot of input at the tail end of the site plan process -

January 11, 1005

PRESENT: Dan Hooper, Eric Alexander, Matt Hayes, Karyl Spiller-Walsh

ALSO PRESENT: Susy Affleck-Childs, Mark Louro, Gino Carlucci

Meeting called to order at 7:36 pm

CITIZENS COMMENTS

Dan – any citizen comments?

Karyl – I have noted that there are still chevrons at CVS looking worse and worse – shredded

Dan – I went to BOS mtg last night – for 2-4 Main St site plan approval – it was the easiest thing I have ever been involved – John Willisam chaired – minimal comments – Malcolm Porter and Henry Marcel represented Bob Potheau who was elsewhere – at the moment of truth when selectman Rozanski asked the applicant if they had any objections to the waivers and conditions – the comment was NO we do not. That was a huge step forward – they got approved last night. To your question – one of the other items was sign violation form that Susy had drafted and mimicked another form that Bob uses – Raphaela recommended it go to town counsel before it is used – the form is to be used by pb, drc and anyone else and submitted to the BOS who would send a communication of some sort to the alleged offender – need to cite an actual infraction to the sign bylaw – then they can go ahead with a letter – the ultimate responsibility is the zoning enforcement officer – this is an effort to relieve him of some burden.

Karyl – what was upshot of discussion re: who would be the delivery officer – then who after

Dan – the BOS will send a note/letter – say at the end this is your notification to make the change – please do so – if not it will go to the ZEO for further action to follow up face to face – this should probably focus on non-size things

Dan – we are waiting for Alan DeToma to arrive –

CONSTRUCTION OBSERVATION

ICE – poured concrete behind the curb – perfect

West Haven 40B project

Fox Run 40B project

Karyl – both are very dense developments; asking for many waivers right away from the ZBA's 40B regs – I thought Mark should be present at some of the initial presentations – I was shooting from the hip looking at the detention pond – it was enormous – again, there was a suggestion that was a unit 12 feet

Mark – I haven't seen anything on these yet.

Karyl – there are already water issues – it has been built to a 25 year storm level only –

Mark – that doesn't conform to the stormwater management policy

Karyl – somebody from vhb should have been there early on to give input on those matters – have to get the numbers down

Alan arrive at 7:45 pm –

PUBLIC HEARING CONTINUATION – Wingate Farm Subdivision Modification

Karyl – I will recuse myself

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Gene Walsh

Rachel Walsh

Steve Poole

Dan – For those of you who might not have had a chance to read your packet – we are in receipt of the last revisions for engineering a week ago Monday – there was not sufficient time to construct a written review at this time. But there are a number of other issues we can take up at this time.

Mark – the plans were received on Jan 3 – we wouldn't have been able to get a letter done by Friday – the engiennner doing the drainaige review had a family emergency and was not able to complete

DRAFT Waiver Requests – At the top of this is a list of the waivers approved with the original subdivision plan – this matters because we are now comparing the new waiver requests to the existing approved plan.

Attach and make a part of these minutes –

Dan – this is what will ultimately be included in the certificate of action – let's take some time to review –

Gino – they may not need a waiver from 4.1.1 or 4.1.2 – cause to waive it may imply that it could meet the standards at some point in time - standard cross section only applies to things that are to be accepted

Dan – we have tended to go section by section when we have these discussions –

Matt read aloud

4.1.1 and 4.1.2 –

waiver not needed for 4.1.1

4.2.6.8 – pavement material

photos provided from Emerald Farm in Bellingham – Granite Street

steve – we are trying to track down somebody who can give us some information

dan – we are looking for some historical reference elsewhere that the material over some length of time has performed as promised because neither we nor VHB had much experience with this – in a private way application, something that we are willing to consider – I thought it was understood that we would see a letter – verification from a third party

mark – minimize maintenance and provide stability

Rachel – the person that owns emerald farm is Mike DiNapoli – he is in construction –

Dan – that is a driveway that you showed us

Rachel – it access the house and a riding facility

Mark – what is the slope on that site?

Steve – steeper than our site

Motion by matt and seconded by alan – extend deadline to February 11, 2005 - all yes

Continue to February 8 at 7:35 pm – matt, alan – all yes

8:45 pm – brief break

8:50 p.m. - Informal Subdivision Discussion – Daniel L'Etoile for 22 Milford Street

Daniel – my property is at 22 Milford Street – 1.47 acres. The next property to the west is a horse farm – I want to divide the land to get another lot –

Alan – are you proposing that the house would stay

Daniel – no – the barn would have to go as well.

Dan – real problem is with the lot shape factor – those are ZBA issues –

Daniel – can we eliminate the cul de sac? Sue talked about a hammerhead alternative

Dan – in the context of a private way subdivision – under the regs that we are soon to be approving we are adding two categories of road – private way (2 & 3 lot) and neighborhood (for up to 5 lots)

Mark – you will need some of that layout to create a T –

Dan – but the T ends can serve as the driveway ends to the property

Alan – but moving forward, I would like to see the driveway on route 109 to come off the new road

Mark – the right of way for the road is too narrow - needs to be 45 feet for a private way – paved width needs to be 18 –

Karyl – is there any uplands issues here?

Daniel – it would still need to be 45 foot right of way?

Dan – yes –we shouldn't spend any more time designing this – it is a good size lot but if it has constraints with wetlands in the back and access width – and domino effect of adequate LSF, frontage and area –

Pine Meadow Public Hearing Continuation

Paul Desimone

Matt Barnett –

Dan – a couple of documents to give to you – one is a draft certificate of action and the other is a review of the prosoinal study

Paul – we have something else we want to show you – we did a septic design for lot # 3

Dan – any concern with the location of the leeching field to the detention pond and leeching field to catch basin?

Mark – stormwater management policy may be more stringent than this – have Barbara take a look at that to make sure –

Paul – bill fisher will need to do a review of this

Paul – getting back to the subdivision itself – what we didn't put in the report was that if we shorten the road 107 feet to get to 600 feet deadend – but if you add up all the area, you have six to seven lots – now those are duplex lots in this zone – so what we could offer for further mitigation – if we get 8 single family homes with the longer dead end vs. 6 2-family buildnigs

And 2 1 family lots.

Matt – if we have to move the roadway back, we would do

Paul – besides a sidewalk on both sides, we would restrict two of the

8 lot proposed with approval of 107 foot dead end waiver – all single family lots no matter what size vs. the alternative is to meet the rules and regs of the planning board relative to the dead end length but the applicant is saying that they would seek duplex status for 6 of the 8 lots.

Dan – can the PB dictate what happens on those lots

Gino – they can offer to do

Karyl – 8 single family vs. 6 -7 duplex lots (12-14 units)

Matt – I originally came in for 3 lots -

Dan – interesting that it took us a long time to get to this option –

Dan – since we are on the professional study – you have a review from PGC Associates – I would ask gino to give us an overview

Gino – interestingly, the main theme that I wrote about, he never mentioned in the report anything about impacts of a complying layout – nothing about the benefits or detriments of that to their proposal – he outlined 6 points

Topography saying that it precludes a loop road – but it doesn't preclude a complying layout

Zoning – he mentions zoning that based on area and frontage there are 8 lots – he said the rules and regs should be waived to allow maximum compliance under zoning

Dan - Gino – can you elaborate on your point #2

Gino – the bylaw deals with lots and sub regs deal with roadway and drainage –

Paul – in the case of the zoning, my statement is that the layout meets frontage, area and shape factor and maximizing the use of the land

Dan – but that is not the only requirement of a subdivision proposal

Paul – after that fact is what you end up with the length of the road,

Dan – that is determined by the PB – you need to fulfill them currently

Paul – zoning, to maximize the land – either you go to waivers thru subdivision rules and regs or you seek a variance to the zba – the mechanism for the waiving

Dan – the PB rules and regs are not related to zoning – they are related to subdivision control law that allow us to come up with standards that are in the towns best interest and not outside spirit of law – dead end length standards – we feel it is good planning practice to adhere to them – the fact that somebody is trying to max out their parcel has zero relevance to us – just like the zba does not look at our rules and regs for their decisions

Paul – I don't find zoning to be contracticotry – but your rules and regs are

Paul – in order to maximize his piece of land and he is entitled to do that – the only way for him to do that is to get waivers from the PB

Alan – Gino, please explain more your #2

Gino – that is Paul's claim – waivers are supposed to be in the best interest of the town not necessarily for the land owner

Dan – there is a bigger and broader concern for the town's benefit.

Gino – soils are appropriate and perked well for 8 lots and both did not object – I don't know why they would object – same would be true on road location for concom – length issue is not important to them

Paul – the only points I was making is that both and concom are town boards and they don't have a problem with it

Dan – but that is not in their purview in their roles as board members

Paul – you ask for comments from the other boards

Matt – we don't question where the wetland lines are determined

Paul – but you asked if a house could fit on that lot

Paul – how many times have you been out to the site?

Alan – I don't think it is germane

Dan – I have been there

Paul – I think you should go out to every other site

Dan – gino, any other comments

Gino – not really – the drainage is mentioned

Paul – 1966 anr plan – back then the road length requirement was for 400 – the PB approved an ANR plan leaving a 50 roadway opening

Mark – town cant dictate how many road openings ther should have been

Dan – wehave nothing to report as far as responses to VHB's last letter

Paul – we are still waiting for Barbara thissel

Mark – so the NOV 19 letter addresses –

Dan – we are at the last feasible date

Paul – not a problem to do an extension –

Dan – what is your pleasure? Based on what has been proposed

Eric –

Dan – can we assume that stormwater drainage design would work with the alternative design

Paul – if we kept it the same, it would be overdesinged

Alan – if this is a plan that complies with the town's rules and regs – then lets make it this plan that complies, so we can evaluate it

Dan – verbally it was conveyed tonight – In my opinion, that verbal conveyance satisfies my need to see a compliant plan – I think I have enough info from what Mark has seen – clarify 6 or 7 lots – one of the coniserations is at what point to extend further –

Paul – I honestly feel comfortable with 6 lots at 30,000 sq. ft but if I was to sit down and recalculate it oculd be 7

Mark – if you went with duplexes would the footprints change? Larger structgures, larger septic?

Paul – septic wouldn't have any impact on the drainage?

Matt – I think we figured 60 by 40 footprints for the single family house; - alan has asked him to redraw it

Alan – I am not asking for that, the rules and regs

Dan – we are talking about a comparison – tht is what was asked for at the beginning – I would have liked t have been afforded 135 days plus extensions to contemplate the comparison what you are saying you will do in a threatening tone – now we are getting it today – if anybody has a right to be hot and heavy, it is us.

Paul – I can calc it – it is not a big deal – I didn't have time to do it for tonight.

Duplex size would be 30 by 40 –

Paul – I am pretty sure she took 25% impervious surface area for the calcs

Mark – I feel pretty good about that – what about garages on each plus two driveways –

Mark – just come up with some calcs to verify it. –

Paul – 25% if based on 8 lots

Karyl – what is the buffer for duplexes?

Alan – I just have to say – you do this and figure out that is what you wanted to do all along, - I got no problem –

Paul – he wants to live on lot #3 – this is to show the best interest of the town thing –

Alan – not to mention that he couldn't have 6 single family lots too –

Susy – how many single family lots could you do with a compliant roadway

Paul – 7

Karyl – so what is wrong with 7?

Paul – he wants 8

Dan – the regulations that we are proposing –

Paul – we would do sidewalks all around; and we

Dan – dual sidewalk subdiviosn serving Fisiher Street with no sidewalks?? That serves no public purpose

Paul – I forgot to mention – we got rid of the retaining wall – cause he got a grading easement – and we gave a bit of land to be dedeed to abutter –

Dan – originally we intended to vote on findings – we need to hold off on that

Dan – you are presenting new information – with a more finite description of what the option would be under this scenario

Paul – I will give you some numbers for the drainage

Dan – this is absolutely critical to our findings discussion

Extension – Motion to extend to 2-28-05 – matt, seconded by alan – all yes

Dan – it is clear that things in excess of 600 feet matters –

Paul – everybody is trying to cram stuff into tight boxes –

Motion to continue the public hearing for pine meadow to January 25 at 8:15 pm – alan – eric
All yes

The Haven Public Hearing Continuation –

Rick Merrikin – we didn't meet last time even though we submitted revised plans – we only had the original comments

Rick – what we have done – we have changed the layout to do a conventional cul de sac layout and 3 lots which still have required area and one might be suitable for a two family – after layout we went and put a similar reduced construction roadway – you guys presented me with your future standards for a private way – we have shown it as a 20 foot private way with a T – we had a water quality swale and there was concern it was in the layout – we replaced the open basin with an underground infiltration system – so there are two catch basins at end of road and a water quality tank and then an infiltration system – so the chambers are close to the property line to get them out of the right of way – we presented this scenario to the council and we are grading right up to the wetlands line and they are OK with it – they will accept this – so that is what we have – we submitted our waiver list and we got comments back from VHB and then I got most recent comments back yesterday on the newest plans – most of the items left on the list are minor but there are a couple of things I want to discuss with you

First thing – mark asked that we put the designation Private Way on the cover sheet –

Susy = private way subdivision

Rick – mark has brought up a couple times a requirement for a vertical curb – I am just not sure it is appropriate – what we did here is – in order to prevent the water coming down fisher into the property, we left accommodation for a gutter – mark's comment is that we should have a vertical curb at this point – I can do it, but it seems kind of silly to me –

Matt – couldn't you put a vertical curve in and keep the gutter

Rick – what we have for a rise in slope is not much – It just seems a bit of a waste

Mark – what are the grades? What are the angle? If it is less than 1%, then you don't need a curve – if it is 15 feet

Karyl – he did say that there is a possibility that one of these units could be a duplex

Rick – I am not sure if there is a room for a duplex – that is up to them if they want to approach it

Mark – a 2% break merits a curve

Rick – you state in the ar2 zoning that the parking area needs to be 10 foot away. I believe that only applies to a 2 family or a conversion – I hope Mark will take it off the list – I don't think it really applies – I think it really only pertains to two family

Rick – the other issue – is the infiltratin system – concom would love it if we could slide it up – 2 possibilities –

If you are concerned about it being under the right of way – you could waive the layout to half a circle and let us put it in – we have proved it can be done

#2 – why not allow us to put the drainage structures in the right of way in that part that is not being used for anything – if it extends beyond the right of way it would need a drainage easemtn – that would relieve you of needed to waive the steep slope in the back – I think overall it is a good idea

mark – would you have to

rick – usually the process in a road is to grant easement rights over the entire road for all utilites – it is already an easement anyway – if any of it extends beyond – I don't see any problem –

mark – the genesis of the comment was when you had the pond in the right of way –

gino – I also believe it was proposed as a public way before.

Dan – two thoughts – one is – have we heard back from Dave D'Amico related to the detneiton basins being in the right of way – I thought that was something that was a concern to DPS if it had been a public way.

Dan – the other concern – was the potential for cointnuation of this road someday to what we know is an expansive area that this could connect. – I am not sure that a cul de sac designed this way is in the best interst of medway –

Rick – if you want that to continue through, we can draw it that way.

Dan – it is a matter of likelihoods, do we think that this way would ever serve as a continuation of a massive development beyond –

Karyl – there is no way you can tell without seeing a better locus

Rick – boston Edison back here – ffff

Rick – you can contemplate that

Dan – if it is proposed as a private way, the ownership falls to the midline how does that work with a hammerhead

Rick – usually it would be common ownership of the roadway –

Dan – so if it were ever to be extended, all three parties would have to agree to do so

Rick – I really don't think it is an issue here

Dan – we run into problems if things

Rick – you have to make a determination whether you want to ensure road extension provision – we can do it either way – it is really up to you guys

Dan – I think when we have a request from the concomm on something like this

Dan – private way puts the question to bed

Rick – we use h-20 loading for the infiltration system – same thing we do with houses with septic tanks – that is really all the big issues we have – I have a couple of questions I don't understand –

Susy

Rick – what width do you want?

Alan – how is it drawn now?

Mark – would 18 feet get you down to the problem on the 2 year storm

Dan- board I saying 20 feet

Rick – how do you want to put in the infiltration basin

Dan – gino, any comments on this issue – likelihood for continuation with wetlands, etc.

Gino – I don't think there is any problem as long as it is in the private way

Mark – OK

Dan – what is the preference> - one is that it goes under the right of way with a little drainage easement or the other option is to modify the cul de sac layout to a half circle

OK to move it into the right of way – hammerhead OK

Rick – cape cod berm for everything

Dan – so that will need a waiver

Rick – it is on the plans

Rick – the only other item is the two year storm – the 2 year storm calcs are so small

Dan – you are adjusting the system now,

Rick – the numbers are so small – because it is going off the grass –

Dan – cul tech units on the houses?

Dan – we are pretty hard and fast on the stormwater

Rick – I may just do it on one house – just fractions of cfs –

Alan – make it go away – deal with it –

Dan – if it can be achieved, then do it.

Susy – need to provide sample homeowners association;

Rick – I think it is all the issue s-

Rick – there are some items here that I forgot and there are some items that are on the plan that VHB didn't pickup –

Mark – they are proposing deciduous trees –

Rick – we did it the way

Matt – let's stick with our standard and get them back –

Rick – do we have to chase further comments?

Dan – it helps to have them in hand for you – we do ask for them initially?

Susy – we really want to see something from fire, police and water/sewer

Rick – I am sure that the next go around we will have it worked out with Mark –

\motion to extend to February 28 – matt, alan =-

continue to feb 8 at 8:30 pm – eric, alan –

rick – maybe we should meet directly to go over –

mark – conference call

Bill masterson

Rick – bill wanted me to mention the fact that louis checksi has agreed to do some fencing along his side of the land

Mark – there is a strip of land – that will be donated

Karyl – what kind of fencing

Rick – wood stockade – it is not your issue – it is not any requirement of yours – it is a private deal – mr. mateson just wanted you to be aware of this –

127 Main Street

Karyl – recuse

Chan Rogers joined the meeting

Mark – this was delivered to us last week on January 3,

Dan – we discussed a revised draft – before I open it up to the applicant – do you board members have any comments –

Eric – is this the time to begin a discussion about what uses will ultimately be allowed

Dan – yes, this is – the issue, as you may recall, was whether or not the board interpreted the AUOD bylaw to be restrictive or less restrictive – in the restrictive approach, the board would be quite specific as to what was proposed at the time of application as opposed to the less restrictive that would give the applicant the pleasure to have any of the allowable uses in the bylaw – I would say that initially, my thoughts were to – that the intent was to have enough oversight so that we would be in the more restrictive category – should the use change, we should review a modification to the permit – after thinking about it some more – I am moving a bit away from

that – I think we should consider the more restrictive approach – I would rather err on the side of caution because we have heard from some neighbors express concern about density – if the proposal is for an insurance usage today and 6 years down the road and a proposal came in for a coffee shop/café, that presents to me a whole different scenario of considerations potentially in terms of traffic, parking, access, in terms of what kinds of things – outdoor umbrellas – that then begs the question whether we wrote our AUOD bylaw well enough – I just don't know if we are there

Matt – I think it should be somewhat restrictive – I agree with you about the café and I had an issue with hair dressers that might generate

Dan – so food service

Matt – and personal care services

Alan – a nail place vs. a haircut place – you could have a dozen in an area

Matt – so I was thinking that somewhere in between the two options would be a good option

Alan – I think the board has to be careful of those very issues you raised – if we proceed down the path on having it on a more restrictive side – I wouldn't want it to be so burdensome on the applicant that it wipes out the benefit

Eric – I would come at the compromise from the opposite direction – I want to be sensitive to the neighbors' concern – I believe the appropriate time for the neighbors to have expressed their concerns was at town meeting when the AUOD was discussed and adopted – the whole purpose is to revitalize the properties along route 109 and to ensure that the incentive does not go away, we may start a precedent that it becomes unattractive if we are too restrictive – I just want to make sure there are two sides to that precedent issues

Chan – I feel there are so many variations up and down the street from single family homes to businesses – I don't feel we should open it up to the applicant to choose whatever he wants – how much of a problem is it to come back to the board for a specific use change – it is fairly simple.

Dan – that is kind of how I was feeling too – I kind of like the compromise approach that Matt is presenting here – early on here we want to make sure that we are doing this to serve the intent of the bylaw – based on this – we are not restricting the uses that are outlined we are just saying that we would want to revisit it on some of the uses – if there are no impacts

Alan – the allowed uses under the AUOD – do we have the right to extract

Matt – yes,

Dan – I definitely want to open this up to your comments – Ted, I know where

John fernandes – I think we can repeat some of the things we talked about last time – from an owners perspective, there are a lot of things that determine whether this is an attractive bylaw – one is flexibility – you can sit there and say it is a slam dunk to come back – I know that this just isn't so – from teds perspective, he is making a financial investment – he is going to have a partner who is a lender – they get more sketchy the more restriction – if you make this specific to the reardon insurance agency only – he just wont continue – if his tenant leaves and he has to come back here, his lender will not like that – a different board – what I look to these kinds of processes to do is to develop a site – and that is certainly what you have done – certain architecture, design for the site for landscaping and parking – the most critical aspect of that is parking – in teds case, it is probably going to be OK to exclude food and personal care – but ultimately what drives use at this site is parking – dominos pizza just wont work – it is not the kind of thing the board has to analyze – the site itself restricts – so if somebody wanted to put an outdoor café, there is no permission for a patio – if you want to say he can do just certain uses that is probably OK – the market is going to control.

Dan – you are wrong – look at cumberland farms and dominos – that is a disaster – from a practical end use – so all I am saying is that the board's consideration of restricting one or two uses and all others being fine that is where I think we are settling out to.

John – I have worked with many business clients who say simply that they cant go there because there is not enough parking –

Ted – the one thing I will say – dan's pizza, you want to rent space from me – are you going to pay rent knowing that you will have only a few spaces

Dan – that is when people start parking in the driveway – people will try to do things that they shouldn't do – I don't know what the answer is – from an early on standpoint with this I get a little unnerved with the idea of a food or personal care services – maybe we should make some special considerations for food service operations

Dan – the other item was for the board to consider was the issue – will the permit carry with ownership – I don't care about that at all – it should just continue on.

Chan – whatever decision is made applies to the property no matter who owns it

Dan – I think we want it to run with the land and not the owner

Eric – my rule is making this as flexible and as attractive as possible to investors -

Karyl – just a concern that hypothetically, the ownership changes, you want to make sure that there is a consistency of the quality of the building – we are trying to keep these properties pristine and prestigious – one thing about renewing the permit is that then you have an opportunity to review the condition of the property when it changes.

Dan – it is true, but I personally don't see that as a business friendly approach – as an attraction to somebody coming in to buy that property to have to go thru a process to keep the [permit -= that is one of the

John – have we come to resolution on the allowed uses?

Alan – I think we may want to consider excluding the food services

Alan – if he had 3 more acres of land at the back, he would have ample capacity for additional parking – I think extracting the restaurant use is appropriate

John – you have a list of uses in the AUOD - #5 is food services and #7 are personal care services

Dan – let's consider those two – Personally, I think #5 only should be restricted

Karyl – you wouldn't want to restrict a catering business -

Steve poole – could you make it a restriction that they would come back for that purpose

John – Ted is saying it is OK to remove food services

Alan – I think that is the way to go as long as he can come back in for reconsideration

Chan – I think 5 and 7 be eliminated .

Dan – I think we have the

Alan – I want them to come back for 5 and 7 –

Dan – so 5 and 7 should come back –

John – so write it in such a way that it is clear to future boards that those are not permanent exclusions –

9

continue to January 25

11:50 pm – karyl returns

confirm our submittals for fall town meeting – for consideration

2005 Annual Town Meeting – second Monday in May

OSRD – Westborough and Hopkinton – meet at medway high school at 9 am – aim to be back by noon

Site Plan Review and Approval mendments – susy and dan are going to work very aggressively to have a draft for you - small projects, major products – development review council – pre application hootenanny

AUOD bylaw –

List – see assignments

Avellino Medway Gardens – asking for sponsorship of rezoning this property –

10 minutes –

response letter to paul desimone –

edits to be made

board signed

Invoices

Refund to Eugene Walsh refund on site plan application –matt, alan – all yes – Karyl recuse

Refund - Wicket Way Definitive – matt, alan- all yes

Refund to Dan Hoopper 77.25 – travel expenses in relation to lawsuit – alan , karyl – all yes – dan recuse

Plan review – PGC Associates – 962.50 – motion by matt, alan – karyl recuse

Plan review – VHB 1760.51 – motion by eric, alan – all yes – matt recuxe

Plan review VHB/12/1 - – total – alan, eric – matt recuxe; karyl recuse

Contracted services VHB – 409.74 – motion by alan, karyl – all yes – matt recuse

Consulting servicides – PGC – 1312.50 – motion by matt, alan – all yes

Construction observation VHb – 6921.19 – moiton by eric, alan – all yes – matt recuxe

Distribute budget submittal and Forest Edge letter

Motion to adjourn – matt – karyl –

12:35 am –

January 25th

Present – Dan, Eric, Matt, karyl; Chan Rogers

Also Present – SAC, Mark Louro

Meeting called to order at 7:36 pm

Citizen Comments

Dan – we will move along to the next item -

Public Hearing Continuation – 127 Main Street AU Special Permit

Hold off until Alan arrives

Plan review estimate for Charles River Acres –

PGC Associates – motion by matt - \$385 – sec by karyl – all yes – alan absent

VHB - \$200 – motion by karyl, sec by eric – all yes – no matt – alan absent

CO fee estimate for Hartney Acres II - \$10,473.75 - motion by eric, seconded by karyl – all YES – Matt recuse - Alan absent

Sac – CO estimates – often involve neighbor/abutter issues –

Mark – not standards

Handouts – Correspondence

1. memo to BOS req. Town Counsel attendance at the March 8 meeting –

dan – I spoke with Joe D asking for this and he asked for a note requesting Town Counsel involvement

2. letter from Town Counsel to Sean Holland, Jonathan Bruce’s attorney – re: Forest Edge/Field Road

dan – this is the most recent in a long chain of communication with Jonathan Bruce and his final letter regarding relinquishing the bond – several snow storms – in limbo problems with this subdivision – that really gets to the core of why I would recommend that we have no phasing and no lot releases until the roads are done

OSRD Discussion – key questions from Gino Carlucci

Dan – field trip – efforts –

Informal Discussion – possible subdivision @ 33 West Street – 9:15 pm appointment

Take out of order as this is not an actual public hearing -

Steve Poole and Tony Dellorco – we just wanted to briefly discuss this with you

Dan – the next time we see this it needs to be as an official filing

Steve – we are asking to do is to create a small private way subdivision with limited waivers from the town's regulations – looking at some of the regs changes you are looking at – we wanted to get some brief feedback before we go to the preliminary stage – we do have a brief waiver list – reduce the standard cross section and we would need a retaining wall within the right of way for grading purposes – alignment rounding at the street needs to be 28" – reduce width of roadway to 24 feet – site obviously has a major stream flowing to the rear of the site that is considered a river per the rivers act –

Dan – can you help me understand a little better some of the wetland resource lines – in particular is the riparian zone line 100 feet and 200 feet –

Steve – 25 foot town no build wetlands zone - 100 foot is the wetlands line; the 200 foot line is the river acts zone – there is only a certain percentage of dev that can occur in that area – but there is an exemption for stormwater management facilities – we do have the ability to do more disturbance because it is for stormwater purpose

Dan – that is the first line of review – the PB, on its face value but without the palette as defined by concom

Steve – we wanted to talk to you in general first and then we will go

Matt – has concom looked at this

Steve – no they haven't looked at this –

Mark – don't you have to do an alternatives analysis when you do something within the 200 foot river area

Matt – any sidewalks on West st – are you proposing any

Steve – no, and no

Karyl – could the adjacent lot be divided to get frontage on this new road

Tony – these lots would meet the shape factor

Dan – the ROW would be 50 feet and that is likely to remain the same – certainly the pavement could be reduced

Mark – are you proposing asphalt

Steve – right now

Tony – the reason we are doing a 45 right of way is so we don't have to have the cul de sac go further into the lot and into the 200 foot area

Karyl – if it remains a cul de sac then we would recommend an island in the middle—alternative turn around is possible –

Dan – public or private

Steve – private

Tony – would the board enter into a reduction in circle size?

Karyl – what size is it –

Dan – paved way is 50 foot radius –

Karyl – it doesn't look like the cul de sac can't go any further

Karyl – I would suggest eliminating the circle and go with an alternative – this seems massive for two houses

Dan – is there any potential that this road could be extended onto the

Alan arrives at 8:15 pm

Steve- could there be some deed restrictions on this

Steve – OK, we are fine –

Dan – future regs – changing – separate parcel for detention ponds

127 Main Street – AUOD Special Permit Public Hearing

8:20 p.m. open

dan – chan, any comments?

Chan – no.

Matt – read letter from Jeff Watson - attach and make a part of this record

Ted – I did speak with Wayne Vinton and he said he was OK and would send you a letter

Susy – he has not

Steve – I have a response letter to VHB's 1-13-05 letter

Mark – re: page 4

Steve – they will hook them in anyplace – we get the shop drawing from hancor

Mark – is it noted as being connectged to the riser?

Steve – let me take a quick look at that –

Mark – this is the infiltration system out in the back

Steve – we are showing them – they ocme in at the top of the 36 inch pipe – it is actually

Mark 0 should you lower it so it goes in

Steve -0 they can make it any way we want – they heat weld – they can cut into in

Mark – OK

Steve – they give us a shop drawing ahead of time

Mark – page 5/first bullet – another invert/elevation issue – a change

Steve – wehave changed it on this version and in the CAD system –

Susy = what is the date

Steve – 1/19/05 – is the revisioin date

Mark - #6 on page 6 –

Steve – I will fax that to you tomorrow

Makr #7 and page 6 – town standard is 12 inch RCP – applicant is propsonig 8” polyethelene – we have no regs – it functions and will work properly

Steve – the two 8 inches are overflows from the drywells – I put Ts on them –

Matt – are you concerned with size or material

Mark – it just didn't meet site plan standards

Matt – they used it at Walgreens – material

Mark – page 7 #9 – H20 load – whenever there is a chance of a vehicle –

Steve – obviously the pipe is H20 rated – the risers are the concern – there is a concrete cover on top of the riser – the manhole cover floats – 36 inch on compacted gravel base with a 24 inch riser – manhole frame and cover – there is a detail on sheet 7 – cover is meant to float – and cover can handle H20 load.

Mark – page 9 #2 – how close is that utility pole to the driveway –

Steve – it is about 3 feet behind the curb

Mark – my concern is sight distance

Steve – it is on the westerly side – I don't see it as being an issue

Mark – the slope – the proposed grading to the west - my concern is you are changing flows and runoff characteristics and it is going to the property to the west – you might want to put in some more vegetation to absorb more

Dan – so there is no swaling

Steve – there will be a little bit – there is a freestanding wall and legislation

Steve – we did add a planting bed and we put a row of larger scale rhododendrons along the back wall

Mark – the concern is where you get closer

Dan – could you swale

Steve – we could do that –

Mark – 4:1 SLOPE

Steve – that is a very small area – it is going to go down into the existing vegetation – it is scrubby stuff

Mark – but they are regarding that whole area

Steve – we are creating a bit of a swale – the front portion will flow into the existing brush – I don't thin

Mark – is that brush worth saving – when they get out there to build, will they just clear it

Mark – just put a note on the plans to not disturb that vegetated area during construction – that is about a 15 foot area.

Steve – its is wooded and brushy

Ted – long grass and scrub oak

Mark – if it is in fact more grass, then maybe it is not a big deal

Ted – just overgrown grass

Mark – not as much of an issue

Mark – just put in a note – retain existing vegetation – on the plans

Mark - #5 on page 9 & 10 truck turning analysis – has the fire department commented?

Ted – I did get a verbal – he said 12 feet and we have 18 feet – he said there is no problem

Mark – police department is all set

Steve – we put in a stop sign anyway

Dan – I don't think I would put it in – a stop line is fine but a sign is not really needed

Mark - #8 on page 10 – just a minor correction

Steve – I did fix that

Mark – curb around the dumpster

Steve – the curb is clearly shown on the plan

Mark – reference to rip rap apron – that was not shown on the plan

Steve – what I did – I tried to do that the best I could – we made a little change – tightened it up a bit – better than point source

Dan – can we put on the plans a stop line instead of a stop sign – that would be great – thank you.

Mark – 10 feet back from the gutter line

Susy – we had asked for you to do show some other items

Steve – architectural plans – we did add the materials list on sheet #7

Steve – on sheet #6 – VHB asked us to put on the O & M plan – that is on there now

Steve – we eliminated the ready rock wall and went with a rounded stone wall and put in a note with details -

Steve – we also talked about a lighting fixtures last time – we added a spec to the detail sheet

Steve – on the site plan we showed the spotlights on the corners and the lights at each of the doors –

Dan – nothing in the parking lot itself

Steve – the spotlights on the back of the building will light the parking lot

Dan – any awnings in the back to distinguish the two buildings residential vs. commercial – just clarity for consumers

Steve – we added the additional landscaping – rhodies and day lilies – I think we pretty much have everything on there –

Any final thoughts Ted –

Anything from the audience on 127 main street special permit

Motion by matt hayes, second by alan – close public hearing – all approved

Dan – I would like to entertain a motion to grant the special permit document – matt, seconded by eric – all yes – unanimous

Ted – I would like to thank the board – it has been

Public Hearing Continuation – Pine Meadows

Paul Desimone – waiver request letter for grading to be allowed for 1.08 vs. 1.0 –

Mark – that is fine

Pual – I have some quick numbers for you – 52,376 sq. ft of impervious area for the lots – if we do 6 of the duplex lots we propose 80 by 40 boxes with a 24 x 24 garage at each end – total sq. ft area is 45, - it can work – I haven't done the clcs for lot #7

Dan – the main omission for tonight is actually depicting the plan is showing the alternative

Paul – we know lot shape factor – there is enough frontage and area

Mark – did you look at trying to get 7 - 30,000 sq. ft lots?

Paul – I feel comfortable with 6 but I will have that for you

Ph continuation – feb 22 – 7:35 pm – motion by matt, seconded by alan – all yes

Dan – we are going to take a short break – 9:05 pm

Informal Discussion – Marian community ARCPUD

Rich Coppa
John Spink
Meredith West Gallagher

Dan – good evening – what do you have for us

Dan – return a check on ANRs

John – we have come a bit of a ways – we have been discussing with local neighborhood people who have a pumping station across the street – looks like we are pursuing that

John – The Form A we were talking about – what is basically – we have two parcels of land – one is land court and one is not – land court is 15 acres and the rest is 85 – we are going to be coming in with an ANR – parcel for spiritual living center, parcel for ARCPUD, parcel for something else (26 acres for possible future single family homes) and a fourth parcel that we will sell off to somebody else (3-4 lots for probable future ANRS) to get some cash

John – we have in the center piece of it – the arcpud is about 75 units – then we have an area for a single family homes subdivision

John – I will be coming in with a form A plan at your next meeting – now having said all of what we are trying to do – with the ARCPUD – we have an access strip from summer street that comes in – 75 units – to get from there to the back we need to put in a roadway access to the back – we got into some discussions with the fire chief over the last few days – he was saying is what they have been doing – he has a key gated system he is

using with a 12 foot gravel road – that seems to be his requirements -

alan -0 that road is purely emergency access at this point –

john – future Form C subdivision for people in the marian community who are not 55 and older – younger folks

john – in this process, there has been given to the community a sculpture which is a sculpture of Jesus Christ arising that they would like to place in the small open field – bronze statue – being cast at the moment – it is basically 14 feet high sitting on a 4 x 4 granite cube base – the problem is that we would like to get a granite cube into the site – so we have to build a bridge – and we would like to get that done – we were going to try to get – when we build the bridge before the arcpud – the bridge needs to be done

alan – so it will become part of the arcpud when it is done –

john – yes

matt – is there wetlands crossing?

john – one is a river crossing,

john – so we are looking for this process to try to figure out how to get the bridge built – I am proposing that I come in in the next 10 days or so with an ARCPUD plan and ask you to give us parameters to do just part of it – so you can have the oversight as you would want – so I can put that bridge in

eric – do you have an aerial of the cart path?

Dan – so you are looking for an abbreviated proposal

Dan – gino do you see any knee jerk problems with that –

Gino – it is just the specifics of how the procedure would work –

Eric – it like they want to build a hobby bridge on their property

Gino – I am wondering if you don't really need to do an arcpud yet – just a bridge on private property but with their willingness to

Matt – so the building inspector would need to be involved

Kayrl – it needs to be conceived of by the engineer as an egress to all these units and to accommodate all the visitors –

John – it is going to be a draw –

Karyl – so all of these units plus the visitor crowds

Dan – can you get into the pseudo site plan of this attraction

John – couple of hundred trips a day going into the site – so what I have done – the red lines is my current thinking on how to run this to cross the river – I have divided the roadway just to give such a massive feel going into the site – road width problem – 22 foot wide issue

Dan – we would need to change the arcpud bylaw – clearly that is something I would be in favor of – for

John – the bridge comes out the same no matter what – I want to put a sidewalk to the south side of the roadway –

Detailed explanation of bridge location –

John – flow thru and out – I am looking for some guidance if you can – I will within the next week or so have it fully designed – I could look at it - I need your commentary on this – and second, if you want to do any testing,

Dan – relative to the engineering element once we have made a decision in good faith that you would employ the services of our engineer – what is the board's thought

Karyl – why isn't it possible if he designs this properly – why couldn't it be the structural part of the bridge – and not necessarily get it finished off

Alan – if they are going to have people

Karyl – the thing that is driving this is the May 1 date – presentation piece –

John – as soon as we do this, people will come

Dan - we should look at this as though it will be part of the arpcu d

John – 26 spaces –

Rich coppa – 350 cars with the main building –

Dan – vehculular traffic overflow will come from the main parkinglot with sidewalk s

Dan – landscaping as part of the parking lot area – full finish on the briedge – beautiful stone finish –

John – I have been looking for railing - so I have got to have some kind of railing – but when I come to the bridge, I need pedestrian railing too – so I am looking for a conceptual – if youguys like stone walls

Karyl – we love it – or stone faced –

John – but I need to get something that is 29 inches above the road surface up to 42 inches –

Karyl – stone faced concrete –

Dan – real stone wall is obviously best

John – I was trying to get something that wouldn't look quite so massive – log railings

Karyl – this is not a rustic - this is bronze, beautifully done

John – do I go to a metal or wood railing

Dan – I don't think we can design this for you – come up with some concepts

Matt – I would rather not see metal

Dan – any other thoughts from the board –

Dan – I like the split here a lot –

Dan – lighting?

Rich – 3' bollards from the main parking lot – with lights – I would like to see the fixture –

John – one more item – went out and chased down a little bit – the red line is the trail system for the public to have access to – connecting with the Upper Chalmers land trust area to the north –

Dan – I want Dave Hoag at the next meeting on this and Jim Wieler

John – it would

Dan – I am concerned about how you have increased the density a bit in the northern section – with the juxtaposition of the trail system with that area – in concept I am pleased to see the trail connection north to south –

John – we will find a way for the trail and the houses to not see each other

Dan – 40% needs to be open space and 50% of that needs to be upland s

Karyl – as the trails come thru, the units that are next to the fields here

John – that is a separate subdivision – in the southeast corner – the septic field is gone now –

Dan – that is good – that pine forest would be good to keep –

John – does it administratively make sense to actually file

Plan would be for dan to dismiss, have chan sit in it

Avellinos for possible rezoning of Medway Gardens

Dan – give me some

200 by 100 new structure –

now the existing building – about 200 feet –

best way to set the building on the property –

dan – you will be needing to get rid of the ledge

andy – yes

dan – parking is a big deal for everybody in term of site plan

andy – I would like to get 75 parking spaces – we only have 20 now

dan – have you shispered this out to the abutters

andy – not yet, we will -

alan – aren't you limited

dan – why the need to rezone? You may already have the right to do this?

Andy – I think we have

Dan – it does dovetail nicely with master plan actions of expanding commercial zoning and opportunity to increase tax base vs. residential tax base

Karyl – before this is presented publically, this great idea could even be enhanced a lot by some proportion changes to make it very attractive – that could make it a very big sell even more than what you are prposng

Dan – you understand that across the street some plans are in the works for expansion

Susy – this would ultimately need to go thru site plan process with us

Karyl – how people vote will depend in great measure on how they think it will look

Andy – so everything would need to come down –

We want to keep this primarily retail –

Dan- if there is a new house there – please consider talking to the CPA committee about moving the house for affordable housing

Andy – we wouldn't mind doing that

Andy – I think TRESCA will take the rock that is blasted -

Dan – we would sponsor and submit for annual meeting

OSRD – Key Issues

Gino – Heart of the model is the design process for this kind of development – 4 step process to identify site resources first;

Dan – how about a site walk requirement for this board – we are doing more and better than what we did before when I got on in 2000, but anything of substance

Gino – you might want to make it a strong recommendation to do so –

Dan – I just want to make sure we legally have the right to go onto these properties

Karyl – in some of the towns we visited, they have bigger zoning and they reduced down to our standard

Gino – provide the authority that the board has discretion to approve locations of houses –

Eric – have some flexibility to stagger some setbacks to break it up –

Karyl – we want to make this attractive but we don't want to get stuck with an abomination –
Win win –

Karyl – another thing that was really good – were those large acreages of land almost performing as a common – bring open space into the middle of the development and not just at the back –

Alan - became a feature for the neighborhood –

Karyl – excellent materials – best

Matt – I like the idea of a formula to calculate the number of house lots –

Gino – I would wonder how many lots I could have gotten – people who are not that inclined to open space subdivisions are going to worry that this will give them more lots – what we might do is do some examples and see if there is a formula available for that to see how it might come out – look at conventional and see how if applying the formula –

Dan – is the formula in the model

Gino – yes but you don't have to go with that precisely –

Gino – the frontage requirement you might want to provide some flexibility

Eric – I like this idea of minimum separation between structures as opposed to setbacks and minimum lot sizes

Gino – that can force some variety –

Gino – what I thought was something restrictive now is the requirement that the open space be 70% uplands – an alternative is to not allow the % of wetlands in the open space to be any higher than the % of wetlands on the entire site

Dan – what do we do with detention ponds in OSRD – do we still want to go with a separate parcel like we are with our new subdivision regs

Dan – I almost want to see the open space have some active recreational use for the subdivision given that the lots might be smaller – playground –

Matt – allow up to 20% impervious in the open space?

Eric – could we do a 2 tiered thing? Lower the maximum unless there is active

Dan – next Tuesday, we have to put time into this – so we get this done and in and submitted –

Karyl – no detention ponds in the lots

Gino – what about in the open space?

Matt – let it be part of the wetland

Special Town Meeting – February 28th special meeting

OK on streets to submit – Camelot subdivisions

Dan – who is authority in town hall – the issue with these – we have \$4500 put into the fund – who makes the determination for when and how it is spent and then what limitations on the spending should there be in fairness to the applicant? Should that \$4,500 be spent in the area

Karyy – once that money is given to the fund, it goes to Medway Planning Board

Dan –

Gino – one thought I have is, for sidewalks in particular, if there were a sidewalk plan – then that fund would be used to help implement that –

Karyl – is this a surtax? We should refer to the sidewalk plan in the bylaw

Dan – do this to go along

Karyl – we need to have a legal look

Dan – let's have dave d'amico look at this and see what he thinks –

Street acceptance only for special town meeting –

40B project reviews for Fox Farm and West Haven – we will do at next week's meeting

form of a one page letter

Affordable Housing Study Group

Eric – bones of an outline of the approach we would need to take – essentially laying out what we have, where we are – ID potential additoiinal tools – I think we have the participants set at this point

Eric – I think the best approach is to just pick a night and go for it – in terms of timetable – it will dictated by the group –

Dan- do we envision a start and finish date

Eric – I think it would be good to have a target

Gino – Susy asked me to try ot get the Home @ Last video – Helen LeMoine coordinates this – there is a video and power point presentation – she would come out –

Motion to approve that lot release – karyl , matthew – yes

Ok on \$720 – karl -, alan – all yes

Motin to adjourn – matt, alan –

Yes

11:05 pm

February 1, 2005

PRESENT: Dan, Karyl, Eric, Alan

ALSO PRESENT Susan Affleck-Childs, Planning Board Assistant; Gino Carlucci, PGC Associates

The meeting was called to order at 7:50 pm

CITIZENS COMMENT –

Karyl – cognac season is upon us

DISCUSSION – WARRANT ARTICLES FOR 2005 ANNUAL TOWN MEETING

Site Plan Review and Approval OPTION

Dan – highlights, authority to review and approve would become all inclusive in the PB hand; definition of major and minor site plan projects;

Kent – no appeals to the BOS

DAN – also a provision to refer to a development review coordinating committee – we are seeing this in a number of towns – the first encounter in a town is with a council or review committee that is a compilation of many boards/staff so that there is a chance to – I can take Medway Commons for an instance – the timeline the PB envisioned could have been discussed – the roles of each respective other reviewing body could be discussed; would get a summary presentation from the applicant – questions could arise from the council = questions get out early – try to make individual permitting process a bit more efficient from the get go and then there is a town familiarity in general – it would give the BOS a reversal role than what they have today –

Eric – have an opportunity for input early

Kent – I embrace the idea – the boards would get a preview of what is coming so that if there are any areas of concern they can be identified by that review body at an earlier stage to help direct the developer – does it become a formal advisory capacity – are we adding another layer on? Help the developer become more prepared

Dan – I envision it as a one night stand – sort of set up – they get one shot –

Kent – with medway commons, none of the boards had a clue as to the overall impact of this project ahead of time until they got it for their piece –

Dan – I envision the TA being a moderator for this thing – where it doesn't become everybody's complaints –

Kent – I wouldn't want this to turn out to be a place for each board to try to outsmart each other's agenda –

Dan – it is an info exchange – it is not intended to replace any of the permitting or review processes – I talked to them in Walpole – they just started this – he is very excited about this – I can give an applicant some ideas of the steps

Karyl – the applicant will come in with their plan a bit more sharpened than before

Dan – it is an interesting look at it – I didn't think about it in that sense – I think it will make us all understand better

Kent – real internal benefit

Dan – I see it as a potential – hopefully – for reducing the review time line

Ken t- I would trust that this would be an outcome – direct the developer what they really need to provide – understand the steps and deliver quality documentaiton of what is provided –

Kent – I am not sure the TA is the right hub – it may need to be somebody else

Susy – TA has to make sure that the staff show up

Kent – but I don't think the TA should necessarily be the moderator –

Dan – I see the functionalrity of that evening is more policing the evening – keep tone to a professional –

Kent – I would not want to put the TA in that role

Dan – I see the bifurcated process –

Kent – it may be defined by the type of project that would be referred –

Alan – perhaps the ambiguity is planned – Development Review coordinating Council – it doesn't specifically say that the applicant will be at the meeting – it is inferred – it is really to help them understand the permitting procedure or is it for them to garner support - I am confused by the process

Dan – get BOS input way up front – present the welcoming environment

Alan – the applicant comes to the BOS to present their ideas – that gives the BOS an opportunity to become an advocate for the project with the other boards

Kent – the connectivity of other opportunities in relation to this particular development – what can be hooked in that enable economic development to happen – leverage those opportunities in a bigger picture – I do see the chiefs of commerce

Kent – I see more benefit for the boards than I do to the developer

Eric – I think the opportunity for the developer is a reduced review process potential – I think it gets all the boards thinking about the issues simultaneously

Dan – developer have identified that this

Eric – we are trying to become more business friendly while at the same time is protecting our character – advantage to the developer is a more efficient development review cycle

Karyl – there is nothing more absurd than when Medway Commons had to go in to the BOS and present to them after they had all gone – it was demeaning to the applicant, the BOS and the PB and it lengthened the time – they thought it was so ridiculous

Eric – you cut off a couple of months – that is a lot of carrying costs -

Kent – who determines if a project gets reviewed –

Genio – it should almost be the developer's request – it should be made clear in the application materials that they are strongly encouraged to do so – part of standard

Eric - I think we ought to retain the right to make this happen – if it becomes optional for the applicant to do this – then

Alan – could it be required that they

Susy – Mondays at 5 pm I would suggest

Kent – that is not a good time for the TA and BOS secretary

Kent – has this idea been thrown in front of Greg

Dan – not yet – I think there is a good way to do a bifurcated process to keep the BOS involved with major site plans – almost a welcome to Medway – here are the people you will be dealing with during the next few months – I think it should be a BOS run meeting – or as part of the agenda for a BOS meeting –

Kent – one BOS, town staff and the TA could come in or out – I would not want him running it right before a Monday night –

Susy – when should we have this

Dan – out of respect for the staff, I wouldn't want to just let anybody in

Gino – the only thing about doing it after the application, you don't want them to be too far along in the plans so that so much is invested

Kent – maybe it is both, like Susy said - reasonable time line

Dan – we would love to see conceptual –

Alan – it has to be early on enough in the application – when you first come in, you are not done – you go in expecting there are going to be changes

Karyl – usually they come in with drawer #1

Alan – so my point is that when they have a real plan that they submit, then that is when you do it

Dan – they can always come in to the PB with a conceptual – informal –

Alan – to get all these boards together for a pie in the sky is a waste of resources – it has to be t

Dan – can we incentivize this by reducing the # of days of review – with attendance??

Karyl - what if the other boards don't show, it is null and void

Dan – that is why you need the leadership from the TA office –

Kent – the dart I am throwing – leanness of the staff – that will come forth – to have Bob do the signs – just be ready –

Alan – if I were he, I would be looking at it as value added –

Dan – it is his job

Kent – don't every play that stick with him –

Dan – most people want a proactive approach –

Kent – throw the dart on the operational issues are going to be – it is an enabling info gathering

Eric – we should not blind side him with this at all -

Kment – you need to go to each board with this

Alan – I look at the building inspector in any given town – I think about the process –

Dan – I absolutely believe we need to sell this to the boards

Alan – not a high frequency occurrence

Kent – a very important point to make – low frequency – that gets the buy in –

Alan – major projects – medway commons, walgreens =-

Kent – it might be once every other month – I can do that –

Dan – to get a handle on numbers –

Lengthy discussion –

Do development review coordinating council as a citizens petition –

More discussion on site plan bylaw

Move on toOSRD

February 10, 2005

Special PB Meeting
Medway Senior Center

Present: Eric Alexander, Dan Hooper, Alan DeToma

Also Present: Susan Affleck-Childs, Planning Board Assistant

Absent: Karyl Spiller-Walsh

The meeting was called to order at 8:42 pm

Note to ZBA re: PB thoughts on Fox Run Farm 40B – compilation of notes from Dan’s informal presentation to the ZBA – more formalized response –

Moiton to approve by alan, sec by eric – all yes

OSRD

Matt joins in at 9:07 pm

Motion by alan, eric – all yes . . . approved to revise & submit

Site plan – motion by alan, seconded by eric – for submittal as an article – all in favor – as amended

AUOD –

Moiton by matt – seconded by alan – all yes

Contractor’s yard –

OK – motion by – matt – seconded by eric – all yes

Signs bylaw – tables 5 & 6

Move by eric, alan – all yes

ARCPUD

Motion by alan , eric – all yes

Uplands - motion by matt, seconded by alan – all yes

Special permits for drive thru facilites

Matt, second by alan – all yes

*****8

avelinno – alan, sec byeric – all yes

tree fund –

alna, matt – all yes

sidewalk improvements

motion eric, alan – all yes

street acceptance – normal list –

motion by matt, alan –

warrant article

motion by matt, alan – all yes

Development Review Coordinating Council

Motion by eric, alan – yes

Motion to aqdourn – matt, alan – yes

11:40 pm

February 8, 2005

PRESENT: Dan Hooper, Alan DeToma, Karyl Spiller-Walsh, Matt Hayes

ALSO PRESENT: Mark Louro, Susan Affleck-Childs

The meeting was called to order at 7:30 p.m.

CITIZENS COMMENTS

Chris LeSeige, 36 Field Road – I was just hoping to get an update from the board re:the bond release for Forest Edge –

Susy – gave status report – Dick Maciolek's letter to Sean Holland to lay out PB agreement to take assignment of the bond –

Dan – we will continue to followup with Dick to ask him to followup with them – brings up an interesting dilemma if they don't respond

Chris – he has put all of us in an awkward situation – knowingly – town, pb, residents – we want to be sure that come spring, that we don't go through another cycle of work not being completed. – it sounds like we are just waiting for them

Dan – we don't know their response to our laundry list of items – as built plans, deeds, easements,

Chris – this is not a straight forward thing – we just want to make sure that if there is anything we can do, we want to do it

Dan – their last letter they asked for a list of whatever else they need to do – they asked for it – hopefully, there is a change in practice in how Mr. Bruce responds on behalf of Ariel Corporation – hope this can find a resolution – we want to get the road paved

Chris – we want the road to be paved so it can be plowed – as far as you know, we will still continue to be plowed?

Dan – roads of public acceptance today will get priority in snowstorms – I can only suggest that you might want to have some back up plans - DPS has been most accommodating in this awkward situation

TO DO - CALL DICK re: status

Dan – maybe we need to set our own personal deadline for something favorable – if nothing by then, then we ask Dick to take it to the next step

Chris – he has demonstrated that he has no interest in resolving legal battles – we don't want to be in the same situation

Susy – neighbors have some concern about other items needing to be done – landscaping along the pond, completion of sidewalk - concomitant issues for compliance

Chris – road takes #1 priority; I would think the town would agree with us

Dan – agree

Chris – I will keep in touch

PH continuation – Wingate Farm

Karyl – recuse

Steve Poole – I owe you plans, - I need a couple more hours – deliver to VHB and to PB on 2/9/05

Moiton – alan, matt – feb 22 at 8:45 pm - one recuse - approved

Susy – we will need to do an extension at that meeting

Karyl – returns 7:46 pm

John Federson – realtor with Century 21 in Holliston – I have a couple of listings

I have Hideaway 236 Main St and also 25 Milford St – we are trying to get some kind of indication re: development potential for residential housing – zoning is approximately ½ acre lots with 150' of frontage – single family homes – so one of the opportunities that has been discussed with developers is a thru road from Milford to Main St – that road would provide the frontage required for ½ acre lots. I have a crude schematic –

Dan – looks like combining 3 parcels –

John – I also have 240 Main Street which abuts Hideaway Farm which has the pond – it is very wet in there but north of that is a chunk of land that is dry and usable – about 2 acres - so these 3 parties are interested in doing something –

What about the other parcel

John – that is Benny – he has been tough to deal with – but he might consider splitting off some

Dan – concomitant determines that

Karyl – the more partners you come in with the more likely we would want to talk to you about an open space subdivision here – one concern is a thru street – there might be other ways to do that – we would look very favorably on something like that

Dan – what strikes me is the implications of a thru street there – however, it might be a good thing and really think about it – roadway construction , width, speed, mitigations, etc.

Matt – the OSRD bylaw minimum size now is 10 acres?

Susy – yes, but the new osrd will not have any limitations

John – what is determined to be usable - the other opportunity is that there is town sewage on main street very close – many developers have expressed desire to tap into town sewage and service this entire area – I had a developer talk to the water/sewer department today about the possibility – at first glance, it was generally favorable

Chip ????? potential developer – multi family is allowed

Dan – it is not by right, by special permit – I would highly doubt that you would get all approved – that is a ZBA determination –

Dan – I would expect these lands were part of the Groehl land over the years –

John – it goes back a long time –

Dan – it has been there and a fairly dense surround –

John – you can see Fales Estates next to 25 milford – the developers I have talked to are not keen on an over 55 – they want to do something like Fales Estates

Dan – known entity

Karyl – couple of options – if you can all these pieces together – make a proposal of what you feel you can get in there and then maybe present – a lot of wetland in there – get an open space permit to reduce the location of some of the lots and preserve some of the wetlands – less roadways

Chip – a cul de sac instead of a thru way

Dan – real dead end issue

Karyl – you need to find out if that is a perennial stream –

Dan – if there is a perennial stream – massive difference in value of land – I don't know if these ponding areas –

Karyl – it is very wet in there – you need to know what your base number of what you can get in there

John – who should I talk to?

Chip – engineer to do a feasibility study

Mark – try to do an informal with the concomm – you will need to have an environmental scientist go out and classify all those areas –

Susy – ANRAD

Mark – an environmental scientist could go on line and find out if those streams are classified by the state already

Dan – in terms of concomm, do they require that you bring something forth for them to react to

Matt – all the site works I was on are to review flagged lines

Dan – they don't want to be the flagger –

Chip – concomm confirms –

Karyl – I could see you coming in from both sides with pathways

Mark – I would think you would use up a lot of land with the cul de sacs –

Dan – we have a new OSRD bylaw to be considered at the May annual town meeting that has no minimum acreage – right now it is a 10 acre minimum to employ the OSRD special permit – we want to encourage that approach –

Dan – just as a sort of summary of the master plan – you cited the Fales Street subdivision – I recall that Fales is the prototypical – ½ acre – that is not the way the town is going with arc pads, OSRD – we are encouraging more creative single family developments when those are appropriate for a site – even if it were to be a single family site, it is not like what it has always been before – more open space but more dense layout of homes – could be duplexes/triplexes in the same complex – but there is a significant chunk of open space that has to be set aside – 50%

Karyl – ½ acre zoning is very dense – very regimented –

Chip – everybody wants to put these huge houses on these little lots – it is ridiculous – that is an area where I would put 2800 sq. ft max to fit in – the only way we can do it is to work together

Matt – we love it when people come in early on

Dan – just hire really good engineers –

John – you must know some

Dan – we can't recommend

Chip – McCarthy and Sullivan and Schofield brothers I use – in our perspective, he is trying to sell it and I want to buy it and the seller thinks the land is worth way more than it should be – they should come to these meetings and sit here to see what it takes to make it happen

Chip Cueroni – builder

John – the other special feature is access out of main street and route 109 – special location that would lend itself very well to a development like we are talking about

Dan – issue of access is a tough one –

Eric – I am a fan of thru streets where possible – I would be very open to a thru road there

Karyl – I have an idea – what if you had a boulevard going thru there and the backs of the houses were on the boulevards –

Eric – traffic calming measures built in – we don't want airplanes in there – there might be some other mitigating measures –

Gino – a roundabout in the middle

John – I will go on a more intense fact finding mission – my goal was to just get a general indication whether it is worth proceeding – I hear yes

Dan – we can't evaluate worth – of course that plays a part

Karyl – it is worth researching – you could

John – it is worth a small investment to find out -

Eric – I want to re-emphasize – get some more information on real capacity for hooking up to sewers

Dan – once you get thru the wetlands questions you will get a better feel for what is possible –

Chip – with the OSRD, how much would the lot size be reduced?

Dan – if you wait until May for the revised OSRD – 50% of lot size – more flexibility

Karyl – we are looking for smaller, more densely constructed –

Dan – think heavy landscaping, think setback variations, interesting architecture – parking from sides and rears, walking paths, common driveway potential,

Mark – with your potential for environmental resources –

Susy – preserve site features –

Dan – we will be requiring a professional landscape architect to be involved in the site inventory – figure out site features to save and then design the roadway around it –

John – I can visualize this

Karyl – we can make your road widths something smaller

Dan – get the perennial stream and vernal pool issues worked out first –

Susy – this could be a very nice alternative to what is run of the mill in Medway Planning Board

John – thank you very much – I will talk to the environmental people first

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quick break - return at 8:30 pm

PH Continuation – The Haven

Rick Merrikin – the word we got from Mark is that everything seems OK except for adding a stop sign – so I put it on this plan where we have the proposed street line –

Mark – the safety officer might want something on Fisher Street – intersection ahead

Susy – we didn't hear from Jeff yet – I called after he left today

Rick – I did prepare a draft declaration of covenants and restrictions and private homeowners maintenance agreement

Dan – let's review the findings prepared by Gino

FINDINGS – let's try to include some of the concerns as expressed by CONCOM that resulted in moving the drainage to the street rather than on the land in the wetlands buffer

Dan – let's get something a little more formal from CONCOM – did we get

Mark – the reference on FINDING #3 – change it to 100 feet and say outside roadway pavement diameter

Matt – but this comes right out of the rules and regs – get it verbatim

Matt – there are 6 findings here

Karyy – what is proposed footprint of the houses?

Rick – lot # is 65 by 30; the others are 65 by 35 – 2000 on a single floor including the garage –

Alan – is it granite curbing at the rounding? – it doesn't say berm there

Gino – my intent was to raise it as a question – there is a portion of the roundings within the town right of way – do you want to waive granite curbing

Rick – a little piece of the curb is out in Fisher Street – we are requesting a waiver for the portion in the road – the question is whether the curbing at Fisher Street should be granite

Mark – I would say that given the narrowness of the street, having granite would be very difficult – and there is none on Fisher street – because of the narrowness I think berm is a better solution

Dan – that is the issue of curbing, but the second part, why is

Alan – it is more of a statement – needs to be restated as a fact –

Rick – acknowledge portion out into Fisher st

Gino – you could just eliminate the last sentence – that is oriented if you did not want to allow berm

Dan – how about slanted granite?

Mark – it is more mountable than vertical granite – blends a little better –

Dan – it will withstand better on our right of way – I am just throwing that out

Eric – the road width coupled with the fact that there is no curbing on Fisher Street – make it hard to do

Rick – hard to blend in granite curbing

Mark – that area will be plowed by them

Matt – is there even berm on Fisher st?

Karyl- I vote for berm

Alan – how do we handle this with other ones – the next time it happens, if it is on a road that has granite

Eric – we should add a point that Fisher Street doesn't have any curbing right now

Dan – I think it is best given the extent of edits that we wait until the next meeting to vote –

Matt – is the public hearing still open?

Rick – I will clean up the homeowners

Ssuy – clear that there will be covenant,

Eric- motion to close public hearing- second by alan – all in favor –

Rick – I just had one question – what do you do with this payment in lieu of sidewalk

Dan – we assess the sidewalk issue – we apply a number based on the type of sidewalk that might be best suited and then multiply a standard number that mark has – it will – linear length of fisher street –

Mark – about \$25/foot – this says 100 feet of frontage - are we talking berm, no grass strip, 5.5 sidewalk

Rick – the no cut zone - do you always impose that

Dan – we think it is a good thing for the applicant in terms of infiltration – we want to encourage preservation

Susy – generally a 30 foot selective cut zone on perimeter of entire site

Susy to work on draft certificate of action – for the feb 22 meeting – gino will tweak the certificates –

9:05 call Paul Yorkis –

break until 9:10 pm

Communication from Shelter Island Fund

Dan – letter from Shelter Island regarding their desire to file an application – I have told Jedd that I will speak with Joe D. – we got a previous communication from Mr. Maciolek that we should check back in with him regarding a potential application while litigation is pending - we still don't know if he is bonafide applicant –

Susy – So we should do some followup with Dick

Karyl- does our acceptance of an application make him more viable with the court

Dan – think about it from Shelter Island – would you not want to have much of your permitting done? We wait for dick maciolek's opinion and then decide how to proceed –

Karyl – I don't think he can be a legal applicant until the lawsuit is resolved – how lovely for him. Might be a question for Mark bobrowski

Dan – this is simply a request –

ENDORSEMENT – Hartney Acres

Invoices

WB Mason – 739.90 – karyl, alan – all yes

PGC Associates – Consulting Services – Rules and Regs - \$1975 – motion by karyl, seconded by matt – all yes

PGC Associates – Project Review – 127 AUOD – 122.50 – motion by matt, alan – yes

State Subsidized Housing Inventory –

Issue of whether medway has an approved plan – if so, and we have increased our affordable housing percentage over .075, then we may not have to accept other 40B applications.

Eric – I am only aware of two projects where the HAC has upheld a local denial –

Eric – question of timing on adjusting the SHI –

Dan – very little interaction with and about affordable housing

Karyl – all it is going to take 1-2 40B projects before it becomes a huge issue

Committee Liaison meeting

CPC Meeting – last night, one and only public hearing – no quorum, continued

CIPC – on Thursday at 7 pm at senior center –

Susy – time to start talking about a new town hall –

Dan – Susy and I met with MBC luncheon last week – Bill Wright made a presentation on the CI development plan idea – generally well received – IDC will be lead on this – this is going to take more than just the PB on that one. – the issue of town hall came up – I mentioned a new town hall as an anchor of this space

ARTICLES FOR 2005 ANNUAL TOWN MEETING

OSRD REVISED per Gino

Dan -

Gino to revise contractor's yard

Wetlands % - karyl – 70%; alan 75% - dan – I think you might encourage owners turning to 40B sooner if you raise it. – everybody OK with

Citizens petitions

1. OSRD
2. Site Plan
3. Avellino

Alan – I would suggest you separate drive-thru from single tenant commercial buildings – in terms of the warrant articles –

Eric – I think we should

Gino – Where you are already looking to get the site plan approval process from BOS –

Dan – my sense is that we would like to take a more moderate approach and at least get them added to the

OSRD Bylaw Revisions – 2/8/05

Eric – i pulled out a tape measure this weekend and we were talkinga bout minimum separate between structures – I think 50 feet is too wide – my neighborhood – 18 to 36 between – it works – if we are trying to encourage – 35 feet high is the tallest

Dan – issue is combination of height and girth – massing of footprint is what is going to create a bit different visual

Dan – issue is the buffer on side setbacks –

Eric – minimum unit separation – I wouldn't suggest going as low as 18

Karyl – 30 feet sounds good

Dan – I am OK with that

Dan – page 2 – section 4 a) pre-app meeting – PB may invite other boards to attend

Alan – is requiring a pre-ap a disincentive

Eric – just rearrange the sentences –

Dan – so we will keep PB may invite other boards to participate

Alan – lets call it preapplicatoin/informal review –

Dan- 5 i - identifying conservation areas – require that be done as part of application - wetlands should be verified by concom;

Gino – ok to do this as it is a special permit –

Susy – call it out specifically as an ANRAD –

Eric – page 3 item 6 d) - add “approved” to all references to Concept Plan throughout –

Dan – 6 3 i – add towns consulting engineer and planner

Dan – 8 a 5 – consistent in definitoiain s

Dan – 8 a 6 – garage doors may not face the street – need to be careful with that language – check that out - potential for problems

Eric – I like the intent of this

Dan – definitions for open space, yards, driveways - . . .

9 a iii – easements – include in rules and regs

dan – check numbering, etc. –

revisions by Thursday

motion to adjourn alan – eric –

11:30 PM

February 22, 2005

PRESENT: Dan Hooper, Matthew Hayes, Alan DeToma, Eric Alexander, Karyl Spiller-Walsh

ALSO PRESENT: sac, mark louro

Meeting was called to order at 7:36 pm

Citizens Comments –

Public Hearing Continuation – Pine Meadow

Matt Barnett – we would like to ask for an extension – paul is supposed to turn in everything to Mark on Wednesday, Feb 23 – still going to need a waiver with the 8 lots;

Dan – I thought for the secondary submission, it was to be without the longer road

Matt – 7 duplex vs. 8 single family homes –

Alan – I am remembering that they thought they could do duplexes

Matt – we were going to

Dan – original proposal was for 8 lots with a dead end request – the board's request was to demonstrate that you could comply and you chose to do that with duplexes

Eric – paul had done a rough sketch with all of them with duplex lots – would not have needed a waiver – I think that paul was going to get us a more formal with calcs etc of the 7 duplexes

Susy – delivered to VHB tomorrow

Extension – motion by alan, sec by matt – extend to april 30 – all yes

Public hearing continuation – march 8 at 9:30 p.m. – motion by eric, alan, - all yes

Dan – I also want to take note that the ZBA is the authorizing body for using those lots for duplex vs. single family detached

Karyl- at that point, when it goes to the ZBA, there will be comprehensive water calcs

Dan – we will approve one or the other plans

Franklin Creek Preliminary Subdivision Plan - 18 Franklin Street

Motion to approve PGC estimate for \$245 sec by alan – all yes

Motion to approve VHB for \$250 – motion by alan detoma, sec by karyl – all yes, no matt

DRC Funding Request for Design Excellence Awards

Dan – they are reevaluating this process and someone has come forward to sponsor the award production – they are going to be much more rigorous in choosing and deciding candidates and the plaques are going to go back to the drawing board – funding is to be covered by one of the members of the DRC

Correspondence

1. Note from DRC re: inappropriate dumpsters at Medway Commons near Cingular – note to Bob Speroni with a copy to Charter Realty indicate that we believe there is a zoning violation

Eric – might this also be a violation of any sort of health code or concern?

Karyl – what about the crosswalks?

Mark – I heard

Alan – in the note, we have become aware that the paint has not worked out as promised –

Karyl – they assured us 9 years – they made it about 3 months

2. Two letters re Land Use Reform Act – Senator Karen Spilka and Representative JimVallee – Matt read both letters – attach and make a part of these minutes

Dan – nothing from Representative Paul Loscoco?

Susy – we contacted him by both letter and followup phone call

Dan – I will contact him again

Public briefing for Charles River Acres Prel Subdivision Plan

Dan – we are going to pass out some accompanying letters from Police Department, DPS and Planning Consultant – this is a preliminary subdivision plan – this is not a definitive – informational exchange at this time

Robert Babcock – Dunn McKenzie – I am here with Mr. Dirzonian and with John Parmentier from Dunn McKenzie – the site is located between Massasoit and Neelon Way by Charles River and then Village Street – currently zoned AR2 – combination of field and woods, sloping from the northerly end down to the river – about 2/3 down the property it becomes very slope – access to public water and sewer – proposing about 550 feet of new road starting at intersection of

massasoit and massapoag – 6 new lots created on the roadway – intention to have duplex dwellings on each of the lots – they have been oversized – an application has been filed with the ZBA for this – their hearing is March 2 – for the special permit – the existing house will be maintained on the lot and it will have access from Neelon lane as it does now

Stormwater – combination of drywells for the roof runoff and underground infiltration for the roadway and other paved areas – the final site design will comply with BMP with stormceptors, etc. no soil testing has been done yet – we expect to do so soon pending the outcome of this review – we understand they are excellent soils for subsurface drainage

The wetlands edge has been delineated by applied ecological science – Charles River, its bank and associated bordering vegetated wetlands –

All of our proposed roadway and drainage are outside the jurisdictional setbacks – a couple of lots will have to apply to CONCOM for the houses

Right now we are requesting 3 waivers – one to reduce the curb radius at the intersection of massapoag and massasoit – second is to reduce pavement width to 20 feet wide from 26 – the pavement that is in the subdivision now is 20 feet wide – 20 feet reduces runoff and generally makes a better design – 3 waiver is no sidewalks – there are none in this subdivision and there is not room for such – so we don't propose any

Alan DeToma – do you have a proposed total roadway length from Charles River Road is 943' – but 555' from massapoag

Dan- how about the length from Village Street to the end – that is the nearest thru street

Robert – I would guess it is an additional 600 feet to the 943 feet.

Matt – has wetland line been approved yet

Robert – we have not yet done so –

Dan – no other perceived wetlands there

Robert – no, our guy walked the site

Other guy – if there is something on the lots, that would be filed for separately – for purposes of planning the road, it is not an issue

Alan – how would we review the length of the road

Mark – I think of some of the board members that all those streets are really dead ends – so it is really an extension of a non thru street

Dan – in essence it is a 1500 foot dead end roadway

Karyl – infiltration system –

Robert – 100 year storm by preliminary design

Dan – I would like to ask Matt to read into the record comments from several department heads

Medway Police Department/Jeff Watson Safety Officer – attach and make a part of this record
- he refers to Chief Vinton

Robert Babcock response – the street names have been changed – in fact there was one property owner that was swapped – we will address the hydrant – he was asking about connecting thru to Neelon lane – it is very narrow, that is why we haven't gone in that direction – it is 25 foot right of way –

Karyl – pavement is 12 feet wide

Robert – I have addressed sidewalk issue

Dan – could you clarify a question on Neelon?

Robert – it really is a public street

Mark – is this being proposed as a private way

Robert – no

Alan read letter from Dave D'Amico – dated Feb 22 – read and attach –

Robert Babcock- response – to do 2% throughout is doable – chambers and manholes and designed that is exactly how we would do it – the location of them, I waited to do the full property grading on them because the testing has not been done yet – putting them on the north side of the road could be doable and might be a better solution – paved road width too small for the density – I think that is just an opinion –

Mark – what is existing width of massosoit

Robert – 30 ROW - paving is 18 feet –

Mark – would you consider upgrading it?

Robert – yes

Gino – Review letter – some issues have been discussed – landscaped island in the cul de sac needs to be handled – I do note that an emergency access easement is shown on the plan – as part of a larger discussion re: dead end – there is potential to extend this roadway to abutting property – you need to address that as well.

Mark – you asked for a waiver on sidewalks but your section shows a sidewalk - also, you show a sloped granite edging – what are you actually proposing

Robert – cape cod berm except at returns –

Mark – that needs to be vertical –

Mark – there are no drainage easements shown yet - one of the DPS comments was re: access – design for an H2O loading – 15 foot area –

Mark – it will infiltrate for 100 year storm

Robert – correct

Dan – I am curious why you didn't include the dead end

Robert – I had not anticipated that. My interpretation is that the length is from Charles River Road

Dan – there has been some interpretive issues with our rules and regs –

Mark – sheet 3 shows the actual Massopaog Road pavement being outside the ROW – we did find a lot of monuments

Mark – lot 4 setback from the road ROW seems a little shy – it doesn't quite scale to 35 feet – check that –

Karyl- the initial outset at looking – this seems to be a very dense plan for the amount of roadway needed to get there – I have a lot of concerns about the road ending where it could extend further – 12 units are being proposed

Robert – 6 lots but ZBA would need to approve

Karyl – I have a lot of density issues here – this is a river view – very beautiful – putting detention issues on the cliff – I am wondering if some creative thinking to allow the space along the river – maybe another alternative – this one gives me

Robert – the parcel is too small for an OSRD – otherwise we would have looked at it

Dan – we have a proposal for May 2005 ATM - no minimum acreage size

Dan – first, we would like to open to other elected officials

Joe Dziecek – I have no position yet, but the understanding that we are trying to get some public access along the river for walking – I don't know if there is anything in this plan so that the public could walk along and get a view of the river – the PB is well aware that this is a priority

Jeff Trust, 6 Massapoag – resident since 1977, I have 3 questions - #1 – why would you name it the same as Massapoag – safety issue – two streets with same name – I think that would cause a problem - #2 – I am concerned about Massasoit – Charles River Tennis court touches Hawkins property –

Susan DiIulio 53 year resident on Massasoit – I saw the neighborhood grow up around me – I knew it when the street ended Massapoag – around 1967 is when Massapoag went in and the tennis courts and Riverview street – all of a sudden, this whole neighborhood has taken on a real heavy traffic flow – once you hit Charles River road – having lived here – I was almost insulted to see the street labeled as Massapoag – in 19____ the BOS tried to rename it to Massapoag – I have noticed that the maps here at Town Hall all say Massapoag – I have lots of info on this that I would like to share with the town – the development that was done became part of the neighborhood – from what I see, Charles River would become a thru way to another development – kind of degrading – we are trying to keep some of the history – a lot of us wonder why the road cannot go out to Neelon – or access the site from Cherokee instead of Massasoit - I am also on the board of directors of the Charles River Tennis club which was started in the late 1930s

Mark – have you talked to Neelon Lane folks to talk about enlarging right of way

Richard Brown – 9 Massasoit – some comments - Massasoit is quite narrow – it currently services 6 residential units – also, point out the tennis club brings in a lot of folks from out of town – from April to October, the street has cars parked along it – to add traffic in there could be quite a hazard – the intersection at Charles River, Massasoit, King Philip it really is a 5 way – it is dangerous – those are things that need to be considered – different access would be desirable – this would really disrupt the neighborhood and be a danger

Alida Numella – Charles River Tennis – our concerns are parking – if you are taking any of our property for this road – we advise people to drive slowly – lots of kids play in the streets – the traffic is going to be horrendous – 2 cars per family – 24 cars and more if any kids with cars – will you be taking any of that land that the road goes thru?

Joe Dzekeck - I don't know what kind of buildings are planned – preserve some sort of historic or something that will fit into that area – I have seen some up in Westford that are beautiful - colors and style like something you would see in Vermont – would the design review people look at anything in terms of the structures –

Dan – we typically involve them –

Alida – on Cherokee. Does that road go all the way to lot 1 –

Dan – The ROW is generally larger than the paved way – in this case, you have a right of way that is a paper street and the paved way only goes part way – Cherokee ROW -

Alida – we have a plot plan – how much land do we have outside the fence?

Dan – you want to know where your property line ends? You need verification

Robert – we would be glad to help you out with this

Mark – there is a question raised with the emergency access easement -

Robert – I put it on as I thought the fire department would want it – probably not paved,

Craig 233 village st – I am interested in the approval process – does it get approved

Dan – the road and the cul de sac and the drainage system and the creation of the lots would come from the PB – ½ acre requirement per lot – but they have proposed 30,000 sq. ft lots to allow them to go to the ZBA for a special permit for the duplexes

Fred budget, 2 Massapoag street – I have a question – he said he would gravel that easement off of Neelon? If it can be graveled, why not connect the 2 roads together

Robert – there is a big difference between an emergency access easement and a roadway

GTeres proctor, 8 Charles River road - huge amount of cars going down this street – busy as it is – tons of cars – cannot let them play outside safely – adding 24 more cars without a sidewalk is a very bad idea – you are causing problems with children and cars – somebody is going to get hurt – a matter of time – an alternate way in would be more beneficial for our area – even when it is plowed, it is still very narrow – ambulance – I don't think you have thought it through

Leggee – a lot of the lots are small, a lot of people don't have a lot of extra room so when they have company and parties there is parking on both sides of the street – this is what we have done all these years –

George Hawkins -1 Massapoag Street – one of my concerns is the amount of traffic that is going to go between my house and the Charles River tennis courts – and you want to put a road in there – I am concerned about the kids – another dozen houses is going to present a difficulty and a problem for the area –

- is there any concern for wildlife

- dan – not the PB, but CONCOM

would this be required to have town water and sewer

dan – it is proposed

Are the water mains big enough to take in the added houses

Robert – we have not done a flow test

Dan – that would be a matter for the water sewer board

Matt – even if the road does not loop up, could the water line loop up to village street

Robert – it is possible, yes.

Beth McDonald – abutter on east side – what is going to happen with the existing farm house

Robert – the existing house at 6 Neelon would stay on its own lot

Tom King, member so charles river tennis club – is town sewer guaranteed? If not available, where would septic go? Could you put septic systems in there if town sewage is not available

Dan – they would have to prove to the BOH that the sites could handle septic

Dan – we want to give you some guidance based on what we have before us today –

Eric – I would say that from my perspective, I would strongly encourage the applicant to connect up with Neelon – whatever that may entail – if it means seeking opportunities to acquire land to widen it – I personally would really like to see that connect

Alan – I would like to echo that and enhance it – I would like to see this plan not need a dead end waiver – I would very strongly encourage applicant alternative plans that would not require a dead end waiver, that then provides a plan that is the best interest of the town, neighborhood and safety

Matt – I would like to see neelon street looked into more to get rid of the dead end issue and safety concerns

Dan – in order to do what is being recommended, that would require connectivity –

Mark – none of the roads are one way now?

Robert – if developing neelon lane is the only way, would 1 way traffic be considered?

Mark – I was asking in terms of the 15 foot radius for a turning movement with 2 way traffic

Karyl – the whole subdivision is difficult - I would like to see the whole thing – come in with some real creative thoughts – maybe other layouts – certainly using neelon lane – a lot of land is given to buffers and setbacks in these lots – what if this went back to being one lot and a communal condominium

Robert – under the current bylaws, there is nothing that would allow for that

Karyl – but in 3 months, we hope there will be. – the whole scale could be in keeping with the neighborhood –

Alan – wind up with the same camp feel

Dan – but with the thru way access –

Karyl – is this a horse race

Robert – I understand the neighbor's concerns – dense neighborhood – when we do designs, we try to do it in a comprehensive manner – you cannot put the weight of all the problems of this neighborhood onto this one parcel –

Karyl – but you are exacerbating those problems

Robert – too many cars, tennis club, driving too fast

Mark – but you will agree that 18 foot massasoit street is limited in its capacity

Dan – in summary, I would suggest getting hold of a draft of the proposed OSRD bylaw proposal – the advantages there clearly might afford you some opportunities to cluster these lots in a different configuration

Robert – I would agree it would be better

Dan – I would want there to be some preservation of the river banks – I would want to see the old growth taken – pines and hemlock are several 100 years old –

Robert – I believe this parcel was farmed at some point in time

Dan – I think that is an important matter with this parcel – medway has probably the lowest % of protected open space acreage – we are at about 3% - the Charles River may be our one gem in town that is just not appreciated or protected well enough – if you were to consider an OSRD plan, there is really great opportunity to protect that river and allow for future connectivity –

Karyl – as a matter of economics, in terms of envisioning what could be – I should imagine that something else would hold a much greater value than would you anticipating what you would get out of these duplexes

Dan – it is hard to consider something that isn't on the books – we do have an existing OSRD bylaw that has not been explored by many – the 10 acre minimum acreage – I think you will find when you read the new one that there are some enticing opportunities

Robert – we will take a look at it

Karyl – if you want to come back informally – we would be very interested in saying what

Legge – as a neighborhood, have a very high interest in this- we want to make sure that I get a notice and another -

- another thing that is confusing to me – there was a hearing before the zoning board and now there is another hearing before the zoning board – is there any order – this is getting too confusing now –

dan – in terms of sequence, there is no rhyme or reason – it would be advisable to secure the PB approval of the roadway and lots and drainage first – but I guess the ZBA would want them to come to us first – and then they would additionally

Robert – we applied at the ZBA before to get a read on the duplex issue – that didn't work; they wanted to see a more comprehensive plan before they act –

Dan – I appreciate you trying to coordinate – thanks for coming before us with a preliminary plan – I hope it was a help to you as well – if there are no further questions –

Robert – do you want to continue this public briefing

Susy – generally, we don't approve a prel plan - look at the OSRD and do some concept sketches and get in touch with us and schedule an informal discussion with the PB

Dan – no fees

Wingate Farm Public Hearing Continuation -

Karyl – recuse

Dan – apparently a deadline extension has been requested –

Motion to accept extension to april 30 – matt, alan – all yes – no Karyl

Motion by matt, eric – continue to march 22 at 7:35 p.m.

127 Main St – AUOD – Plan Endorsement

board signed plans

sac to have town clerk sign on 2-23-05

The Haven Certificate of Action –

Alan read letter from Medway Police Department from Jeff Watson – attach and make a part of the record

Motion to extend the deadline for PB action to March 4, 2005 – alan, matt – all approved

Reviewed draft 2-22-

Revisions –

To approve march 1

Construction observation –

Mark – contacted Hartney re: presconstruction meeting soon

Correspondance

7 b BOS note re: Medway Commons certificate of approval – amendment -

Discussion coming soon . . .

7a – letter from Disability Commission re: Speroni Acres – OK on street acceptance

Invoices

VHB – Plan Review – \$3243.59 – alan, eric – all yes – recuse matt and karyl

VHB – Construction Observation - \$2121.76 – alan, eric – all yes – recuse matt and karyl

Update on Town Meeting Articles

All submitted

Dan – susy and I met with Medwsay business Council on site plan bylaw

Matt – would they do a letter of support?

Dan – I would like it if they would do so . . .

Dan – I met with the ZBA and reviewed the OSRD bylaw

Karyl – I want to have some idea as to what their responses might be ahead of time –

Committee Liaison reports

AHSG – Thursday, Feb 24th at 7:30 p.m. – good attendance

Susy – citizen/resident – Judi

Eric – I attended a meeting of the Affordable Housing Committee – it was interesting – clearly they are advocates for affordable housing – very enthusiastic about the 40B applications pending – likewise, seemed skeptical about direction the PB is taking with DRC and other things – too onerous -

Matt – CIPC meeting – we will be meeting Thursday night

Dan – what about town hall idea

Matt – they said to bring it to the Municipal Building Committee

Dan – let's not drop that issue – start that foundation for a new town hall – location and larger facility to accommodate

DRC –Karyl – went over Rules and Regs

Sign Design Guidelines –

Revised West Haven 40B project -

Dan – ZBA meeting lastg week – the overall site design has been drastically revised- not single family detached – 4 or 5 or 6 individual house lots but mostly a series of townhouse configurations – pockets of them – 4-5 unit buildings – more open space scattered throughout – I just can't find it – I will get it to discuss next Tuesday so we can prepare a review and comment letter – this revision results from the ZBA's direction –

Alan – for our next meeting – subdivision rules and regs – February 10 version

FY 05 Budget – Request for return of funding

Dan – the real problem with this is the process – is that we haven't been asked in any official manner how we think funds should be returned from our budget – feels a little bit of an 11th hour Of the \$104,000 being “taken” - \$7,000 is being targeted from us. – in that context, I really get annoyed

Alan – how did they not find money in those – what criteria?

Dan – I did run into today from soccer – ran into a FINCOM member tomorrow night – Matt, if you can come –

Karyl – we feel like we don't even have

Eric – we have some very significant projects we have undertaken – osrd, rules and regs – those are very comprehensive – this is not a representative year –

Dan – I would like to think that this is a new model for representative years going forward – I would like to think that this level of intensity is become the norm –

Matt – will this effect next year's budget

Dan – I don't want people to think that this year is a blip

Eric – my concern is about looking back –

Dan – how about we say we could give \$10,000 back – if that is what we felt we could – we just didn't really have the chance to

Dan – I don't want to shortchange

Eric – seeing that we don't have proper time to do diligence – if we were to do away with all of the little items – how can we survive – say we could save \$1,000 from the small stuff – where can we come up the other \$6,000 – I just don't see it –

Dan – we divide up – the

Eric –

Dan – so board . . are we agreeing with \$7,000

Alan – my gut is not saying that \$7,000 is realistic

Gino – of the \$20,000 for consulting services, \$10,000 was allocated for master plan –

Dan –

Eric – I am comfortable with \$7,000 –

Alan – it was arbitrary when we began – my comfort is more like \$6000

Dan – I think when a town is in trouble, who is to blame needs to be addressed – but how do we address today's crisis – how do we suggest to those who are in authority in terms of finance – I rely on their expertise

Karyl – it seems arbitrary

Dan – I wish we were asked –

Matt – anybody comfortable with giving more than \$7,000 back?

Karyl – I think it is too fast – we need more to look at – we are shooting in the dark here –

Eric – I feel like I have a better handle on it now – by sitting down and getting input from Gino tonight – understanding – I feel comfortable with it now –

Karyl – we are running with insufficient staff and space and only thru volunteer efforts

Dan – can I have a show of hands on a number – also authorize susy and I to write a note addressed to FINCOM that the number is arbitrary –

Karyl – we are barely able to keep up with the work load – we have decided to take out this – gift it back –

Alan – prior to hearing Gino's commentary,

Dan – I am comfortable talking to fincom about \$7,000 – we want to share in the burdens and gifts – this doesn't appear to be as shared as we would like to see it –

Dan – susy and I will write a letter to the TA office – and copy the FINCOM

Eric – you write the letter to the source that it should have come from –

Motin toad journ – 11:55 pm

All yes

March 1, 2005

PRESENT: Alan DeToma, Karyl Spiller-Walsh; Matthew Hayes; Dan Hooper

ABSENT WITH NOTICE: Eric Alexander

ALSO PRESENT: Mark Louro, Gino Carlucci, Susan Affleck-Childs

Meeting called to order at 7:38

Public Hearing – Sign Design Guidelines

Gary Jacob as Chairman of the DRC – a few minor edits – one of the things we have been working on is design guidelines to go along with the new sign bylaw – these are suggestions on what we would like to see in terms of signs – persuasion – we have found that many people really don't think out their signs – local folks generally like our suggestions – we want to be able to have this to give to folks even before they come in for a permit – we can also use this and point to this if they haven't reviewed – suggestions – we have tried to deal with the various categories that might be viewed as critical – key issue is relationship to the neighborhood – we think we have covered many of the general criteria – but these are things that someone new would not necessarily think of

Dan – I think it is excellent – especially for the local smaller business establishments – do it right one time – good for the town, we are playing a part - DRC is playing a vital role in as much as a citizen sense and a design sense. You brought up one of my questions – what venue for distribution would you suggest?

Gary – they could be available in town hall – give out to new businesses – should be available with the sign permit package – third area would be to put some stuff on the web for the DRC – download as appropriate –

Matt – general question, how does this relate to the general zoning bylaw –

Gary – we tried to make it so that it would complement it – good design – the zoning bylaw could be changed without affecting this –

Matt – question on F 3 – 70% matter.

Dan – I have a few comments of an editorial nature only

Alan – general comment – K2 – what if there appears to be something that may be in conflict

Gary – an additional sentence in the beginning about compatibility with sign bylaw and how that takes precedence –

Matt – question on L 2 – re neon

Matt – R4 – delete first “and”

Karyl – B3 – compatible vs. complementary

Susy – graphic illustrations could be added

Karyl – this is general but yet it give some feeling

Dan – it conveys an interest by the town in sign design – short of it, you have this staid bylaw with no flavor and no concern or consideration for the touchy feely – this says there are people who have a collective interest in how things look and we are here to help

Paul Yorkis – I have a whole bunch of comments – I would first like to propose that your introductory paragraph be removed as it talks about CONTROL – these are guidelines and the bylaw is the controlling feature – I would like to emphasize that these are meant as guidelines vs. controls – the spirit of the DRC is advisory and I would hope that the introductory paragraph reflect the advisory nature of it

Dan – you have echoed my concern

Paul A – A-3 – strike s at end; concern about “professionally” designed signs being – I would take that out – you can't require that

Karyl – after being on the DRC for 1 ½ years – we have had lots of instances of novice sign designs that are non inexpensive – we have found it is hard to go back with those people and we have recommended that they go back and get professional design

Alan – I would suggest – Professionally

Chan – There is no recognition for professional sign designers - - Please explain what your agenda is – I came here expecting a public hearing on rules and regs

Chan – the document lacks any relationship to anything – it should have some statement in the preamble – where it fits into the PB process –

Dan – some reference to sign bylaw –

Paul – C2 – seems inconsistent with focus of the AUOD – this seems to be in conflict – good job with AUOD – we need to be sensitive to that district and its mixed use nature –

Alan – sensitivity to residential uses

Gary – you could have a sign that met the bylaw but shined into a neighbors bedroom

Dave – any suggestions you can give people on resources –

Gary – A beginner's guide to sign design

Karyl – when there is a willing applicant and a professional sign design

Dan – convey our thanks to the rest of the committee –

Jim Wieler – I would like to reemphasize some of paul's points – this is excellent – alan picked up on something on F3 -

Continue to first meeting in April – REVISE and republish

Chan – as a total outsider coming into the meeting, what is the relationship of these design guidelines to the DRC and what does the PB have to do with this.

Dan – the DRC is appointed by the PB – to stamp an official adoption

Susy – bylaw that created the DRC authorized est of design guidelines to be adopted by PB for use b the DRC

Public Hearing – Subdivision Rules and Regulations

Dan – I think we take this best that we not take this quite so editorally – lets get those to Susy Affleck-Childs

Dave D'amico – Landscaped islands in the middle of our cul de sacs - - the new regulations require landscaped islands – I don't think there is any differentiation on length of cul de sacs –

7.9.6 – if we were going to have them, I think what you have is the best of what I would hope for – reduced size - . . . but, I don't really like the idea at all and want to scratch – we do the plowing in town and hire contractors – some of my comments are related to that position and as a taxpayer – from DPS perspective – anytime you do anything to disrupt the continuity of pavement – you induce a problem that will lead to cracking, etc. that will need maintenance – the island being in the middle will create a problem for the paving around it –

alan – how would the island differ

dave – you are adding linear length of curbing which is going to cause maintenance problems as opposed to just straight paving – there is a difference, don't sit there and think that it is maintenance free – it is extra when you have the island – from a plowing perspective it is just one more thing in the way – normally we just push down the center – this whole thing creates another way of having to do business - more complex – it won't lend itself as nicely to where we put snow – some problems with plowing – in the course of plowing, likelihood of damage to equipment –

dan – from a dps perspective, is there actually more time spent? I would think an island eliminates some square footage from having to be plowed. Does an island make for a longer effort than would be –

dave – I would say yes, but probably just minutes – not significantly -

dan - I should hop in the truck with you guys some time – Jimmie Smith – to see what the problem is – definitely take more time

dave – taxpayer perspective – as I sit and thought about it more, why do we want these – what is the purpose – it would imagine is the aesthetics – they have no functional purpose beyond that – perhaps it could be used for infiltration area (alternative not a standard) if we are just looking at aesthetics – not a bad thing – think about every town or place you have been that you like – main drags vs. neighborhood streets – we are asking taxpayers to spend extra money to benefit individual neighborhoods – if you want to make a developer put money into a tree fund for the benefit of the whole town, that's great – I don't see spending a penny for individual issues

alan – what additional costs other than snowplowing

dave – curbing interfaces – cracks – water, and maintain the island

alan – some potential maintenance issues?

Dave – how many phone calls am I going to get regarding maintenance of these – why do you want to do this? I like to play street hockey

Chan – who is going to maintain them? I think it is unacceptable from a public works point of view to have a landscaped island in the middle of a cul de sac

Paul – I understand the aesthetic value in the landscaped island - I also understand from my current residence – a large expanse in a cul de sac gets used as a playground and that use for most of the year has significant community value as well – the people on Diane and Kimberlee drive bring down portable street hockey nets and set them up – and I think that is a good use of a street and what is interesting is that it is families – and that has value – I can't

Gary – I live in a neighborhood with Antioch experience – I think we have 5 cul de sacs and everyone has an island in it – none of them are landscaped in a fancy fashion – some are mowed, some just have a couple of big pines – some are maintained by individual – better or worse for community values ?? – massive amount of pavement to me is very deadening – based on a concept of suburbia from the 50s – from the aesthetics, one of the things I have been trying to do is increase the aesthetic content whenever the town will ultimately be owning – from taxpayers paying for other people's cul de sacs – I think it is a community thing and not just for the neighborhood – I was in a southern city without snow issues, the cul de sacs were so pleasant – infiltration, less runoff/impermeable surface, shade – just because it is not enjoyed by everybody in town doesn't mean there isn't value –

Rick merrikin – 35 years experience, - they tend to be a real maintenance issue –

Dan – is it your experience that the curbing maintenance is a matter of type of curbing – asphalt vs. granite - is one better

Rick – bituminous gets beat up, with granite, the plows get beat up – sloped granite are small pieces - if the pavement is your concern, why don't you consider a smaller asphalt diameter for the cul de sac, because when people use the islands, they make them bigger so they can have a full circle – you are going from wider roads, - why don't you consider making the cul de sac a paved area, as small as possible

Alan – just make them grassed areas where the kids can play

Dan- from an aesthetic standpoint I do like them plus the impervious – the tough side is the plowing issue for short and long term maintenance – we aren't staffed to handle what we have now – this is a very real matter for sustainability – I am torn

Mark – what if you didn't make it a requirement but made it an option?

Dan – we are going to have to talk about this some more – we will have to come to the table to vote

Dave – perimeter drains

Mark – issue is whose jurisdiction – there are several subdivisions because of the poor soils, they put in a perimeter drain around the foundation -

Dan – that is a matter for the building inspector

Mark – so you have a perimeter drain that is required by the building inspector – where the soils are poor, we thought they could tie into the drainage system – we get involved cause we need to inspect the roadway for acceptance and there are pipes coming into the system – once you start to release lots – building inspector is aware of them but we aren't necessarily – link to town's drainage system – so there are minimums you need to have in place to protect the town –

Alan – there are methods used in commercial construction where you diaper a building to prevent water issues – if you can't raise the building elevation you do something – so I think it would be prudent to focus on it as an issue so we deal with it properly

Dan – buildings are not our purview – but there are implications

Paul – there is a really simple solution – you cannot connect a perimeter drain without a backflow – I would recommend that you put in place a process that says when the best approach is to tie the perimeter drain into the storm drainage system, then it be done thru a notification so that the PB engineer is notified in advance, and is inspected and that it be included in the as-built plans – and set the requirement for right check valves

Mark – and easements would be provided to the town

Dave – I would argue to not give the town an easement

Paul – home owners responsibilities

Mark – many don't know if they have a perimeter drain or a check valve – the building inspector has to inspect the perimeter drain to the outfall, why can't he make sure it gets to the next step but then we make sure it gets on the as-built plan

Gary – there is a stormwater issue – we are all working very hard for the site to have same – the ground water issue exists – if you need perimeter drains, then you are in the groundwater – you should at least have them calculate that increased runoff into your stormwater calcs – some factor that you include in the storage analysis – for every single house that might have a perimeter drain – you add capacity to the overall design – you could pump every day in a high ground water area

Mark – but you are still talking a fairly small amount –

Rick – you could, there are towns – put a sewer and water connection and drain connection for each lot – you do that permitting process but you would have a place for it to go – a parallel pipe to the underdrain and tie into the manholes – control them –

Jim – mark, we reviewed a couple of plans where they were doing big plastic on site – wouldn't that be a potential solution –

Mark – in high clay soils, you would need a substantial system – if the perimeter drain is picking up water and there is a gravity feed – there is a dry well scenario – with a lot of clay, you are very limited – this board doesn't have control over the construction of the house but we have to deal with the repercussions

Karyl – there is a simple solution

Dan – that is not the purview of the PB

Dave – I think we need to get together with the building inspector to work this out –

Paul – I would like to go to the definitions pages – I am confused by all these – consider some inconsistencies in your definition – if you do have a secondary street, you should have a primary – I am not sure what the benefit is for the different definitions and how you are using them later on in the document

Mark – the basis for defining different street types is to provide for different construction standards for the various street types

Paul – inconsistency – it would be helpful for them to be – address number of trips – criteria
Mark – secondary street would most likely be a through street –

3.3.3 – re: illusory – I don't understand what that means – under the mass wetlands law, an owner has the right to cross wetlands, -

mark – this is in the ANR section – if there is no physical means to egress to the property, the board can determine that there is not access –

dan – this has to do with the direct physical junction of a parcel to the way – that direct linear area – I am not sure this is worded correctly, but I know what we want it to say –

rick merrikin – does the PB want to get into

chan – illusory vs. illusionary – use of this word

rick – the problem is you are going to determine what is real or not, crossing wetlands may or not be allowed –

matt – this is whether the way exists

paul – I don't think what your intent is is how it reads –

jim wieler – perhaps strike wetlands and watercourses – don't want to imply you are getting into wetlands

paul – I did not receive an appendix with this – but it refers to “social environment” – what does that mean? Parties to take place on this land??

Susy – I will send you dir from acton

Paul – who will do the mailing on prel plan?

Paul – dead end street matter – 7.9.6 b – please draw what you mean

Gary – my suggestion in the case of a self looping, you allow a slightly longer distance – to 800 feet -

Dave- do you want to promote double cul de sacs vs. looping roads

Dan – it may be best to have illustrated examples

Paul – page 58 7.11.2 - with wetland areas, this may not be achievable –

Mark – add . . unless otherwise approved by the board

Gary – or at the request of the concomm

Paul – you can create a buildable lot under the zoning bylaw and under our rules and regs but in order to have the entrance to the buildable area, it might violate this regulation because of where the driveway has to be - Lot 16 at ICE is a good example –

Dan – does the board want to be firm on this or allow some flexibility

Paul – driveways are the last thing a decision is made

Mark – but you don't want a driveway to come out at a catch basin

Gary – my driveway is within a foot of a catch basin and I haven't had a problem

Mark – this eliminates – this will help alleviate the problem

Paul – I am just raising the issue as it relates to wetlands

Jim – why are

Dan – we are now asking for driveways to be shown –

Mark – we have addressed a number of these issues

Gary Jacob – I have a bunch I have given to Susy – content – as a member of the DRC – in general concept, one of the things you should try to do – insist that stuff is going to be turned over to the town eventually- you have the right to ask for more than just functional treatments – if people knew in advance that these items are going to be the town's in the future, we will be asked for more. – also the example near my house with the walls – just because there is a simply functional design that can be used doesn't mean it is going to be acceptable –

For example 5.7.24 - planting specs for the trees should be included on the plans –

Dan – these trees are not going to be public –

Susy – we can have a standard for tree planting in the appendix

Gary 5.7.32 – board may require use of a landscape architect for

Paul – this presumes that all cul de sac island landscaping is going to be manmade vs. natural or existing –

Dan – when a landscaped island planting is needed, a landscape design plan – the board may require a plan prepared by a registered landscape architect – if it stays

Paul – can it be a landscape plan vs. a plan prepared by a landscape architect?

Gary – 7.2 Protection of Natural Features – broader community values

7.3.1 – even if necessary for safety or orientation

7.4.2 – immediately

7.5.1 – due regard!!

7.5.1 – paul –

mark – all we are saying here – a stormwater pollution prevention plan must be prepared –

paul – it may not be happening

mark – if you have to do it, include it in both the def sub plan and concomm plan

paul – where it is wetlands, the concomm should be the board of jurisdiction – where it is not, the PB should be the jurisdictional body

gary – you could also state that where the two plans differ, the more stringent of the two shall apply –

rick – sometimes concomm get away

mark – I think PB is fine with whatever concomm rules

gary – the SWPPP is not formalized this early on – usually not field until construction

mark – in my opinion, this is not much different from what we do today –

paul – I think it is

gary – other utilities – page 48 – town may require the developer to put in one additional conduit that is turned over to the town – to be available for use for communications by the town – rent it from the town –

dave – wearing my old engineering hat, we would always put in extra conduit – very good idea

paul – just so you know – there may not always be on the part of a developer, the goal of installing both cable and phone – the industry is changing – and it is possible and probable that the number of conduits installed is going to go down and not up – the nature of the whole telecommunications industry – we are seeing more homes that don't have phone lines land based – do you really mean that utilities shall not be located under sidewalks

gary – if the town is going to require an extra conduit, then spec it –

gary – under stormwater management – this whole concept of when the final binder is put on the street – you should require that the runoff from a subdivision be collected into the stormwater system from day one – height of catch basins

mark – we have covered that - part of the lot release requirement

gary – page 50 – item l – slopes that are stabilized – you are allowing stone over geotech fabric as slope stabilization – I talked to susy – whole new concept called living walls – sock like materials that they use – mesh tubes that you fill with gravel soil mixture and vegetate and can stack steeper than the 3:1 slope –

mark – I don't think we are stipulating that they have to use rip rap but if they do, then they need to have a geotextile filter fabric. – rip rap is usually restricted to the weirs

gary – in a small space, may need a steeper slope

gary – page 51 – item s – headwalls – giving the board the right to require aesthetics in the surfacing materials – if you are not using natural stone, then the board should be able to approve the aesthetics -

gary – 7.9.4 – add an item c – encourage developers to use the natural grade whenever possible – require them to follow natural grade whenever possible –

gary – road widths – at the request of the concomm, you should allow for narrower roads at wetland crossings – that would preclude parking –

paul – I would rather see the PB encourage – where wetland crossings exist, require the road to be narrower – more gradual –

rick – eliminate the grass strip in those areas -

paul – actually narrow the pavement

dave – how much of a straight shot are you looking at – curves, etc.

gary – you want a grass strip – place for snow to be stored – also good

paul – a benefit of doing that from a speed perspective – when the pavement does narrow and widen it has a tendency to be a traffic calming

gary – 7.13.6 - require that sidewalks be sloped 1% toward the street –

mark – the standard details shows 1.5% slope

gary 7.16 – specifically forbid concrete retaining walls as guardrails –

gary 7.17.2 – assuming we have cul de sacs – allow hydrants to be placed in cul de sac islands – closer to all the houses –

dave – mark Flaherty will probably tell you that public watering is

17.19 – require trees to be in place 2 years before street is accepted – that means they have to start landscaping earlier on

paul –contractor wants to get their bond back

gary – deal with that in some fashion

mark – make it a requirement for lot releases?

17.19.4 – crimson king should not be allowed – columnar maple is not a good tree – I don't see sugar maple here –

dan – these were the suggestions of the tree warden

paul – could you add sugar maple to that?

7.19.9- have the DRC review the landscaped islands

7.21 – streetlights – if you don't go with the private approach, try to find a way to do a more attractive fixture . .

7.23.1 – open space requirements – I would suggest that you not allow wetlands to be used as part of the open space -

7.24.2 - what would be the size of the easements?

Mark – a traversable 10 foot wide from top of bank

7.25 – site clean up – require all erosion and sedimentation control items to be removed before street acceptance with the approval of the concomm –

mark – does concomm actually do a walkthrough?

7.27.4 c – as determined by the PB, agent or CONCOM – be precise

paul – I would broaden that to include DPS determining a water quality matter

paul – for a road to be accepted, there should be a certificate of compliance *****

dan – thanks Gary . . .

jim – I have 4 comments – 5.5.12 – 50 units – perhaps it should be smaller

gary – suggest that PB have discretion –

5.5.12 l – talk to Mark and Jim for changes –

jim – we spent a lot of time reviewing plans being presented by the person who did not stamp them – 5.6

mark – the stamping engineer must provide direct oversight – if an engineer reviews a plan and is willing to put their stamp on it, -

rick – have you experienced it when an attorney presents a plan

jim – presentation by the person drawing the plan

dan – I don't know if we can get that into type

jim – this goes a huge way to improving the rules and regs

dan – we literally need to say we will bring it to a public hearing continuation at a next date –

mark – 6.5.4. c -

Paul - when these two documents are revised, please email

Rick merrikin – put them in a chart somewhere – very helpful –

april 5th - - continue public hearing

Chris Parella – Verizon –

Chris – it is the entire list of 25 streets – somewhat awkward – we are 7/8 of the way completed running a new type of fiber on every utility pole in town – we have stopped now – several months ago when I found out that I had all these scenic roads – started working on a scenic road work permit application – and taking photographs – it affords us a chance to look at some of these streets – through these pictures – the dilemma I have stumbled onto - ellis street – it is not unique in its condition compared to other scenic roads

Chris – our goal is to lash this to existing cable or strands that are on utility poles – we use a lashing machine – 3 feet square window to work in. – having seen some of the conditions in the field – it is now looking like it is more like an opportunity to do maintenance to my lines – in a majority of the cases there are tree limbs resting on the cables – I have an obligation to protect

the public utilities in the public way – those are on a scenic road – that doesn't do much for the above ground utilities – I need to maintain my existing facilities – should something happen, like a limb to come down – there are so many things

Dan – we can cut right to the chase – have you consulted with the tree warden – has he offered any advice from a functionality standpoint from what to do? I expect he is OK with remove, eliminate

Chris – he is happy for the utility companies to do the maintenance – when we came to these streets – he and I decided to err on the side of caution –

Dan - how do we weigh or balance the inevitable issue so it does not destroy the appearance? Stub the tree or create a window – what are you suggesting

Chris – rely on tree warden – we would be reluctant to cut down an entire tree - -

Dan – if you lop off the top half of a Fraser fir – destroy the perfect balance and geometry of it

Chris – we are all for keeping the tree as much as we can –

Dan – how do you handle trees with limbs that overhang

Chris – somewhat gray area for us – people treat public utilities and trees differently – we certainly have had the ability to treat it tree by tree – I look to the language of the bylaw, treat the tree as if it is the public way – I would want to offer it to the homeowner – I would ask them to sign a waiver -

Chris – given that I don't have many options,

Karyl – you aren't really a public utility

Chris – it is all mandated – fees, rates, manner we operate – a very regulated industry -

Chris – I have the maintenance of the poles as our responsibility in Medway –

Susy – I don't believe this situation applies to the scenic road law or our regs – only applies to construction in the ROW that impacts trees and stone walls on the scenic road

Gino – in Sherborn, we worked out something with nstar – on how to treat trees on the scenic roads – specifications developed on how to be trimmed – distances away from the wires – the tree warden goes out with nstar street by street and reviews what shouldn't be cut – the PB is involved in a blanket way – they come forward with a list of trees that will be done during the year -

Dan – we are probably all concerned about the scenic roads and how they will look.

Karyl – I see these excessive holes – I don't like it
Dan – it is an unfortunate circumstance of plantings –

Karyl – it is unfortunate that we don't have buried cable everywhere

Dan – when is buried cable ever going to happen as SOP – or are utility poles just a fact of life

Chris – the bottom line is because we are a public utility, we have an obligation to provide a service at the least cost method – that means aerial – we can have discussions on how to bury lines in certain areas – like a town common area – Norfolk – while the ground waqs open, put everything in – somebody needs to pay for the conversion and it is not going to be the utility companies

Dan – we need to take a poll here – next steps? Do a formal scenic road public hearing or just suggest that he works with Ron Dolloff

Alan – may I ask some semantics question? What is the difference between how these two processes would work

Dan – scenic road air space

Mark – is there any real benefit –

Alan – is it unreasonable if we are not going to go thru a formal scenic road process, that we have one more session on this with the tree warden to explore this further –

Chris – what I could add to that – we have asked our line man to not take action on their own – to rely on the professional arborist that goes out with the crews – that is the realtionshipo I want to leave with the board – it is not just technicians out there doing anything – we try topledge publically that we are not going to go crazy – everybody is so sensitive to this matter –

Dan – you have been thru all the streets in midway except these 25 – has anybody scene any scars?

Karyl – some on Holliston street –

Chris – think of the safety of having the clear line of sight – allow us the opportunity to come in

Susy - if any tree ends up being cut down, - then go thru the process –

Dan – allow the tree warden to do his job – then come back if a tree needs to be removed –

Susy – lets do a letter to confirm our understanding – send to Chris and Ron

Rick Merrikin – The Haven

Specific conditions - #1 – no more than 3 single family house lots – one of the lots is large enough for a duplex – I recollect a discussion that we had early on in this process

Dan – I recollect that one of the reasons we agreed to the reduced roadway width is the premise that is serving 3 houses - my intention of the private way spec as relayed to you was based on a 3 lot/3 unit approach - but I am not sure we can prohibit it anyway. – we have to assume that
Suggest

Rick – mr. masterson wants to acquire a little bit of an adjacent lot

Rick – I have the same issue with the selective cutting zone – the place we want this is down in the back –

Approved – matt, karyl – yes

Invoices –

CPTC - \$200 – motion by matt, alan – all yes

CO Fee for The Haven –

Motion by alan to approve CO fee for The Haven – 5643.75 – seconded by karyl YES – n matt

West Haven – next Tuesday's meeting –

*****8

two letters from DH re: our warrant articles –

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motion to adjourn- matt – 11:55pm –

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Alan DeToma, Clerk
Karyl Spiller-Walsh
Cranston (Chan) Rogers, P.E.*

Approved – June 21, 2005

**PLANNING BOARD MEETING MINUTES
March 8, 2005**

BOARD MEMBERS PRESENT: Chairman Dan Hooper, Matt Hayes, Karyl Spiller-Walsh, Alan DeToma, Eric Alexander

ALSO PRESENT: Mark Louro, VHB, Inc.; Gino Carlucci, PGC Associates, Inc., Irene and Mark Streiffer, Attorney Bob Gilbert, Jim Ferrara of Daylor Engineering, Town Counsel Dick Maciolek, John Early, Bill Halsing, Mrs. Dickerson, Matt Barnett, Paul DeSimone, Mr. LeToile, John Spink

The meeting was called to order at 7:40 p.m. by Chairman Dan Hooper

Citizen Comments – None

NOTE – Susy Affleck-Childs was not in attendance due to a death of her father-in-law in Florida.

Irene Streiffer was present regarding Countryview Estates. She introduced her attorney Bob Gilbert and her engineer Jim Ferrara. Mr. Gilbert stated that Daylor Engineering had been hired to review the drainage situation. He related the fact that the drainage system was not constructed as designed. As a result, stormwater runs into the backyard of the Streiffer's. The Streiffer's clarified that it is actually the side yard on the east side of the house where the runoff goes. He said that the problem is getting worse. Ice accumulates on the street and the Streiffer's incurred \$10,000 in damage when their car "slipped" off the road.

Mr. Gilbert said they were present to ask for the following:

1. Authorization for Town Counsel to speak with him. He mentioned an issue with the Order of Conditions and Dan Hooper asked him to clarify whether he meant the

Conservation Commission Order of Conditions. Mr. Gilbert said he meant the Subdivision conditions, but that they have problems with the Order of Conditions as well.

Dan Hooper clarified that the Town has taken notice of the problems and that there is correspondence documenting this. He also asked if there were any findings regarding the Town's enforcement authority. Mr. Gilbert suggested that he come back in 6 weeks or so after the engineer's report is received.

2. There was a discussion of the bonding for the project. It was noted that it might take many times the remaining bond amount to fix the problem. Dan Hooper asked what Mr. Gilbert was suggesting that the Board do. Again, he replied that he would like to come back in 6 weeks or so after receiving the engineer's report.

Matt Hayes asked if types of leverage should be discussed tonight and he reviewed the bonding process. He suggested that since bonding amounts are presented in line items for specific tasks, it might be a problem if the amounts remaining in the bond are not for the tasks that are an issue.

Karyl Spiller-Walsh said that the discussion might be premature since the developer has expressed his cooperation for a creative solution. She also stated that, as designed, the basin is not a desirable solution. Mr. Gilbert said that the status of the easement is in question, and they may seek to enjoin any more drainage work on it.

There was some discussion about some of the problems with the basin and Mr. Gilbert noted that the issue is not size but function of the basin. Dan Hooper said he would be looking for a win-win situation for a new design – as long as it works. He also wants to set a timetable. He recommended that Mr. Gilbert make sure that a recommended time line and a maintenance plan are part of the recommended solution.

Mrs. Streiffer asked about enforcement of a timeline. Dan Hooper said that that would be discussed along with the bonding and other issues. He suggested that the Planning Board would probably require a modification to the subdivision plan. Dick Maciolek asked for a date for the next meeting, and it was tentatively set for April 26.

Next, the Board considered the plans for the West Haven 40B project. Dan Hooper presented a list of possible comments that were reviewed by the Board. Karyl Spiller-Walsh suggested more open space was needed. Alan DeToma asked what say the Planning Board has for this project. Dan Hooper responded that the Board can make any recommendations it sees fit. Karyl Spiller-Walsh suggested that it needed to be reviewed by VHB. Dan Hooper suggested that the Board could request to see the plan again if it is changed following an engineering review. One recommendation discussed was combining the driveways of Lots 17 and 18.

The Board then began a public discussion of the Franklin Creek preliminary plan. Dan Hooper asked if anyone had a copy of a letter from the Department of Public Services since David D'Amico had significant comments. Bill Halsing then reviewed the plan. He noted that it was proposed as private way with a pavement width of 18 feet and a cul-de-sac with a landscaped island. Three lots were proposed and the wetlands have been delineated and approved by the

Conservation Commission. The right-of-way was a little more than 50 feet and the pavement was off-center to reduce the impact on the wetlands. Town water and sewer was available. The design meets other standards for grades and slopes.

Eric Alexander suggested moving the right-of-way slightly to allow the curb radius to be provided in compliance with the regulations. Matt Hayes questioned the detention basin within the 25-foot no build zone. Karyl Spiller-Walsh stated that she would like the trees on the north side of the road to be preserved. Alan DeToma suggested a hammerhead instead of a cul-de-sac. Dan Hooper also suggested a hammerhead, and suggested that Bill Halsing meet with the Fire Chief.

Matt Hayes asked about the possibility of duplexes and access to the road from other abutting properties. Bill Halsing suggested a separate parcel with a deed restriction to prevent additional access.

There was a discussion about the additional access issue. Gino Carlucci commented that a private way does not provide access for an ANR lot, but that such access could be granted. He also suggested that the applicant could voluntarily provide a deed restriction against creating a duplex on the new lots.

There was a discussion about the potential for duplexes could result in 5 dwelling units on the road, which would require a 20-foot width, rather than 18 feet. Dan Hooper asked if a through road were to be proposed in the future, could this road be required to be improved. Gino Carlucci responded that it could.

The public discussion was continued to March 22 at 8:30 PM. Mrs. Dickerson, an abutter than asked what the project would look like from her property, in terms of house location and land clearing. Matt Hayes responded that the new house would be closer to her than the existing house. He also suggested that a 30-foot selective cutting zone could be a condition of the subdivision approval.

The continued hearing for Pine Meadow began at approximately 9:30 PM. Paul DeSimone began by stating that the project could accommodate at least 6 duplex lots and a seventh with a purchase of additional land with a conforming road length. He said the roadway would be about 100 feet less than originally proposed. Mark Louro stated that this improves one lot because it reduces the impact of the detention pond. He also commented that it seems that the footprints of the houses shown are smaller than usual. Paul DeSimone responded that he uses 40' x 80' footprints on 1 acre lots and 30' x 60' on ½ acre lots. He also provided drainage calculations for the duplex lots.

Paul DeSimone said that the project would either be all duplex lots or all single-family lots. If the road length waiver is granted, the applicant will provide a restriction against duplexes in the project. Chairman Dan Hooper stated that the Board needed to provide guidance now on its preferred proposal. Alan DeToma responded that he preferred a complying road, whether the lots were duplex or not. Eric Alexander said he wanted to see a comparison of the two plans. Seeing the alternative plan with 12 duplex units (Alan DeToma interjected “possible 12”) versus 8

single family homes, he said he is OK with the lower number of units and a waiver on the road length.

Karyl Spiller-Walsh said she is concerned about the length of the dead end because it creates a problem on the end lot with the detention basin close to the house. She said she prefers a complying road even with duplex units. Alan DeToma suggested that 6 larger lots might be more desirable for the developer than 12 duplex units. Matt Hayes said he prefers no waiver with the larger lots.

Dan Hooper said he prefers to keep it straightforward. He said believes in the purpose and intent of the Rules and Regulations, and so he supports the plan that complies with the road length requirement. Karyl suggested that if the applicant could purchase a little more land, he could end up with 7 single-family lots with a complying road.

Dan suggested the hearing could be closed and that the Board could consider a decision at the next meeting. He noted that the deadline for the decision is April 30, and asked the applicant whether he wanted to close the hearing or continue it. Matt Barnett said he would like the hearing to be closed now that the Board had reviewed the options.

Mark Louro reviewed the comments from his March 4 letter. Paul DeSimone said he had not received a copy of those comments. It was noted that no comments from the Police or Fire Departments were received.

Matt Hayes moved to close the hearing, Karyl Spiller-Walsh seconded it. The vote was 5-0 in favor of closing the hearing. An appointment to discuss the decision was scheduled for 9:00 on March 22.

Mr. LeToile and Bill Halsing then presented a concept plan for a 2-lot subdivision off Route 109. A hammerhead was suggested in lieu of a cul-de-sac. Bill Halsing asked about the frontage, but it was explained that the right-of-way layout would remain the same and only the pavement would change. Dan Hooper commented on the possible need for connections. Eric Alexander and Karyl Spiller-Walsh said they preferred the hammerhead and a smaller radius at Route 109. The road is to be private and it was suggested that the pavement could be offset Dan Hooper asked if the applicants were aware of a culvert on the site. Mark Louro asked about the slopes and the applicants responded that the road rises for the first 40-60 feet then drops.

John Spink was present to discuss River Run. He explained that a new developer, Abbott, would be pursuing this project. He said they are developing apartments in Franklin off Union Street. Among their design changes are to construct a 36-unit, 3-story building. The other units would all be triplexes. The clubhouse would be moved near Village Street. The total number of units would be the same.

Dan Hooper, who had recused himself as a Board member from this discussion, suggested that 75-90 units would be better due to the wetlands and river frontage on the site. Matt Hayes asked whether the drainage would be underground. Mr. Spink responded that it would be. Matt Hayes also suggested that 2 parking spaces per unit would be desirable as well as a mix of front and

side-facing garages. The open space and trails are a vital part of the project, as is the canoe launch.

It was noted that there are several substantial trees as well as a walnut grove. John Spink said that the large oaks would be preserved. Landscaping is a huge concern, especially at the Village Street entrance. The Board agreed that the boulevard concept is good. It was suggested that the ARCPUD amenities include architectural lighting. Matt Hayes asked about sidewalks, and John Spink responded that they would be on one side. Affordable housing was also suggested, perhaps for 10% of the units or money in lieu of.

Karyl Spiller-Walsh suggested that the third floor of the apartment building be removed. Eric Alexander said he would like to see elevations first. The possibility of a friendly 40B to provide the affordable housing was discussed.

John Spink stated that there are no basements proposed. Mark Louro pointed out that there has never been an engineered plan for this project. John Spink said that the soils are good on site, and that the slabs are a function of cost and not high groundwater. He also said that plans would be submitted in 2, 3 or 4 weeks. Karyl Spiller-Walsh suggested that there be a better articulation of the buildings.

Discussion of the Subdivision Rules and Regulations was deferred until March 22.

The meeting was adjourned at 11:20 PM.

Respectfully submitted,

Gino Carlucci, PGC Associates
Consulting Planner

March 22, 2005

PRESENT: Dan Hooper; Eric Alexander; Matthew Hayes; Karyl Spiller-Walsh;

ALSO PRESENT: Susy Affleck-Childs, Mark Louro, Gino Carlucci

Meeting called to order at 7:35 pm.

Dan - Alan is running a bit late. Said he would try to come here directly instead of going home first.

Citizen Comments – None

Public Hearing Continuation – Wingate Farm Definitive Subdivisioin Plan

Dan - we will wait a bit for alan

Matt – any time for FinCom meeting on 3-23

INVOICES

VHB \$1384.91(landscaped island and rules/regs) - motion by Karyl, seconded by Eric - all approved - no matt

VHB – CO – 116.72 – motion by karyl, alan – all yes – no matt

PGC Associates – consulting services – osrd, adaptive use overlay, ahsg; 1102.50 – motion karyl, matt – all yes

7:38pm – Alan DeToma arrives

VHB – Plan Review – 1636.69 – Wingate Farm – motion by eric, alan – all yes – no matt, no karyl

VHB – Plan Review – 3607.21 – motion by eric, alan – all yes – no matt, no karyl

Wingate Farnm –

Karyl – recuse

Rachel and Gene Walsh; Steve Poole

Dan – I understand there has been another pass and VHB reviews

Steve – we got Mark's letter – bulk were fairly minor and we have taken care of them – a few issues left to discuss – roadway layout and radius on the curves – the curvature of the road at a

couple of points is due to tree location - the road was originally located to save large groups of trees - to save major clumps of trees - try to keep the road away from it - save for aesthetic purposes - in the layout drawing, there are 2 40 foot radius curves - need a waiver - short nature of the curve - mark's concern

Mark - what is your deflection angle on those?

Steve - I couldn't tell you exactly what that is - the actual

Mark - sight distance isn't as much an issue but delivery trucks for hay -

Rachel - hay is once a season

Dan - horse trailers

Rachel - not a daily thing,

Matt - won't have trailers passing each other

Steve - want to maintain aesthetics of the road - travel speed on the road will be 15 miles per hour

Rachel - it all ties into the low impact idea

Dan - I am a huge fan of that as long as it doesn't effect reasonable driving - they look subtle but on the ground in real life, how do those radiuses and those distances really work

Steve - 1 degree deflection - the other one is 3 1/2 to 4 degrees - but even that isn't too much -

Mark - is there any way to extend a larger radius to increase size of the smaller one

Steve - with the 18 foot width of the road and the swales, we don't have much room to go down - we might be able to do a 100 foot radius in here - we can play with this

Dan - I need somebody to tell me on the ground how this will work - I know the chief has written a note - but I don't understand this - we have 150' minimum - why is this acceptable - I want to know from behind the wheel

Gene - if you are driving at 15 miles per hour, it is like a long driveway

Steve - it is the length of the curve that really isn't the problem

Dan - even longer would make more sense to me.

Steve - your first curve as you are coming into that - 1 degree deflection

Eric – gravel surface of 18 feet

Dan – narrower than our standard

Eric – it doesn't seem conceptually to be a problem

Steve – frequency of two cars passing is so low

Dan – is that a good tradeoff to save the rural qualities of the parcel

Eric – it is not a concern to me with single traffic in and out – but it is if there

Dan – cumulative – downhill grade, significantly different radiuses than our minimum, gravel surface, 18 foot width and trees almost on the shoulder – something has to give

Steve – trees are going to be very close to the swales

Dan – sight distance isn't the concern – but the combination of all the things –

Gino – the flip side is that they are mitigating and slowing people down

Alan – with the bend in the road to preserve the trees –

Dan – there are 3 bends

Alan – the reason for the bends is to protect trees – we have talked about getting away from asphalt to go to gravel to preserve character – if you were to expand the road 1 foot on either side, would that blow the trees you are trying to preserve

Mark – 12" of gravel

Mark – my concern is the tight radius especially the one with a 4 degree – safe consider

Rachel – the trees are not across from each other

Alan – the height and size of trees

Dan – moderately mature –

Steve – some are 24" –

Mark – I am thinking – that if you could sacrifice the trees near lot 3 that would address my alignment issues

Dan – private or public way, it is still the job of the PB to ascertain whether this is safe, sufficient access for emergency vehicles –we have been steadfast on how we have reviewed roads in the past – why would we waive a number of design criteria here

Gene – maybe because it is a good idea

Dan – perceived sense of retaining rural character

Alan – and saving trees

Dan – trees are a sacrifice for a good road almost everywhere – this road in a number of occasions has infractions to a number of rules and regs – are those in the best interest of the town

Alan – that lot – is is going to be a paddock or a house lot

Dan – all board members will agree that if that lot has frontage and access – it will be a house someday

Matt – if the two trees in the middle were removed, would that do it?

Steve – your biggest concern is lot 3

Mark – matt is right, if you took out the trees in front of lot #2, it will give you the alignment

Karyl – just to visualization comment- about size of the road – assuming there is no two way traffic comment – they are going to straight shoot the road – they will only use the curves if there is 2 way traffic

Steve – swale will be about a foot deep – arborist says trees will survive – some root loss - trees are on outside edge of the swale

Mark – a lot of the other comments are waivers that need to be considered

Matt – a 4 foot wide swale – only 1 foot deep, then the trees

Dan – I am concerned about the turning

Mark – are there other trees beyond these of concern?

Rachel – at 18 foot wide, with such a small degree of deflection, when there is a single vehicle they will stay in the middle of the road

Alan – there are four groupings of trees – if you lost the one set in front of lot #2 and straighten out the road, then it would work better

Dan – the board will come back to this and give them direction on this issue –

Dan – mark, help us go with each of the waiver requests

Mark

NAVD 1929 – originally done – current regs are for 1988 – waiver we have done before

Letter from traffic safety officer

Matt – read letter from Jeff Watson – outlines list of signage required – attach and make a part of the minutes

Waive requirement for street lighting –

Dan – typically one we would grant with a homeowners covenant requiring a lamp post at each driveway

Steve – we could do that

Gene – there are no real driveways

Gene – bollard lights as a possibility

Rachel – stable will have building lights

Matt – I could see granting that waiver without requiring any lighting

Gene – have the covenant say there will be a lamp post wherever there is a driveway

Standard cross section – waiver to allow 18 feet

Waiver – for as built instead of street acceptance plan – ok

Waive – typical roadway construction standards – OK

Waive – roadway alignment – still to decide

Waive – eliminate leveling area for first 100 feet – I think that is OK – not an issue from a sight distance issue –

Mark – there is enough room for a car to stop -

Dan – is board OK with that

Matt – it is fairly level

Mark – less than 100 feet – grade at Holliston gutter line is 2%- they have 30 feet at 2%

Alan – how would it impact them to meet the standard?

Steve – you would have to raise the road, more fill –

Alan – so for practical example – there is a more gradual descent coming in – if we were to make them do it to meet the regs, it would be steeper?

Mark – yes –

Steve – we would have to raise the road up 1 foot

Alan – the stated reason for this regulation is for sight distances - but they will have a platform

Mark – 2%

Alan – so I am trying to grasp this so I can understand it –

Mark – 35 feet at 1% - they would have to make it steeper

Alan – would that mess with the swales?

Mark – they follow the profile of the road

Mark – just looking at the profile, the biggest fill is about a foot.

Steve – at station 1 you would be a foot higher – it affects everything downstream –

Dan – I would suggest it would be a safer way to go – 3-4 inches – maybe that gives you a few more feet down the road – I hold my breath when I exit from there

Dan – what is your sense?

Dan – I think we should look toward flattening it off and getting it closer to the regs – any visibility gained coming out onto Holliston street is a good thing

Alan – my sense is the same

Matt – I agree – that is one safety issue

Mark – if your vertical curve came in at 1% - it would still need a waiver –

Roadway width 18 feet – OK

Mark – waiver for using T base vs. asphalt

Matt read letter from Aggregate Industries – march 22, 2005 – with sieve analysis for T base product –

Steve – you want to make a comparison of T Base to dense graded base –

Mark – the benefit of T base is compaction

Dan – let's fully end the discussion tonight on this – is this in the best interest of Medway Planning Board

Matt read letter from Chief Vinton – March 7, 2005 re: use of T Base product

Dan - I have made a site visit

Matt – I have as well

Eric – what is your opinion

Dan – it has taken its share of abuse – major pothole – whether the town is exercising its maintenance responsibilities

Alan – I think they understand the maintenance responsibilities

Matt – it looked like it was an overlay over gravel – what are you proposing?

Steve – we could go with a full foot of T base – we had originally been thinking of using it just as a top coat for 4 inches

Gene – we have more of a grade now in the driveway we have –

Dan – apples to apples,

Gene – finer size is what we would go with – we have had a lot of trucks in there this year

Gene – the only other comment, - permeable surfaces seem to be what people are talking about more and more – conference in Worcester

Dan – I don't know if T base counts as a permeable surface –

Mark – it is a little closer than gravel – but less pervious –

Steve – t base is probably 10% pervious

eric – I have some misgivings about the grade and material combination

dan – maintenance is my main concern – I have seen it perform OK on slopes – I don't know about runoff –

alan – private way?

Dan – yes, but we still have to make sure that the roadway is built well for taxpayers – is it adequate for emergency vehicles – this may be a unique case in its privacy, limited development, it is a road in the town of medway – how it will be maintained is an issue

Alan – the chief speaks to their application at the fire house – there wasn't any mention here about his thoughts on the use of the material

Eric – I am assuming that in his review of the plans, he is aware of the use of Tbase as the proposed material

Eric – I am coming around to this one

Dan – we will have to come back to this

Mark – waiver to eliminate curbing

Dan – seems like we have agreed to this with all the other items

Alan – the swale design doesn't work with curbing -

Mark – driveway at the end of the cul de sac – roadway ends up with the driveway – seems like there may be some confusion – applicant is not concerned

Mark – waive sidewalks

Dan – the potential for connectivity beyond is nill – either easterly or southerly –

Susy – you will want to do the payment in lieu of for the Holliston street frontage

Dan – yes

Mark – we had some discussion on some sort of turn around within the cul de sac –

Steve – distributed a handout showing a hammerhead within the cul de sac –

Dan – I would rather see an emergency vehicle easement on lot #3 -

Alan – I don't see the hammerhead getting use – fire trucks will use the parking lot

Mark – the fire department has approved the plan

Mark – what if the arena doesn't get built? It shouldn't matter what they build

Steve – access on easement on lot # 3 – no hammerhead –

Mark – several more details need to be shown on the plans

Steve – I will take care of the drainage related comments

Mark – show operations and maintenance plan on the plans

Dan- show new easements

Mark – ZBA approval of arena

Eric – not needed, per our research –

Dan – OK

Dan – if you want to close the public hearing tonight, then we have to go back to two of these items; if we don't close, I would like to speak with the Fire Chief – I think it would be best to hold off –

Matt – I would agree with holding off but should we address these issues –

Dan – I think the Chief's comments on some of these matters –

Dan – so is is the board's direction to call out a cluster of trees

Eric – choose one cluster of trees to give up

Gene – I would chose the cluster on the far end - I would save the trees toward the front of the site and that will take care of the road issues

Steve – we are talking about the lot #3 clump of trees – station 4+0

Dan – Tbase issue –

Matt – I don't have a problem with is

Dan – are you comfortable with the testimonials

Mark – when you are talking about asphalt vs. gravel – it is in the middle – it is more stable than gravel – it will be less runoff into drainage system than gravel – it will still need more maintenance than asphalt –

Susy – do you want to call out a maximum size?

Matt – maximum size is 1 ½” –

Dan – I would like to see the operations and maintenance plan – can you email it to Susy so she can send it to us.

Dan – once we sign off on this, we have no leverage on the maintenance of this private road – it is still serving people who are paying taxes – we are relying on the integrity of those who live there to fulfill the maintenance responsibilities.

Mark – for Operations and Maintenance, - you have a typical schedule – with a paved road, you can see how the standard would be reasonable – it needs to be more often with the T base –

Steve – we can do a quarterly on it –

Dan – Gino, any thoughts you want to add

Dan – I have been a devil’s advocate – I like the concept of this tremendously – but the glasses I have to wear are with our rules and regs – that is what I am trying to get across to everybody – I think we went a long way tonight

Steve- what do you want on the Tbase – let’s not layer it – 10 inches of Tbase compacted in two lifts of 5 inches. dOK

April 12 – 8:15 pm – Matt, alan – motion – all yes

Dan – we will plan to close the public hearing that night and be prepared to vote - I would like a certificate of action – draft to work from

Dan – we are flip flopping the two ANR plans under discussion -

ANR – 10 Walker Street - Estate of George Pavlik

Review note from Gino Carlucci –

Gino – there are a couple of technical issues – not of significance – but the crux of the ANR issue – frontage for lot #3 is on Pearl Street which is a private way – but the paved portion of Pearl is not in the right of way – plus there is no owner listed on the other side of Pearl Street

Karyl – the paved way is not in the right of way

Jim – it is a large piece of land –

Dan – I rode up there today – just as Gino describes – the road does take that angle as is depicted on the ANR plan – there is a very large ledge laden hill – you can see how and why the roadway was put where it is due to that hill. That is what I see

Dan – give us some precedent on what it means to have literal access for ANR purposes – if I recall, it can't be illusory – it has to be

Gino – if the pavement had been in the right of way, there would still be the issue of whether there are rights to use the private way

Susy – there may be legal frontage but lot #3 doesn't have adequate access.

Jim Pavlik – I would like to provide additional info myself – I pulled out my ANR handbook – I think the basic premise still holds- in our research, I believe Pearl Street is a way that the Town Clerk certifies is a public way – I have some maps from the Town Clerk – Pearl and Walker are both identified as scenic roads – that is one of the criteria for approving an ANR plan – the lots have to front on one of the 3 types of ways – I would submit that Pearl street is certified by the town clerk as public – I have a land court plan here from 1945 which identifies Pearl Street plus

I believe there is adequate access to the buildable portion of the lot –

Gino – that is not quite correct – if you use that reasoning – it has to have the amount of frontage on the – if it is a way certified by the town clerk that is your better case – then it provides legal frontage that you need – if it is a way in existence at the time of the subdivision control law, it is an issue of whether the paved way is in the right of way

Alan – this document shows the road all over the place

Jim – I believe the land where the paved way is located is owned by the Koshivas

Dan – there is the public vs. private variable; permission or not variable;

Gino – if the town clerk certifies that it is a public way; I would like to see how she would certify this street

Dan – we can't decide on this tonight without an action by the town clerk - we have 21 days – we can do this at our April 5th administrative meeting – get a determination from the town clerk

April 5 at 7:30 p.m.

Quick break – 9:15 – 9:23 pm

Public Briefing Continuation - Franklin Creek Preliminary Subdivision Plan

Tim Sheehan
John Early

Bill Halsing

Bill Halsing – we will go over some of the items we didn't get to last time –

Dan – Please take a minute to review a memo from Dave D'Amico dated March 7; followed by an email note from Dan to Dave on March 9 and a response from Dave back to us dated March 9th.

Dan – the issues related to this concerns the width of the road if additional lots find their way to use this road as frontage in the future – site to the north or if this roadway were ever extended through to High Street

Karyl – The fact that it didn't go to a hammerhead instead of a cul de sac means that they have bigger plans

Bill – still in the design stages – we have not redesigned it yet – we can do a hammerhead

Dan – private vs. public way – potential increase in number of lots to be served by this road.

Karyl – it all depends on whether you assume all of those options might be possible

Dan – I think it is reasonable to see how one ANR could be secured

Bill – you could say it is not adequate access –

Dan – do we want to prohibit this roadway from ever being expanded to go through to High Street

Bill – we can't reconfigure the road location because of the wetlands

Matt – if there are two private way cul de sacs, then there would be no maintenance issue for the town and in that sense, that would not be a bad thing as they are both private ways

Tim – would it be creating more traffic by having a through street?

Dan – you increase travel options for people – I am

John – with a private way, it would only be used as a 3 lot subdivision –

Dan – if they own the private way, they can also be bought and enticed by the abutter to expand it – would it be reasonable to expect

John – we approached mr. byrnes and he doesn't want to do anything –

Alan – I don't understand Dave's comments re: another roadway off of High Street not being in the town's best interest

Dan – What Dave means is DPS' interest for ease of maintenance – DPS likes thru streets more than cul de sacs. Cul de sacs are more marketable –

John – we need you to give us some sense that is is OK to do this as a private way – I am OK to downsize the cul de sac to a T hammerhead – we will agree to not allow mr. byrnes to use this road as frontage –

Dan –I don't think a private way is in conflict with Dave D'Amico's issue – he is advocating a 20 foot width; this is 18 feet as proposed

Matt – even if this is a private way, could Mr. Byrnes use this as frontage for an ANR

Gino – with a private way and an ANR, you have to research the rights of the abutter to the private way, if they don't exist, you don't endorse the ANR

Alan – part of me is struggling with dealing something that is not even before us

Dan – this will involve waivers to roadway construction –

Mark – maybe you should have them build it bigger for

Dan – we have to assume 4 lots and give them

Tim – what about a deed restriction

Gino – that is getting into some legal matters – some

John Spink – who are you going to run the deed restriction for the 3 parties, it can be broken at any time – you could make a commitment to the town in the deed – they could give the town a right to be in the association –

Matt – 20 feet with sloped edging is our standard for neighborhood road

John – by doing that, you are almost making it happen.

Matt- build it to accommodate the 4 houses, go with a covenant to try to prevent it from going to 4 -

Karyl – I would suggest that 18 feet private road is more than adequate size for 3-4 lots.

Dan – we need to come to a decision so we can move them forward – I would entertain a motion – how

Karyl – motion to allow the 18 foot paved surface with cape cod as adequate for 3-4 lots.
Seconded by eric - - 4 yes, 1 no (dan)

Hammerhead design vs. cul de sac – yes, agreeable

John – I would like to make it as minimal as possible

Dan – whatever we do does not represent the fire chief

John – with the 18 foot width, we can now do the drainage calcs

Karyl - this will be contingent on 3 single family homes –

Dan – motion please to approve the preliminary subdivision plan for franklin creek as presented
– motion by karyl, eric – 4 to 1 vote –

Dan – go to the next step to prep a definitive subdivision plan.

Pine Meadow Definitive Subdivision Plan - Certificate of Action

Paul – provided plan revisions – with wheelchair ramp and some drainage details

Dan – this is a draft developed September 13, 2004

Corrections to DRAFT

Paul – based on the 3-8 meeting, you didn't want the longer dead end length is that right?

Dan – the dead end length issue –

Paul – karyl kept saying if there were 7 lots,

Dan – that is one person's comments

Karyl – concerned about the last lot – situation becomes problematical – and the fact that the dead end gets us there – I saw that the 7 lots seemed like a viable solution

Paul – I thought your problem was with the number of lots

Mark – did you ever look at Dave D'amico's comments? He said he would rather see the drainage in the street

Paul – the topography of the property wouldn't allow it – he thought there were manholes in the easement, but that is not correct –

Dan – anybody want to make specific comments re:

Finish this up on April 12 and to vote that night – to vote on findings and certificate of action that night.

ANR Summer Street – Marian Community

John Spink - present a revised plan – we are subdividing this for financing purposes – one lot for spiritual center, middle lot for ARCPUD, the third parcel is possibly for a regular subdivision to connect with Kimberly, and a fourth parcel to sell off for \$ - meets all the requirements – all Gino's comments have been addressed –

Dan – not related to the ANR, Karyl and I were with you some months back and we talked a lot about the middle land – what you are showing here doesn't quite fit with what we discussed back then about open space

Karyl – originally, you had thought about 4 house lot anrs on summer street – I want to see an easement across the back there

Motion to endorse the ANR – 3/22/05 – eric,matt – all yes –

Board signed mylar and A-1 Form

FY 06 Level Funded Budget Options

Dan – Some disconnect with FINCOM/BOS on FY 06 budget – what was presented to Greg Balukonis was a level service budget request – but it is apparent that they are seeking a level funded budget

3/17 level funded budget options – \$66,378

one option includes addition of PB office clerk
option B with no office clerk but larger funding for consulting services

level service budget - \$73,005
improved service budget - \$86,005

alan – is it realistic that we could operate with such reduced amounts for vhb and PGC –

alan – those are services above and beyond plan review services

dan – yes you can operate; but the mechanisms and rules and regs, bylaws, will be cut back –

karyl – the real question – are we comfortable with the plateau we will need to hit

dan – what about spending some of the consulting services \$ on more macro issues – how can the PB aid the town in evaluating more economic development

eric – you have to hammer that – if we are going to get in balance with residential vs. economic – we have to be able to plan for that – we have to have the resources to do so – I don't know how you do that effectively = that is a huge argument –

dan – the incoming BOS member Glen Trindade is extremely receptive to is – he is very supportive of the idea of a town planner – you should advocate that with him – important position to have in a full time capacity to the larger issues of planning in town – we have run the gamut here that we are mostly a responsive committee – we have maxed out the potential for volunteers to take further the planning efforts – the C1, OSRD, - it is unrealistic to think that the PB is going to have the volunteer hours to keep filling the gaps. – big projects – more proactive planning – somebody dedicated to the efforts of planning in a full time capacity –

dan – there was some discussion about possibly sharing an office clerk position with the DPS –

karyl – when I went to the GOO GOO meeting last week – I told them the reason it is working at all is because the chairman during the past 3 boards – have put in 30 hours a week – there is another whole person who is working – that work never shows up on these sheets – this isn't going to be that way forever – dan, jim and diane –

Susy – PB chairman is a defacto Planning Director

Dan – this board is getting burned out – I know I am feeling it – I see it when members don't pick up a board packet – the job still needs to be done – our discussions tonight took longer because we hadn't read – I think a planner can do a lot of that – the board should be serving as more of an executive board – not as much detail oriented

Dan – the only impression that is going to make a difference with fincom and bos – is to show how level services or improved services funding will improve the long term stability – if we don't do that, we won't just impress

Karyl – once we pull Dan out of the equation – even level funded isn't enough.

Dan – they are looking for places to chop – we might not even see level funded –

Alan – then aren't we just wasting our time here?

Dan – we need to come tomorrow night – we need to make the case

Dan – email me tomorrow I would appreciate it

SAC – check out time and location for FINCOM meeting

Subdivision Rules and Regulations – discussion points for issues still to be resolved

Dan – letter from DRC in support of cul de sac islands

Mark – have a homeowners association be responsible for the perimeter drains

Dan – Dick maciolek has opined that we have to allow for other forms of performance security

Karyl – low impact development techniques

Cul de sacs islands –

Eric – I think we need to stay with them, I appreciate where he is coming from

Alan – I agree

Matt – I think we should continue to do this

Karyl – they have been working – there is some additional maintenance expenses – we must do this – this is an archaic situation – it has got to change – in our neighborhoods and our shopping centers –

Dan – in a sense I do disagree – I am more sympathetic to dave's concerns – real budget issues – more roads, less staff to handle snow plowing – we are coming closer to accepting hammerheads for smaller roads – and I think the board should strongly encourage looped ways that don't exceed our dead end or lengthen the dead end to allow for loop roads and no cul de sacs – I cant stand the size of these humongous cul de sacs –

Dan – my sense is 4 to 1 in support of landscaped islands –

Meet with Mark Friday at 1 pm

West Haven 40 B project

Draft notes March 1, 2005 –

Matt – we looked at this at the last meeting –

Moiton to djourn – matt, alan

12 pm

April 4, 2006
Special Meeting

BOARD MEMBERS PRESENT:

ALSO PRESENT:

Meeting was called to order at

Citizen Comments

Discussion – Warrant articles for 2006 Annual Town Meeting

April 5

Called to order at 7:35 pm

Jim Pavlik – 10 Walker St ANR

1913 plan of land showing Pearl St – my father bought the land from the Gallagher family

1984 ANR Plan – shows pearl st layout and created a new lot – signed by PB – point here is that Pearl St is shown on an ANR plan approved

dan – the way is not on the ground in the same place as the plan shows – we question whether the way is in existence on the ground – in some senses, Pearl St is a paper street –

gino – there are 3 ways that justify an ANR –public way, or a way on a subdivision lan or a way in existence when the subdivision control law came into effect having suitable grades, adequate construction for municipal services

jim – I don't believe that it is a way that has to be approved thru the def sub planprocess – I think that an ANR plan signed by the PB is sufficient

dan – thru def sub is the only way that a waqy is created

jim – buthte way exists

dan – the on the ground location is not

karyl – what is condintion of the road

jim – pretty good condition

karyl – why didn't the on the ground way go thru the

karyl – what will you do with this road?

Are you going to bring the road ack into the right of way

Jim – I don't believe it is necessary to do – I believe there is sufficient access to the lot from walker street

Karyl – the way in existence is on private land

Susy – do you have rights to use the way on the koshivas' land

Jim – we believe we have the rights to the layout – we own to the centerline of the right of way

Karyl – the lot doesn't have actual frontage on the way on the ground

Dan – is the pearl street right of way real - - does that way provide adequacy of construction, grades, etc. – it doesn't seem to do that – he may own to the centerline

Karyl – there is no frontage on the way on the ground on the koshivas property

Dan – that way on the ground is not in the right of way so it falls off the chart as a way –

Jim – I believe the zoning bylaw requires that there be 150 of frontage on a street or streets

Dan – correct, but the additional information we have on ANRs

Jim – and the other part of it is that in the opinion of the board whether it has suitable construction for its intended use

Gino – zoning bylaw defines a street as a public way or a way shown on a def sub plan – a lot may abut a way but may not necessarily have sufficient frontage – there must be a specific determination that the

Dan – it needs sufficient width, grade and construction

Jim – for the intended use

Dan – pearl street which is what you want to qualify this – doesn't have those things on the ground – walker street is not in question here

Matt – concerned about access from walker st so close to Pearl st.

Gino – say pearl st didn't exist at all, then they would have to use walker st for frontage determination

Dan – if we can't figure this out

Jim – we provided these other land court plans – 1988 ANR plan where it shows the layout of Pearl Street – signed by the PB

Dan – plan must be approved and endorsed under the sub control law –

Gino – under his thinking, every 150 feet along pearl street would qualify for ANR endorsement and a subdivision would not be needed

Jim – in 1985, the PB signed a plan –

Susy – they may have made a mistake

Dan – this was before the ANR booklet and information –

Dan – we have to make a determination on this by April 8 – we need to vote on this tonight or they have to give us an extension to discuss further

Karyl - you can get 2 lots

Alan – I have some concern that there is something at the registry that shows a lot was approved previously – but with the rules we currently live under -0 the road isn't where it needs to be to have the proper frontage – I am not sure if I can vote yes or no at the moment – I almost need a little more juice to get there – I would think an extension would be

Karyl – it is my opinion that I would decline that – we have been thru similar issues – it is in our best interests to find some of these effete streets – you would still gain one lot

Gino – one additional comment, on the previous approval from the 80's – if that is a 2 family house, there is also provision under subdivision control to divide a property that has a building already on it – if there was a 2 family house –

Jim – that is when there is multipole buildings

Gino – I am just trying to speculate on what they did

Karyl -0 what were they thinking

Matt – do you believe you can offer any more

Jim – I would like another extension

Eric – I am leaning toward declining but if they would like to get some more info

Jim – I would like to do so and get a legal opinion

Extension to April 29, 2005 – motion by Matt Hayes to approve the applicant's request to extend the deadline to April 29, 2005 – seconded by alan - all yes

Continue to April 26, 2005 at 8:30 p.m.

PUBLIC HEARING – ZONING

Motion by matt and seconded by eric to waive reading of public hearing notice – all yes

Dan – I am aware that we are going to get some amendments on the contractor's yard stuff from Joe Dziecek – but those have

Dan – I would suggest we keep the public hearing open for a few more comments

Susy – I would suggest you not make a recommendation until the PH is closed

Definitions

Contractor's Yard – no comments

Drive-thru facility – no comments

Upland building area shall not include wetland replication areas as determined by concom

Matt – can the state direct replication areas be required

Alan – or any other state or federal government agency that may

Tony – or any governmental body

Tony – they appeal concom decision to the DEP, then to state

Matt – or any other state or federal agency having jurisdiction

Susy – concerned about broadening the bylaw and whether the AGs office might throw it out as it is more inclusive

Tony – the town's bylaw is more restrictive on activity in the buffer area –

Keep it as it is – no changes

Site Plan Review and Approval – citizens petition

Dan – any comments on this article – I will tell you this, even this article I stood with Matt before the BOS and gave an explanation as to why it was proposed and supported by the PB – I have to say there was not a lot of considerations by the board, except for a few minor ones from jim galligan – and raphalela rozanski who was concerned about consolidating review of site plans might not be best

Karyl – reasons

Dan – raphella's concern is that the bos has a chief of commerce mentality – they should make

Matt – one of the selectmen thought that the bos should be the appellate body for site plans – some members felt that it wasn't a good idea for them to be an appellate body for the PB – my sense is that the bos were generally in favor

Dan – we heard kent say he was in favor; jim galligan was in favor of the concept of the PB as being involved in the review process and being in attendance and therefore it was more relevant that the pbn be the approval body – I did mention to them my concern about the omission of the

bos attendance at the public hearings even though they have the decision making authority – in terms of subdivision plans, if you are not in attendance, you are not legally authorized to participate in the vote – you can, but it might jeopardize the vote and open it to appeal – I don't believe that has been tested for site plan, but the

Karyl – but during the approval of medway commons, the bos didn't sit for the hearings, and they had one night to fill in a year's worth of info

Dan – in a practical sense, it doesn't make sense for the process to continue as it does today – in more complex proposals, you need to dig in to them – we did for a long time on medway commons – the pb in attendance the night of bos approval of medway commons – we felt a real hit on the things that we had negotiated –

Karyl – hit to the town

Dan – we were brushed aside – I thought that the bos addressed this fairly well – it is the town meeting to vote – it came thru via a citizens petition to force it to the floor –

Gino – a comment on your earlier comment – that the bos should be an appeal
Site plan is not a yes or no –

Dan – so, in a sense there is no appellate need

Eric – as designed, there shouldn't be any need for an appeal – participatory nature early on with town staff

Alan – from a selectman's position, if they have a strong desire for them to support a business – they have every right to participate in the public hearing and advocate for them before the PB – and then allow the people here who are dealing with the details and day to day to make the appropriate decision – we aren't going to shoot it down – we are guiding it to achieve to maintain certain levels of standards – it seems like a natural

Karyl – the current structure does encourage appeals

Dan – from either side – it also encourages to some degree a dismissal of the process of PB review and that serves no good for the town of Medway Planning Board

Karyl – it takes some teeth out of the rules and regs

Dan – it doesn't serve the town well to have the guidelines dismissed

Susy – medway business council possible meeting – end of april –

Dan – I will try to attend

Contractor's yards in ARI and ARII -

Contractor's yard – not allow in an AR I or II zones, also removed riding stable as needing a special permit; specify that special permit is to be issued by the ZBA

Drive thru facility – special permit to be issued by ZBA in CI and CII

Signs – Commercial V and Adaptive Use Overlay District - new sign tables

Dan – BOS did have a comment – Jim Galligan – on this – he asked if where we are creating these standards, would there be existing non-conforming signs; I said there probably would be;

Eric – does Massachusetts allow for amortization of signs – I know other states allow for it –

Dan – we had it in our first draft, but dick maciolek strongly advised against that – we had 15 year – too bad, it would serve greatly in our attempt to clean house a bit

Karyl – dick steinhoff's sign – isn't too great

Dan- if weather or other causes bring a sign down – is that a repair or replacement?

Susy – we still need to work out something with the bos – on the letter to sign companies

NEW OSRD article to replace the existing article

Citizens petition article

Dan – bos had some comments on this –

5 b) – change “house” to “dwelling units” –no need for “individual” – cleanup the whole thing – appropriate usage . . .

dan – did you run some numbers thru a subdivision – I ran charles river estates thru this yield plan formula – I thought in that application, it might have been a tad high – I certainly don't want to by any market increase to densify our town – I was hoping to get this yield formula – they wanted 6 structures/12 units (duplex) – it is really hard for me to make a clear choice for what constitutes a fair

gino- I ran it for grapevine – which came out 6 lots, the formula came out to 8 units – so then I played around with the formula and didn't deduct any wetlands. I also did evergreen meadows

sing current formula – I came up with 17 – when I applied the new formula it came out to 14 so there is no incentive to do it if it comes out less than conventional

dan – sites with wetlands come out with less

gino – the formula has the advantage of not having to go thru all kinds of things – keep it simple

karyl – I think we need to be more progressively allowing this – don't go backwards – even if it means allowing more dwelling units

dan – Joe musmanno is a strong advocate for not increasing density - what is the general sense of the zoning board on the issue of density – the master plan has parallel concerns for not increasing density and preserving open space –

karyl – there is very little in the master plan on aggressively protecting open space

tony – I think that the zba will support joe in being committed to density concerns – but in an open space design, you want people to do it, you want to give them some kind of carrot - the most important aspect of this is the first step to identify resources – find the balance of both – how do you get that balance – you gotta have something that kicks it above – I think you need to kick it up a bit

dan – enough to give them clarity – quick easy formula – secondly, they have a reduced infrastructure requirements- they can couple of things – all kinds of advantages from a capital outlay – people tell us those are small beans compared to unit counts –

tony – I think that is why Joe – he thinks the incentives of making a smaller road and infrastructure is enough to go to open space – but I know it is not enough – to developers, to them, it is how much money you are going to make overall, if you can tell them the infrastructure isn't as bad, and the density is at least equal then it gives them incentive to save land and money – focus is conserve

eric – running it thru the formula, no wetlands gets a significant boost in density; lots of wetlands, some reduction in density – if I were king of the world – everything would be open space – you want to build more dense on the land that is good

dan – what would result, it that on the wetland parcels

tony – when an engineer will do the wetlands, he takes the parcels – they split the wetlands up to straddle lots – conventional approach – should wetlands be considered to be open space? I think open space should truly be usable

gino – another requirement in the osrd is that the open space cannot have a higher percentage of wetlands than the overall site

karyl – it has to be a formula that includes both

tony - you have to be able to show incentives

karyl- there needs to be zoning relaxations

gino – that's what this does

dan – when you are ready to right that, let me know – require that any subdivision be an open space

karyl – density is linked to land, - it needs to be separate

eric –we need to be more picky about the definitioin of open space – direct things to dryer pieces of land

gino – a followup is that the open space parcels don't have to be contiguous to the developable land.

Matt – could that be done thru this?

Gino – not as it is right now

Karyl – I don't think we should overlook wetlands as open space

Tony – in my eyes, it is protected open space – but that is not the same as general open space

Dan – are we comfortable with this formula, knowing that it could be a 10 to 25% overage compared to a conventional - that is the maximum allowable

Matt – use our engineer to look at the site as a conventional – see what the yield would be – they want 15, conventional would be 10, maybe we end up at 12.

Tony – even if the incentive is on the high side, you don't have to necessarily allow the maximum – they are going to do a conventional layout anyway – but I still think the open space option is more attractive

Dan – you will get a conventional that will take full liberties of interpretation – it will show high – that is really a false number – I think it is difficult to come down – I would rather see a consistent 10% - or in the rules and regs, we have some benchmark number guideline – it is not the intent to get this all blown out of water –

Tony – you also need to look where you are putting it – ar1 vs. ar2 – you want ar1 to be less dense

Dan – any other issues on OSRD? I think the board should continue to think about it – run thru Ishmael Coffee or Hartney Acres

Karyl – there is one thing we are overlooking in conventionals – marketing element – very big custom houses are becoming what is being done

Dan – this won't eliminate those – but the market is down

ARCPUD

Dan – we are revising this based on what we have learned in dealing with past projects – givesu some flexibility

AUOD bylaw

Dan – issue by ZEO – on conversion of a house to 2 family use in conjunction with commercial uses –

Tony – zba discussed was that do we increase density on that parcel to a degree that may not be favorable - what we do, if everybody maxed out, what would everybody do then – I am in favor of taking a single family and making it a two family to make it commercial – then it becomes a lot with 2 buildings on it – it becomes different – what we try to do, is to say if everybody took advantage of that, what would happen, could it be too much or too involved?

DAN – If you were to take all the – I think you would find that very few could build a separate structure – so I don't think it would increase density very much – it may increase use density, but not residential density – we felt it is a good tradeoff to find ways to incentivize

Tony – there is a use that you are changing and then the density – I think changing the use is a good thing but you have to take each lot as a whole – can you still make it attractive –

Susy – we have a problem – bob says it doesn't allow for 1 residential unit with commercial uses

Dan – we need to fix that

Tony – you want to stay in the same building

Susy and gino to find a way to fix this =-

Avelino Rezoning – to add to Commercial V district

Avelinnos asked for this – endorsed by midway business council –

Motion to continue zoning public hearing to april 26 – 8:45 pm – matt, karyl – all yes

break – 9:45 pm return

Sign Design Guidelines – Public Hearing Continuation

Dan – cudoos to the design review committee but getting us something - they did take it up specifically, and they did come up with the changes we asked for. A very good start to a good guide to applicants to come in –

Karyl – it is comprehensive

Dan – more on

Susy – how to use design guiudelines – illustrate, give to Bob to distribute; send to sign companies

Matt- we could also include with site plan rules and regs

Susy – add to DRC web site as well

Motion to close public hearing for sign design guidelines – matt, second by alan – all yes

Motion to approve the design guidelins as presented and amended – alan and eric – all yes

April 1 draft

April 5 – list of changes that were made

VHB draft of appendix details

SAC – updated forms

Dan – review this list to see if there are any you want to discuss

Matt – there is a proposed stormwater bylaw – how do these compare

Matt – is perimeter drain stuff in the details?

Dan – no I don't thin so – we need to fix that

Matt – has Dave seen the sections?

Susy – I gave them to dave last week

Dan – Matt, could you meet with Dave

Gino – typo on parallel –

Dan – number the appendices –

Susy – yes, and I want them to flow in order of the regs as well

Dan – also new forms

Karyl – next steps after this – we need to knit this in place now –

Motion to continue to April 26 – 9:30 p.m. – eric, matt – all yes

AHSG status –

Eric – inclusioary hosing – any application submdiviiatnapplicaotn would require – some triggering size – would require some % to be Affordable (to count toward 10% MDHCD) – it would cover everything – subdivisions, arpud, osrd –

Alan – think about the benefit that has especially for arcpud – especially for seniors – another altnerative to continue living in the are

Eric – second is the notion that we would look at areas of the town where there are existing nonconforming lots and adaptiting some kind of special permit proecess to utilize those for Affordable housing - in my neighborhood, 8,000 sq. ft lots prevail – there are several exiswting non conforming – it wouldn't hurt the neighborhood to do some infill construction –

Dan – would you want to allow for ANR

Next meeting – april 28th

Preparations for 2005 Annual Town Meeting

Dan – For each of the warrant articles, a PB should be assigned so that they can represent this at town meeting –

Dan – I will take site plan and development review coordinating council and general bylaw article for warrant article submission

Eric – I will be out of town on May 9th

Alan- I will be on a retreat for my other board on May 9th

Dan – the budget issues may be delayed – continue the town meeting into June – to deal with the budget – need for time – get state involved . . . since we are the bulk of the rest of this – it may start right up for PB consideration

Karyl – is there anything we anticipate negativity where we should get a presenter

Dan – Glen would be willing to help us with site plan

Eric – if there is any need to develop anything in advance, I would be glad to help out with that

Dan – we would need to schedule that with Mark Cerel

Matt – I will take the OSRD;

Susy – I think the contractor's yard thing could get oinky

Matt – pass to Joe D??

Susy – also need to be prepared as well for tree fund and sidewalk fund

Followup with Fire Chief – on payment for Greg Coras – Camelots

Matt – contractor's yard – 3

Matt – drivethru – 3

Karyl – uplands

Sign Standards – dan – 2

ARCPUD – Dan

AUOD – matt - 2

Avellino rezoning – karyl -

Tree revolving fund – matt

Sidewalk fund - matt

Street acceptance – matt

April 26 – Decisions on everything –

Hopping Brook Prel Plan

Motion to accept estimate of PGC for \$280 – karyl, alan – all yes

Motion to accept estimate of \$250 from VHB – alan, eric – all yes – matt recuse

Forest Edge Status

Dan – latest request from the town – deeds, assign bond;
Latest request from Jonathan Bruce – releases from PB and CONCOM;

Dan – we need to volley back to the developer –

Susy – I think it is reasonable for you to agree to cover the snowplowing out of the bond

Matt – what would the town have to do to get an certificate of compliance –

Town Administrator Search Discussion

Dan – Andy Rodenhiser is chairman, he has asked for input from the PB

Karyl – one simple thing, a question or call by any board member should be promptly responded to; it shouldn't be hard to get thru to the TA

Matt – leadership and communication; that is tough to find out in a resume

Dan - how about written responses – if everybody is on a committee came in with questions, he wouldn't be able to function – 48 hours response to written requests

Dan – anything specific to planning at a TA level

Eric – I would like to see a candidate for the position have a demonstrated commitment to planning in the communities they have previously served

Dan – indepth undetangind, appreciation for planning matters – a visionary in a sense

Matt – a uniter, not a divider

Dan – communication is critical – I would liket o see somebody who has some experience with web site – appreciation for such – how a town web site could tackle many of the questions that come in – efficiency standpoint – a point person for the web site – manager in town hall for that thing – somebody right here –

Matt – the school web site – article said it is very easy for teachers, etc. to update –

Eric – not difficult; you have one person to sign off on things

Gino – you need somebody to ride herd on getting updates done

Dan – we haven't updated our picture – we need to get on top of that

Eric – efficiency issue for staff – I go to the web site

Dan – the TA is drowning in work –

Dan – supporter of long term plan for expansion relocation of town hall facility

Karyl – if we had an alternative meeting room some place else, then this space could be better used

Susy – coordination among departments –

Write up for Andy

Bond Default Account – status report
March 24, 2005

Forest Edge –

Susy – background memo

Eric – if Al is willing to try, then I say go ahead;

Dan – if subdivision rules and regs were my focus this year, then I would suggest streets and bonds be a focus of the PB in the future; I think BOS would have to put time into this – summer and fall –

Distribute Hopping Brook plans

Motion to adjourn –matt, alan

11:15 pm -

April 12, 2005

PRESENT: Dan Hooper, Matt Hayes, Karyl Spiller-Walsh , Eric Alexander
Alan DeToma expected later

ALSO PRESENT: SAC, Mark Louro

Meeting was called to order at 7:32 p.m. by Dan Hooper

CITIZEN COMMENTS - none

Public Briefing – Hopping Brook Estates Preliminary Subdivision Plan

Karyl recuse – Conflict of interest, her engineer is the engineer for this project

Steve Poole, VEO Associates representing the applicant
Tony Delorecco

Proposed 3 lot subdivision at 33 west street – westerly side of west street between 2 power line easements and across the street from the substation; 3.12 acres with one house on it – propose to construct a roadway that would come along the northerly property line to create frontage for 2 additional lots behind the existing house – instead of a traditional cul de sac – propose a hammerhead turnaround – waiver to reduce width of pavement – drainage to catch basin to discharge into a 2 stage detention basin and out to the back of the site along hopping brook, a perennial stream – we have a list of waivers – look to construct this roadway somewhat below the standards for a town road – private way not to be accepted – look to eliminate radius on the northerly end of the roadway; eliminate cul de sac; 24 foot width, no granite curbing – only at roundings – allow bituminous curbing, eliminate sidewalks; there are none on west street – we have gotten some comments from DPS and from Mr. Carlucci, on behalf of the board – we would like to get some additional feedback from the board and VHB to give us guidance as we move toward definitive plan

Mark – it will be paved

Steve – yes, bituminous berm throughout

Mark – we like to run the berm right by the end of the driveway – you get less erosion at the corners, they did it at redgate I and that worked well – is the road centered on the layout?

Tony – yes, it is

Mark – the rounding problem – if you shifted the road to the south a little bit

Tony – I had thought about moving the whole road

Mark – the right turn into is the more critical – move the road to be 3' off center in the right of way and then it will be a better radius and you won't effect his driveway

Steve – not a problem without the sidewalks

Matt – grade?

Steve – 1.5

Mark – what is radius on the bend in the roadway before the cul de sac

Steve – 65 feet

Mark – I think it might be better to run that a bit straighter –

Steve – we can flatten that up

Mark – check it with a turning

Dan – what about enough back up area

Mark – look at it from a turning standpoint – 65 foot radius on a road is tough, - try to flatten it out as much as you can

Mark – you show some test pits –

Steve – the botanist did those for wetlands – the area is sandy gravel –

Mark – you show the house at the end of the cul de sac quite a bit smaller than the house on lot 2 – why is that?

Steve – we tend to show big boxes – that one is

Mark- 60 by 35 – if it needs to be that

Steve – the other one is 80 feet

Mark – our standard is 40 by 80

Paul Zonghi, applicant – we would be doing a smaller house

Steve – it is going to have to be somewhat smaller

Mark – your level spreader looks like it is within the 100 foot riverfront – you will have to move it

Steve – we will move it out

Matt – the 100 foot riverfront area is not shown

Dan – what is a level spreader

Steve – instead of a pipe coming out with a flared end with rip rap – it becomes a side overflow weir – it spreads out – softer impact – they like to keep that 25 foot buffer – sheet flow

Mark – you need to keep it out of

Dan – you need to keep it away from the footprint of the house – we are very concerned about that

Matt – what stage are you at with concomm

Steve – we will file with this as soon as we are done

Matt – anrad or noi

Steve – probably go right to the noi with them – Christine said not to call lunti

Mark – make sure you can access the outlet structure from the pond – it needs a 10 foot level area all around – you will also need an easement around it – the dashed line around the pond is an easement?

Steve – we will need to extend it over further for drainage –

Steve – it will be a homeowners association to take care of it

Matt – why is the hydrant across the street and the water line is on the other side – doesn't the water dept like it different

Steve – we can bend it around and put the hydrant over there

Tony – would the board consider a narrower width road –

Dan – serving 2 houses in the current proposal but potential other subdivision for 37 West Street

Steve – we would be willing to put in some type of covenant to restrict the roadway from being used by the abutter - dps suggested making provisions for adjacent lots

Dan – by limiting it then you are ultimately forcing another roadway – lot of considerations here

Tony – if the road was a narrower width and we put a restriction on the roadway, we could put a restriction that if any further development would have to be built out

Dan – does existing house intend to come off this road?

Steve – no, their access is off of west street – possibility that the house at 33 west street could be torn down –

Matt – put private way on the title

Steve – we could put a restrictive covenant – to limit its use

Matt – shift the whole road as it is – the paved portion – not the right of way

Tony – the possibility of playing with the mouth of the opening – is good – we have plenty of frontage on lot 1 – I am concerned about the entrance – once they are in they are OK

Matt – get it completely away from driveway at 37 west street

Dan – I would ask the board to consider sidewalk – even though west street doesn't have one – who is to say that this road doesn't get extended across the back lots of all the west street frontage – it would be unlikely that we would ever see a sidewalk in the future if we don't do it now

Eric – trees?? I

Zonghi – if we can move the pavement, we might be able to save some trees – we can keep a whole line of trees on the north side of the stone wall –

Dan – sidewalk would then need to be on the south side with this proposal – if you don't start with sidewalks, it is something we wrestle with quite a bit

Zonghi – Boston Edison has so much along there

Tony – wouldn't west street be better served by a sidewalk

Steve – we can put a sidewalk along the south side -

Dan – we are dismissing sidewalks too much I think – from a village street area resident – I think it is the feature of village street that I love the best – it is a community thing and it works – walk to school, plaza, etc. – and when you go to town meeting – budget issue – upgrade sidewalks – Medway considers this important –

Matt – rules and regs as proposed we purposely removed sidewalks from 3 lots and less permanent private ways – if this road were to connect in the future we could require the entire road be upgraded with sidewalks

Dan – putting it off for another pb to deal with

Matt – no, following our new rules and regs -

Matt – I am in favor of you reducing the width to match our proposed rules and regs for permanent private way – 18 feet

Steve – when?

Matt – we continued to the subdivision rules and regs public hearing to april 26th

Eric – we would want to help you save trees

Tony – it would be helpful if we could place it off center

Eric – see hwere they gets you with

Matt – please show the trees and the stone wall on the def plan - is it a scenic road

Dan – no – checked the scenic road map

Acknowledge letter from Dave D’Amico - April 5, 2005

Acknowledge review letter from Gino Carlucci

Mark – I am going thru Dave’s comments - - did you look at his comments,

Steve – there are a couple of issues that I want to talk to him about –

Susy – will you be getting in touch with him

Steve – yes, I will

Dan – on anything rea: stormwater – we want to see a healthy distance from the house – it is not suitable backyard for today’s house lots –

Susy – new regs require a separate parcel for drainage structures with standard

Tony – under the new regs we would lose a lot

Tony – we would be frozen under the old regs

Steve – how does the board feel about underground detention?

Dan – generally, favorable

Steve – good soils

Mark – private – we approved Grapevine and that was all underground – promotes infiltration and recharge

Steve – don't end up with an eyesore or safety issue

Matt – separate parcel – open detention basin only or does it apply to an underground system

Karyl – just a question, is it possible to have 2 different types of detention systems – underground and then an infiltration system

Steve – you can do various combinations –

Mark – you don't need that much volume so you would really only go with

Karyl – would that effect the close proximity to a house footprint

\
mark – the only concern would be the proximity to a septic system – I thought you had to be 100 feet from a septic with an underground system

eric frey, 37 west street – I want to clarify the ruling, how many lots would have to be on a road before you would have to upgrade it

dan – our proposed rules and regs would max it at 3

no other comments from the public

tony – would we be coming back with a preliminary?

Dan – do we want them to address these issues and come back

Matt – I think we should

Gino – it is approval of a preliminary plan with conditions as noted during the discussion

Matt- approve preliminary plan with amendments as discussed tonight – hopping brook estates preliminary subdivision plan – seconded by eric – all yes – eric, matt, dan - no karyl – alna not here

Brief break 8:12 – 8:15 pm

Release of Covenant for Lots 16A and 17A for Birch Hill Estates

Dan – specifics for Hunter Lane – we are just now in receipt a letter from DPS regarding their concerns – for all to read –

Note from DPS/Dave D'Amico - April 12

Matt – how did the pavement hold up over the winter?

Mark – when you walk on it, it moves – it is still wet, - it moved like I was walking on mud – the water is still coming thru it – I was out there today

Dan – anything else you want to share

Mark – dave covers a lot of my concerns – even the current bond has things that have been removed – sidewalk binder – some of the work in the cul de sac – rip rap channel – things that were at one point acceptable, are not now – the whole slope still hasn't vegetated – the whole slope is failing – there is one house at the top of the hill that is under construction - the problem I am seeing is the cul de sac – the pavement is failing – they are storing all the equipment in the cul de sac – they had a dumpster straight in – wouldn't accommodate a fire truck

Dan – more than half of the cul de sac is consumed by the building material

Karyl – I have a thought about the cul de sac – some of that low impact design we saw – create a detention in areas that are cul de sac islands or islands along boulevards

Mark – it is already designed

Ellen roseneld – we have to put the 2 foundations in, put in the driveways and loam and seed the slope – the cul de sac and berm needs a final coat – the erosion has nothing to do with the cul de sac has nothing to do with the cul de sac, it has to do with the hill

Mark – the loam and seeding didn't take –

Ellen – rain

Mark – they cleaned out the manhole that was bubbling over – no problem now – even swept the roadway

Mark – now the pond at the bottom of the hill is full again – the concern is that it is a difficult site – it seems year after year, you are cleaning out more than usual – you say slope is not part of roadway

Ellen – I don't agree that the cul de sac is failing – we will replace what we need to

Ellen – I can't do anything until I stabilize the slope – and we are doing it – we are getting there – in a month we will have the foundation in and I will do whatever you want me to do

Dan- lets get to the base of the problem with water and how it is affecting the roadway and the infrastructure which will ultimately become public

Ellen – you want to meet us out there and tell

Mark – what is ellen looking ofr tonight

Ellen – when we did the original plan there were 3 lots, we did amodiffication and we squeezed it down to 2 lots – now we have a new covenant – and we need new releases – you released all the lots from the first covenant

Ellen – you still have 35,000 in bond money – you don't think that is enough? I will put up more money

Mark – there just continues to be problems – big concern – dave damilco is coming from the perspective of the new dep requirmenet s- state has issued the town a permit –the town cannot put any more sediment into the waterways – that puts the town in violation of apermit – difficult site with a lot of problems – you are out there more than once ayear cleaning – why would we want to agree toput another house out there if everything is not stable

Ellen –I think you have to put the house in and then stabilize – you want me to stabilize and then bring in equipment to build the house?

Mark – the loam and seed on a flatter slope would have taken – dave wants to see that slope stabilized –

Ellen – I have to put in the septic system

Mark –the house that you are building up there now, will need retaining wall –

Mark – it is a difficult call, I am not sure that allowing you to build a house now will help or hnut

Dan – stabilization can occur across this thing and time tells whether it is working or not, then

Karyl –

Dan – it is all water coming from the hillside

Mark – I think there is spring

Dan – the water coming out of the hillside is contributing to the problem – puts pressure on the spring

Matt – why isn't the subdrain working that was put in

Mark – we need to stabilize the slope and fix thepavement – there is water coming up thru the pavement – they have put in new gravel and there was a puddle in the next day – water was pumping thru the binder

Karyl – in the center, couldn't there be a detention area

Matt – that only works if you can control the water that is going into it –

Ellen – I can send my engineer out and try to come

Mark – the road needs to be repaired, the binder there is useless, - the roadway needs to be in place before the board will release lots – the intention is to fix it permanently – the issue is how to fix it – I had proposed a large stone rip rap base, fabric, and then gravel and then pavement – that rip rap has to convey to the drainage – there is a solution, we have to make sure the water is removed before it rises to the gravel - maybe the subdrain failed –

Mark – one of the suggestions Dave had is to video the drainage – something has collapsed or there is a spring under there – the water comes out of the slope year round –

Karyl- there was a clay and sand pit there before – it was there for eons – a lot of clay there

Mark – the binder is no longer acceptable

Ellen – can I just throw one other thing into the mix – the house that is being built there is my brother's – he had a baby 2 days ago – he will kill me if I go home tonight and tell him he can't keep building the house

Dan – we are stuck with the reasonability

Ellen – I will bump up the bond – I will do whatever you guys want

Ellen – I have a building permit on that other lot –

Matt – how can we set a bond for something

Karyl – it has to be reengineered –

Mark – you don't need a hydrologist - the company that designed the road should be able to

Mark – she has one house under construction – is it reasonable to consider one lot release?

Ellen – can you restrict occupancy?

Ellen – I promise I will get a plan in place –

Karyl – what about additional landscaping on the slopes –

Dan – you have already got – a rip rap band at – in this easement area on the slope – you cannot build, right?

Dan – what is the board's sentiment

Mark – have the engineer talk to me, maybe we can reach some resolution – rather than have then submit something –

Dan – if mark is not in tune lock step to the construction work – it would strongly behoove your contractor who will act on the engineering solution to involve VHB –

Ellen – I don't have a problem with that at all – if you do it and not inform VHB that it is going to happen, how do we know if it is done properly

Mark – have your engineer call me

Ellen – what am I doing with my house –

Board – not yet on lot release - -

Mark – what needs to be in place for a lot release?

Mark – what has to happen?

Susy – Do a new bond estimate based on a reworked design

Mark – regs require that binder be acceptable

Matt –

Susy – ask fire chief

Move to go into executive session and we will come back into open session – matt, seconded by karyl – - allow joe musmanno and gino Carlucci to stay –

Karyl – aye,

Eric – aye

Matt – aye

Dan - aye

Closed *:50 pm

Joe Musmanno – Apple Farm Estates is a 1 acre parcel in village street – proponent has filed for a 40B affordable housing permit for 10 units, project was debated at length; was reduced to 8 – ZBA denied – proponent sought relief from the housing appeals committee-0 that process is underway as we speak – ZBA has retained counsel (Patty Daley) – she has advised us that our chances are nil that HAC - appeal was based on 10 units – meanwhile, it has been my firm belief and everyone else believes it would be simpler and quicker to go back to what the applicant originally wanted which is 2 single family homes – he did not have enough area –

sought a variance and was denied – while the HAC process has been going on – the ZBA doesn't believe it can defend the appeal – cost to the town would be in excess of \$20,000 which the town cannot afford – we would be inclined to find the money if we thought we could win – we don't want people to think we are going to roll on HAC appeals – I believe it is in the town's best interest to facilitate an arrangement – Todd Allen has suggested thru his attorney that 2 single family homes would be fine- he needs 100 + sq. ft in area which some neighbors will convey – he also needs ANR endorsement – to transfer the 100 sq. ft and to divide the parcel into 2 lots – his attorney has said to me that all she needs is the ANR – they have not applied for an ANR because she expects that it would be denied – she would like a memorandum from you that would outline your sense – this may raise several questions in your mind – that completes the background

Joe – first of all, you believe that an ANR must be endorsed unless it shows a subdivision – it is a separation of lots – of one lot into 2 – chapter 41 81P – 81L defines a subdivision . . . must be on one of 3 ways . . . the plan that you see would have continues frontage partially on village and partially on Metcalf or Mayflower – the question you may raise is whether the lot is buildable or not – I have some letters from counsel, special counsel, - then there is question as to whether the way is adequate – it is really a question of the physical reality? Then there is a question whether the applicant needs to show fee simple interest in the way or an easement in the way or neither – the SCL is silent – people have opined that you don't have access unless you can touch that way – I believe in this case is that the abutters would grant easement rights but I am not sure – the next question, is in case, the board isn't comfortable with any of that, the SCL gives the board the right to waive frontage – this board has already twice endorsed ANRs on these pieces – there is probably several reasons – does that minimum have to be spelled out?

Matt – your second to the last point, that the PB can waive the requirement for frontage for subdivision purposes –

Joe – the frontage in the SCL has no real relationship

Karyl - common driveway is the way to go

Dan – the frontage they have on village street complies with all aspects -0 it is the 2 private ways that present the difficulty with respect to the frontage definition and access considerations – I would like to hear from Gino on this – question whether we want to

Joe – Counsel for the Town (Patty Daley) said she had sent

Gino – a case can certainly be made that the board can endorse the ANR – midway zoning bylaw has a definition for street that kind of attracts

Susy – there are 2 subdivision plans

Gino – based on that, - if Todd could be granted access rights, that would certainly solidify the case and erase any doubts – with it, that would cinch it –

Eric – looked at Acton’s zoning bylaw - different language from our bylaw – I talked to both Kristin and Roland

Karyl - there are conflicting findings on access in ANR handbook –

Dan – I believe you have to have demonstrated vital access from the frontage –

Gino – in this instance, village street is part of the frontage –

Eric – I would be comfortable sending a signal that I would sign it

Karyl – me too,

Karyl – has it been proved that the frontage on the private ways is not usable frontage –

Joe – you have several tools before you –

Karyl- what is in the best interest of the town, now

Dan – in the end, that has to be the decision if you are wavering –

Reference Edy Netter’s letter dated

Alan arrives at 9:10 pm - joins executive session

Dan – when I boiled it down to the bare minimums –

Gino – vital access should be the number one thing – also the fact that there is a plan under subdivision control law –

Dan – where they have been demonstrated on an approved and endorsed plan – is there still access

Gino – there is a case where there is a guard rail along

Matt – where it is something or somebody that is preventing

Dan – what action do you want me to offer – are you amenable to me and Susy to call them –

Meet criteria for area and frontage

Karyl,

Matt – motion to close – seconded by karyl – all yes roll call
9:20 pm – close and return to regular session – live feed back on

Dan – we are back live from the executive session – return to public portion of our meeting

PH continuation – Wingate Farm Def Sub Plan – modification

Karyl – recuse –

Dan – thanks for holding off and agreeing to come in later

Gene Walsh
Rachel Walsh
Steve Poole

Sample of T-Base was provided and photos of Walsh driveway using Tbase –

Dan – distribute a note from the Fire chief – I met with him as I had promised to do – showed him the newest plan – this is his response

Dan – sieve analysis from Aggregate Industries that applicant provided –

Mark – it is actually a little bit finer than gravel –

Dan – so because it has both, it would compact between gravel and asphalt

Mark – it has 4% asphalt – it might compact a little better

Matt read note from the Fire Chief – dated April 12, 2005 asking about radii of the turns and fire truck access

Dan – I would suggest that he meant access and egress into the site?

Steve – it is all within lot 3, goes over lot 4?

Dan – what I brought to him today was the April 6th received plan (March 30) - he didn't seem concerned about having easements for access – he was comfortable with the 24 foot width in the parking area – it was the radii that were of concern to him – concerned with tightness of entering and exiting the parking area – concerned about location of trees that could cause an issue with him departing – backing up a 37 foot vehicle

Steve – coming into the parking lot itself, that is a tight turn – we can narrow up that parking space and flatten out – we can take out a space – we will use a turning radius to check – we can push that out and give him a better turn – all three of the issues are doable

Karyl – in that parking area, those aren't going to be lined – big open area – it is not going to be lined parking

Matt – will it be curbed/bermed

Mark – no, so if they cut a corner, it is not a problem

Alan – you wouldn't strip Tbase

Dan – but there are swales so there isn't a ton of room on the exit out of the parking lot – this has to be workable as roadway that creates frontage for lots – this isn't just a glorified driveway – I don't want to lose sight that this roadway is for frontage – our job is safety, vehicle access, ,stormwater management of whatever is created out of this and the issues of frontage and adequacy of the way – that is where my comments are coming from re: meetin witht hechief – these all sound like these are solvable matters – whatever the nexdt phase of that is I will bring to him, we will get him to do one final letter that concurs – anything

Mark – steve and I talked briefly aobut my review letter – the signs proposed by the safety officer need to be shown on the plan

Steve – I will do that

Mark – how are we on waivers?

Mark – next matter was alignment . . there were able to revise theplan based on our discussion – now there is only one curve that is shy (141 vs. 150) – everything else conforms – this is a drmamtic change – so that looks much better but it still needs one waiver for one location

Mark – as far as the vertical alignment – they were able to conform mostly – the only one they need is for 100 foot area at 1%

Steve – it is pretty close

Dan – is there a little plateau as it meets Holliston Street?

Stee – we came off the gutterline with a 1%

Mark – then it starts to drop off immediately

Matt – how far is the point of vertical intersection from the gutterline?

Mark – 4 inches????

Steve – very little difference

Dan – the difference between what would be compliant is about 1.5 inches for a 25 foot long vehicle.

Mark – the operations and maintenance plan - some items that needs to be incorporated into the plan set – such as raking and grading schedule – he will add the text – also ditch maintenance as well

Matt – do we have berms?

Dan – no paement, no berms

Alan – did you have a concom review for wetlands at the back of the property – did they put any conditions on

Steve – from the old subdivision, we had an order of conditions, - now we need to go back to them to get a new order of conditions

Alan – concom is going to be very keen on the maintenance of all this – very interested in natural absorption

Dan – whole contradiction of ease of maintenance for public ownership vs. higher maintenance of more ecologically beneficial approach

Steve – they like the naturalized basin approach – vegetated type basin -

Karyl – I had a conversation with steve – there is going to be a need in the riding hall – need to keep dust down – contemplate putting in a well – I asked steve about the possibility of pumping from the bottom of the detention pond to use to water the floor – seems very possible –

Mark – how would you distribute inside

Karyl – two hoses by hand

Dan – we are getting closer. Gino, any thoughts?

Gino – I think you ant to have some mechanisms in place to ensure that on-going maintenance is kept up

Dan – suggested methods? Where is place with the best teeth?

Gino – I haven't seen it used in practive, Bobrowski suggests a supplemental covenant that would remain in place after the construction is complete - it would make reference to the O and M plan

Steve – normally, when you do something like this with concom, the work is in perpetuity

Dan – I don't want future PB's to have to deal with an abutter claiming there are water problems – this is an unconventional approach to roadway construction – so as long as you are comfortable long term that the town is protected and those abutters – I think we are probably at some point,

Steve – you have 3 – PB covenant, CONCOM order of conditions, and NPDES permit

Dan – lots of requirements but who complies and who provides oversight??? How do problems get addressed?

Dan – Eric and I only have one more regular meeting to actually vote on this – we need to go over waivers and

Eric – I would stay on

Dan – I think we can accommodate this

Extra meeting on Thursday April 28th – to just do certificate of action on Wingate

Dan – any other issues?? To get us to findings on April 26th??

Mark – ask chief about whether he wants a fire alarm??

Steve – we will check with him on that?

Karyl – urgent and pressing, as soon as we get some kind of approval, we need to apply to the ZBA for our inlaw apartmnet special permit –

Dan – you still have never provided any testimonials from a developer

Karyl - - there aren't any! It is used at choate park and idlybrook

Continue - to April 26 – at 10 pm – motion by matt, seconded by eric

Karyl rejoins meeting

10 pm – River Run Pre-Application

Dan- recuse

Matt officiates -

John Spink, coneco

John – I have gone and spent considerable time with new owner developer – abbott and their architect al lthe things we have gone thru during the past 3 years – and they have gone out and thought about it and have come back with what they are thinkning about

Jim McCauliffe – principal of abbott deve – based in boston, done a number of projects in and around – we were formed in 1995, one of our first projects - cmabridge park place near T station,

norwood near town hall/green; built in quincy 111 apartments near T station; under construction near Wellington circle station – Franklin off of 495 – 300 apartments – we also recently, we are completing 27 town homes in Mansfield and that is a 55 and over project – we are starting a project in Plymouth – 62 acres – 123 homes for 55 plus – which brings us to Medway Planning Board

Gary Gardner from Cheschi Associates – I understand that John Spink had gone over a site plan with you about a month ago when it snowed – I would like to review it with you – what we did, we took a look at what you had seen previously – we liked the layout and distribution of the roads – what we did do is take a look at this in terms of what works for active adult communities – what we found is footprints in previous design were a little small for single level living – for us to make it work with the site, we looked at a couple of different approaches – I want to walk you thru the site – small amenity building right on village street – office for condo association – small – large meeting room – parties, that structure would look like a house – all on one floor – maintain character of the street – on either side of that is an entrance – group of triplex – one way in and then it becomes a two way street – a little parking at the amenity building – mailbox – the rest of the site is dominated by the Charles River – vernal pond in center – very nice pond at southeast corner – we worked with John Spink to understand the critical issues identified previously – we tried to not violate any of those that were established – we actually pulled some houses further away from

Gary Gardner – the spreading out of the footprints of the houses – to get the first floor to have the MBR made us make the homes wider and shorter and we found that by grouping them in 3s instead of 2s, we could get more space between the units – by having triplexes we can get the same # of units on the site – another concept is a 3 story building with 30 condo units – it has been our experience that every community has different needs in terms of what people need – some folks want to have a house feel; others who prefer to live in a single floor arrangement – this building would have 20 2 bedroom units (1050 sq. ft) and 10 1 bedroom units (740 sq. ft.) – with underground parking with elevators up

Jim McCauliffe – the townhouses are 55-65; the flats would tend to go to single women; - one bedroom would be in the high 200,000 range; and the 2 bedrooms would be high 300,000
- the whole complex is condo

Eric – any affordable?

Jim – no,

John – we can't figure out how to do it

Eric – there are subsidy programs out there

Gary – what I think, judging from what John told us, you have concerns about the design – triplex; there is movement in and out with elevations – each with a 2 car garage- we try not to make it look like a bunch of garages – the previous footprints were much narrower – we wanted to make them wider to get more of the house facing the street – more house less garage – kitchen

window faces the street – each home is a 2 bedroom, 2.5 bath – full 2 car garage – additional space in front of garage for 2 more spaces – here we have effectively 4 spaces for each triplex – First floor master – upstairs a second bedroom, and bath – no basements on the site – living room, dining room and den – with a fair amount of unfinished second floor attic space for storage – easy accessible storage space –

Floor plan of the 3 story building – 10 units per floor – elevator building – common room on first floor level; 3 cars per unit for 3 story building; bay windows; laundry in each unit – parking is underneath – this building is not quite twice as long as a triplex building – the outside of the building = we wanted to make it fit it – triplex is 26' high - the mid point on the roof of the large building is 35' – parking is below ground so you don't see it – wood frame building that has same character as the triplexes – tree canopy to the east – 400 feet away from the Charles river –

The outside of the building – typical residential materials – low maintenance – vinyl or some other material – clapboard type siding and regular roof options

Eric – do you have a typical materials

Jim – in Mansfield, that was vinyl siding – emphasis will be on low maintenance

Alan – what would the apartments price point?

Jim – one bedroom in the high 200,000 – 2 bedrooms in the low 300,000 – the front building will also have a fitness center –

Alan – is that where the existing home is now

John – yes

Alan – has the open space away from the central area changed

Jim – I think it increased slightly –

John – they also pulled a little

Matt – how many units are you showing

Jim – 115 –

Karyl – price points in triplexes

Jim – \$400,000 average

Karyl – architecturally, at this stage – I would have a couple of observations- DRC would have lots of observations – in midway we are trying to avoid a horizontal roofline that doesn't show a breaking up of longitudinal mass – higher and lower and peaks that show a layered look –

Jim – I think we will come back with a 3 d model – and we could talk to you about rworkign that

Karyl – materials will be something to address – a lot mjore variation from building to building – some better – some stones in some details insome places that would be consisitent throughout – surface components – a higher quality, nicer surface – also –there is very little breaking of the footprint – there is no breaking – it would be interesting to see some sort of breaking of long axes - also, I see the problem with the garages – really big

Alan – what is theproblem

Karyl – you end up seeing a large mass of doorways

Jim – what we try to do – we are trying to develop from the inside out – we like a lot of sunlight fo rhte living spaces - we like to keep the windows for the living space areas – put the garages on the interior –

Karyl – a lot of house plans feature garages on the sides – there are also a lot of things being done

-

mark – driveways all along one field almost breaks up sidewalks

gardner – we could include some sidewalk

matt – one thing we saw before was a small driveway that would come off the road to service a few units – so everything doesn't come off the main road

john – the real viable approach is to find a way to change the look of the garage door

alan – I gotta say, at first pass, this is pretty darn attractive

karyl – I think the tudor applicatoinis kind of rote – window design, arches – materials – wooden doorways – I was starting to mention – the repeat is awful within the triplex – lacking in character

matt – I think dormers would break up the roof lines –

karyl - all these buldings have a long cross roadway – long repeated horizontal rooflines with no break in character

matt – the four buildings in the middle, maybe have a driveway along the back

gardner – most of the units have nothing behind them

karyl – this large 3 story building – is like my worst housing image nightmare – what can you do with that – if it is necessary to have this – what can be done creatively

gardner – it fulfills some market demand

john – karyl, you want a different look

karyl – I don't want to see what you are doing in franklin off of route 495

jim – what styles of architecture do you like

karyl – varying roof line; some recessions; varying sizes of windows; we don't want it to look like route 9 – hideous

matt – we would recommend that you meet with the DRC

alan – I think your initial stab is an attractive one – it is not crap – it is a nice start – I think personally a little bit of variation throughout the complex in the architecture would be nice

mark – even variations in color

karyl – a good example of architecture – some of the condos that were built off of chestnut street chestnut ridge – nicely done

jim – we are late, we haven't begun to refine the different buildings – I think you will find variations from building to building

karyl – I have a lot of trouble

matt – I would like to open up to the public for comments

dan hooper – I guess I want to offer to the board, first and foremost, the unit count is discretionary – it is still arbitrary – this is an entirely new proposal – the 115 units count is something that should be on the table as the special permit process continues – a lot of the concerns might be addressed with a more conservative configuration and unit count particularly in light of what the market rates – it is an amazing cumulative

alan – less density gives space to deal with alternative roads, cutting up sidewalks

dan – unfortunately, I know how applicants approach a board, when a number is there and discussed, even if the number has no permitting meaning, it often becomes very endearing to the applicant – I am not suggesting how many unit counts – I expect the applicant might want you to go up – density issue could be alleviated with a reduction

dan – elevations in terms of heights, hard for me to get my arms around the heights – my knee jerk sense if 38 feet high is rather drastic –

karyl – it is not indigous or consistent with the niebhorhood

dan – landscaping is the one thing that ould do a tremendous on the valueof eachof hteunits – even considering a rduction in units – you might find – I like the idea to keep the mature trees – very smart idea

dan - village street entrance – concern about how that would appear – my hope is that the entryways themselves – not blackeyed with perfectly constructed stone walls – something more indiious – field stones – farmers wall – without flamboyant, ostentatious – or large signs – no concrete block walls – that would be a real sore spot on village street

dan – I love the idea – I am abutter, and chairman of the PB – 200 feet away; the architectural shingles and bulding materials very important – to the overall value – big advantage s- adding stone and brick concepts – to intersperse and vary them throughout –

dan – finally, a building – that locations doesn't seem to be the best location for that – further in toward the middle of the site – I would say, the quad unit area in the middle might be better served by a community center – perhaps tennis court could be added – this will be the signature project in medway for over 55 developments – more green space and well landscaped designed

john spink – we became very fond of the number 176 – the maximum amount that ould be allowed – I need t put that on the table again – clearly, we aren't at the landscaping level – we are at a very preliminary working in process – as to the viability of the comments you have given us – I think they are fairly constructive and good – going over it the last 3 years, where we have been – I don't see that there is really any big change in what you gave us before – I am a bit askance at the height of the building – this plan is a better utilization with the different kinds of units with a variety of size units – ability to handle couple sand singles – tht all makes the 3 wtory building in the center terribly important – my personal comment is that I would double up the flats compared to the townhouses to allow movement from a couple to a single

matt – ilike the mix; but a mix of affordable would

john – I just

eric – with al ldue respect – I approve subsidies in my work – I would urge you to take another look at it – that will make it more attractive to me

jim – how does it work

eric – the funds I help administer are federal and state – those dollars help subsidize constructionand the market rate units help susidize- some of the money we put in can buy down

jim – if you make some of the units affordable, you are counting on the m arket rate to subdsizie

john – what is funding

eric – federal home dollars, atate housing stabilization funds – cdbg can be used;

gino – low income tax credits

eric – those are only avialble for rental properties

eric – I couldn't review it cause I live here in town – I would encourage you to take a look at some of those funding source s- it might involve bringing in some consultants to help you package this – the sources are out there and for a worthy project, the dollars

david einis, owner of the properlty – we have been down this road before, mark bobrowski sat – the deal has been cut – 115 units, \$100,000 after 90 days and another \$100,000 after 75 unit – this is a done deal

eric – this is a done deal

dan – I too attended those meetings – this plan you showed us tonight is not the plan that was part of the deal – is it better, you need to decide that – arehctgturlaly, this has a way to go – from a site deisgn perspective, it is more linear – the apartment complex is a good thing – the mix is a tremendous advantage to the site – there might be some advantages to having another one to open things up a bit – this plan is not the plan from before – the unit count may be the same

eric – marketing is what you need to do to make this viable – I asked it earlier in a passing way, I don't know if there is a market out there for rental active adult? My gut would have been that there would be a market for that.

Dan – just in terms of rental, the board knows the advantage of them being rental as a 40B

Jim – if you went 40B,

Eric – in previous discussion – I thought the large building was to be rental – we had thought it might provide an opportunity for a friendly 40B – attractive to us – looking for a count toward our inventory –

Alan – is the dynamic that people at this age would rather own?

Jim – in this community, there are very few rental units available

Karyl – local realtor insists that there is a huge market for rentals

Eric – it is more of an issue of zoning than market –

Matt – this was our preapplication meeting –

Philp nevrigeld – I introduced the einis family to abbott – 55 and older on a rental basis doesn't work – quincy example – I am a broker – usually those folks want home ownership – I specialize in over 55 projects

Eric – that is different from what we have heard from other foks

John – did you ask the question of the 55 and older market ? there is in the boston area

Jim – this is about my 30th year in real estate – in the last year we have built 1500 rental units -0 we live and breath this – if you were to tell me you want an over 55 rental project, I would have to pursue that risk fee –

Eric – I am not questioning your marketing, but we have anectodal info that is otherwise

Jim – we have looked at the demographics in medway, very high percentage of home ownership

Karyl – just before we leave this, there was a brief converstatoin – if there is something that you can come up with something really wonderful for that large building and then maybe it could be repeated

Jim – to our defense, we are trying to show you a prototypical building – we just wanted to give youa f eel for the floor plan layouts

Karyl – a lot more imagination

John – assume the architecture comes out to be lovely – what is the general response of the board of going to a higher number of units in the flats vs. the triplexes

Karyl – can you show us another way with a more interesting architectural approach

Matt – if I say another building with more flats that wouldn lighten up the numbe of tgriplexes – not a 6 story building

Karyl – less mass – your worst nightmare –

Jim – there are 60 foot trees blocking the 3 story building – we are going to be very careful about how that looks

Dan – I think where they were going is a good direction – especially if they went with a reduction inunits – the consolidation of some town house units to open up some space for trails within – better overall complex –

Jim - thank you

Pine Meadow – Certificate of Action

Dan – work on certificate of action – distribute April 11 draft

Mark – the plan changes were not that big – one of the things that was done – they did change the wheelchair ramp – the only comment I have is that there may be a problem in construction – go to 1.5 and 7.5% -

Mark – there was a note on the plan – the drainage calcs – inconsistent on how roof drainage is to be handled - ????????? the folks that build the houses are going to know that –

Mark – Other just drafting issues, a few items mislabeled, or items not shown – still no comments from safety officer or fire department?

Susy – have you been in touch with the fire department of safety officer yourself?

Paul – no

Mark – the operations and maintenance plan included in the drainage study was much more detailed than what is shown on the plans themselves.

Dan – unless the board has issues with any paes – lets go to directly to findings

Waiver on 4.2.4.3 –

See red marked up copy of 4-11 draft –

Paul asked who prepared the findings

Dan – susy and I prepare and circulated to grop

Vote to deny plan
Board signed certificate of action

Susy – will fiel with town clerk on Wednesday or Thursday

Invoices

Vhb Plan Review – 1095.07 – karyl, eric – all yes, no matt

PGC plan review 420 – matt, alan – all yes,

PGC consulting services \$840 – moiton bykary, alan – all yes

VHB contracted services \$324.76 – karyl, alan – all yes – no matt

VHB – CO – 328.92 – motion by alan, karyl – all yes - no matt

thank you board for tonight – good work

motion to adjourn – matt – alan – all yes

adjourn 11:50 p.m.

Dan – let's cut the core here – the issues as it is boiled down to -

Joe Musmanno – I would suggest that Mr. Louro be excused from this as he is called to be a witness,

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Alan DeToma, Clerk
Karyl Spiller-Walsh
Cranston (Chan) Rogers, P.E.*

DRAFT – July 25, 2005

MINUTES
April 26, 2005 Planning Board Meeting

PRESENT: Alan DeToma, Dan Hooper, Karyl Spiller-Walsh, Matthew Hayes, Eric Alexander

ALSO PRESENT: Mark Louro, VHB, Inc.; Gino Carlucci, PGC Associates; Susan Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:34 pm

Citizen Comments - None

ANR Plan for 383 Village Street

Paul Yorkis – Patriot Real Estate
Todd Allen – Applicant

Paul Yorkis – There are parties of interest who are here this evening regarding this plan. There has been an application before the ZBA for a 40B project. That application has progressed to a stage and is being pursued by the owner of the property (appealing the ZBA's denial decision to the State Housing Appeals Committee). The abutters have offered to convey parcel #1 (110 sq. ft) to the applicant which would create a second buildable lot from the parcel, which means there would be two single family dwellings, one on each lot. The frontage is on 3 ways – Village street (a public way) and Metcalf Lane and Mayflower Lane, which are each private ways. The two lots would share a 24 foot wide common driveway that would enter from Village Street and then split. A copy of this plan was reviewed by the DPS Director (Dave D'Amico) because there is a bylaw relating to driveways. Dave indicated there is no problem in the general bylaw for having a common driveway.

DAN HOOPER – A 24-foot driveway?

Paul Yorkis – It will be a 24-foot wide area. It may not necessarily all be paved. But we want to make sure that people could come out and go in at the same time from Village Street. The whole driveway will not be 24 feet (for its entire length) but it will probably 24 feet wide at the entry point.

Mark Louro – Do you need some sort of access rights between the 2 lots?

Paul Yorkis – That will be handled in the deeds.

DAN HOOPER – Any questions?

Gino Carlucci –The key point is that both Metcalf and Mayflower are ways approved and endorsed under the Subdivision Control Law. The Zoning By-Law's definition of a street encompasses that which makes this work.

DAN HOOPER – Is there a problem with that radius?

Mark Louro – It is what we would use today.

Paul Yorkis – Metcalf is not paved as wide as a public way, but I think it is more than adequate for frontage purposes. (Access will be provided only from Village Street.)

Mark Louro – How wide is Metcalf paved?

Neighbor – 12 feet

MATT HAYES – I don't see the address on here anywhere.

Gino Carlucci – That is not a problem. It shows the map and parcel number.

A motion was made by Matt Hayes and seconded by Spiller-Walsh to endorse the ANR plan dated April 26, 2005 for 383 Village Street prepared by O'Driscoll Land Surveying. The motion was unanimously approved.

NOTE – The Board signed the Mylar of the ANR, several prints and the A-1 form.

Discussion - Possible Revision to Hartney Acres II Definitive Subdivision Plan

ALAN DETOMA DeToma – I will recuse myself from this discussion.

Paul Yorkis – Patriot Real Estate

John Claffey – Applicant/developer

Joe Peduto – Neighbor/abutter (6 Nobscott Road)

Paul Yorkis – I have a letter to read into the record. A copy of the letter is attached and made a part of these minutes.

Paul Yorkis – We are talking only about the cut section of the wall (from Nobscott). Instead of building the retaining wall, landscaping would be installed on private property that would need maintenance by the town. No lot lines will change as a result of the deletion of the walls.

A letter was read from David Faist, PE, indicating there would be no change in the drainage design as a result of eliminating the retaining wall.

Paul Yorkis – I know the Board has a full agenda and a lot on its plate and that 2 members will be leaving soon. We are trying to get some sense from you to see if there is a way we can accomplish this. I will represent that I have spoken with Dave D'Amico. He would be delighted if these walls were not built. He felt that way all along from the first Hartney plan.

DAN HOOPER – Do we have anything from Dave D'Amico on that?

Susy Affleck-Childs – I spoke about this with Dave. I can confirm Paul's representation of Dave's agreement.

Paul Yorkis – We need to prepare plans acceptable to the abutters. These will be private agreement between John Claffey and each of the abutters. We would revise a few pages of the plan and submitted to the engineer and if acceptable, then recorded at the Registry.

ERIC ALEXANDER – If the abutters are in agreement, I would want to support this. My concern is one of process and concern for future planning boards. Can we get a sense from Gino on this?

DAN HOOPER – It is a fair question and a good thing to grapple with. This whole project has been a bit of a learning process. What would the process be for a major or minor plan modification? I think it is our determination to make. If it is a plan modification, then we have to go thru the process vs. a field tweak. Even though this wall has significance to us (after all we have been through with the lawsuit) this change does not involve lot lines, there are no changes to the right of way or the stormwater management system.

ERIC ALEXANDER – If the abutters agree and the drainage isn't impacted, I say we should go for it.

KARYL SPILLER-WALSH – this was something we wanted to achieve. This is the direction that we had wanted initially and now the abutters are on the same page. I would move toward this. We are eliminating and simplifying something. This should proceed.

MATT HAYES – I am in favor of getting rid of the walls. My concern is for the precedent for the new board and future of the town.

DAN HOOPER – I don't think we have a policy to determine what constitutes a major or minor modification. The lack of that allows us some flexibility.

ERIC ALEXANDER – I think this is better because it is simplifying things.

KARYL SPILLER-WALSH – I would like to be part of the landscaping design process.

John Claffey – I wouldn't have a problem with her being involved.

Joe Peduto – I wouldn't have a problem with that either.

DAN HOOPER – What will need to happen with blasting?

John Claffey – There is no blasting planned.

DAN HOOPER – Any ledge?

MATT HAYES – This will eliminate the sheet driving that would have been needed for the wall.

John Claffey – From my experience building on Broad Acres, you will get some big boulders, but nothing that you couldn't move.

ALAN DETOMA DeToma, 20 Stanley Road – We are now talking about slopes to a street. What impact does that have on the drainage?

Mark Louro – This will actually provide for a better chance for infiltration to some extent.

ALAN DETOMA– In Mr. Yorkis' letter, there is a temporary easement and then that goes away after the landscaping is installed. There is no distinction in the Subdivision Control Law on minor or major modification. That is something to consider.

DAN HOOPER – Gino, any comments?

Gino Carlucci – There are not criteria to distinguish a modification. It is a judgment call in your hands. But if you deem it to be a modification, it has to go through the same review and approval process as the original plan.

KARYL SPILLER-WALSH – Could we call it a simplification?

DAN HOOPER – I think we would like to move ahead with this in a non-modification mode. What is your time frame?

Paul Yorkis – We would ask Mark Louro to let us know what sheets would need to be revised. We would like to do this appropriately and accurately.

KARYL SPILLER-WALSH – Would this be worth running this by the town attorney since this was a matter that was litigated?

DAN HOOPER – It is reasonable to assume that it is in the PB's hands. We are beyond the litigation element.

Paul Yorkis – We are actually taking things off the plan, not adding things. The process would be two-fold. The changes would be reviewed by VHB. We would want to also meet with Mr. Peduto and Mr. Caroselli and prepare a landscape plan.

Susy Affleck-Childs – There should also be a revision to the Certificate of Action.

Mark Louro – The sheets that would need to be changed are the grading plan (p. 4) and structural plans at the end (p.12) and add a detail on one of the plan sheets for the subdrain (8 or 9). Also, show the temporary slope easement (p. 2) and sheet #11 will have to be revised.

Paul Yorkis – Re: the fill section of the wall, I wanted to let you know that we are looking at different ways to build the fill section that are quicker and less disturbing to the environment but in no way will it be aesthetically different than what you have approved. At the street level, it would still look like New England Drystack. We aren't changing the rail. Whatever changes may be pursued still have to be approved by the Inspector of Buildings. We don't want you to be caught off guard.

Paul Yorkis – I would like to make a personal comment directed to Dan Hooper. I know it has been a very tough job. I would like to extend my thanks for your willingness to serve the Town. I know how difficult it can be.

Informal Discussion – Modification to 133 Main Street Site Plan

Dick Steinhoff – I discussed with Bob Speroni making some changes to paragraphs 2 and 3 of the Certificate of Action. The original plan had scored or stamped concrete. I would like to change it to add granite or stone. Over the winter, I saw that there are a lot of people who walk on the south side of Main Street. It dawned on me if we put in cobblestone on the whole thing, there will be troubles. I would like to split the 10 foot up into 3 foot area, 4 foot sidewalk, and another 3 foot area. That way people walking thru the lot don't have to walk thru the rough surfaces. I believe Bob Speroni has sent you a note that this would be a minor change.

ALAN DETOMA – Is there a change in the dimensions?

Dick Steinhoff – It was 10 foot deep originally but looking across the street it is a 4 foot sidewalk. We want to try to simulate that.

KARYL SPILLER-WALSH - I am confused.

Dick Steinhoff – The key was to have a 26-foot wide opening (from Main Street).

DAN HOOPER – We wanted to have some landscaping there.

Dick Steinhoff – What we want to do is what is shown as B3 in the BOS Certificate of Approval. We want the 26 foot opening off center so as to not lose so many parking spaces. I have to line the parking lot.

DAN HOOPER – It would be nice to see what your parking would end up like.

Mark Louro – Would parallel parking work on the west side

KARYL SPILLER-WALSH – What about the 4 foot sidewalk?

DAN HOOPER – It will never accommodate ADA criteria.

Dick Steinhoff – How big are your sidewalks?

Mark Louro – 6 foot sidewalk is our new standard (for this category of roadway).

Gino Carlucci – It is a temporary walkway within the property.

Mark Louro – If a sidewalk was ever to be installed on Main Street, it would all be replaced anyways.

DAN HOOPER – Having a 4-foot path now is better than having none. It won't matter in the future if we have to rip it all out.

Dick Steinhoff – I want to maximize the number of (parking) spots on the lot.

DAN HOOPER – 18 feet of cobblestone 3 feet wide, a sidewalk with 4 feet of bituminous concrete, then 3 feet of cobblestone again with a 24 foot opening for vehicular traffic, then a 10 foot strip with 3 ft of cobblestone, 4 ft. of sidewalk and 3 more feet of cobblestone.

Susy Affleck-Childs – Mr. Chairman, we need to move this along. We are not obligated to act on this tonight. There should be a drawing to attach to a recommendation to the Selectman. There will be some paperwork involved and some expense so there will need to be a fee of some sort.

Mark Louro – Leave 10 feet between the back of the cobble and the first parking space

ANR Plan – Jim Pavlik for 10 Walker Street

NOTE – A memo from Gino Carlucci reviewing Attorney Lovely's letter was distributed.

Jim Pavlik – At the last meeting, we left it that I was going to come back to you with evidence. We sought out services of attorney Jeff Lovely. He has put together a letter to you.

Jeff Lovely – I am a real estate attorney from Foxboro. You have seen my memo. I have just seen Mr. Carlucci's memo. When Mr. Pavlik came in to talk to me about this issue, my initial response is that lot 3 would qualify for ANR endorsement. It meets the intent of the bylaw. It has municipal and utility access. A substantial amount of its frontage is on Pearl Street. I am very confused about what Pearl Street is or is not. I understand it is a scenic road. I am informed that 2 ANR plans have been approved in the past. I understand the paved way is not in the Pearl Street layout. The gist of my argument in support of lot 3 is that it meets the criteria for safe and adequate access to the lot. I suppose the options are to deny lot 3, and have him come back with a different approach or to allow lot 3 because it has safe access, or I suppose another approach is to require him to build some type of an unnecessary improvement along Pearl Street to make up the frontage. I don't think that type of technical approach benefits anyone. What you would see is Mr. Pavlik back with a request to improve Pearl Street or he would be back with some type of

subdivision project for lots 3 and 2. The technical nature doesn't give a real good reason to deny lot 3. It meets the lot shape requirement and it has sufficient area. It is an historical accident that the pavement is not in the Pearl Street right of way. I would suggest if the pavement were in the way, there would be no objection to signing off on the plan. I would suggest further, that adequate access is provided from Walker Street. Mr. Carlucci raises a point about frontage. I am suggesting that in any of several different ways the town has dignified Pearl Street's status and that the position of the town is that there is suitable width, grade, etc.

ALAN DETOMA – Right now we have Pearl Street that is not in a right of way. What if Pearl Street was?

Jim Pavlik – We can access the site from Walker Street.

ALAN DETOMA – This is the fundamental question of frontage.

DAN HOOPER – In this instance, we determine whether the frontage requirement is met.

ALAN DETOMA – How is this like what we did earlier tonight?

DAN HOOPER – Those were private ways, approved under the Subdivision Control Law and constructed within their right of way.

Jim Pavlik – One of the another scenarios is that the way existed before subdivision control.

KARYL SPILLER-WALSH – There was some comment before about Jim possibly approaching the Koshivas to acquire the land between his land and the actual road.

Jeff Lovely – If this can't be worked out, then he will come back with some type of subdivision plan. That would serve no purpose. It is time consuming and expensive. I guess what I am trying to do is to get a sense of what your intentions are.

KARYL SPILLER-WALSH – I don't like the term "deny". There is an adversarial tone to that.

DAN HOOPER – Jim has provided an independent opinion but that does not imply what the board thinks.

Jeff Lovely – The impact of a non endorsement of lot 3 is simply going to lead to another approach which I am suggesting should really be unnecessary. It would result in a small new cul de sac off of Walker Street. There is a lot in support of the argument to keep this easy. That is my perspective.

ERIC ALEXANDER – I appreciate where you are coming from. If easiness were the standard for ANR plans, they would all come thru. Coming back with a subdivision proposal is not necessarily a bad thing. The Planning Board cedes control when we endorse an ANR plan. We retain some control when there is a subdivision on the table. We have an obligation to ensure that the ANR plans that come before us meet the technical requirements of the Subdivision Control Law.

DAN HOOPER – In my last night with the board, I would really rather opt for the easy approach. However, I am really an anal person and what I see here is if we bypass the technical interpretation that it seems like the board is coming to, we would be perhaps opening up opportunities elsewhere in the zoning sense. I can't imagine other places in town where this would come up. But we always say this is the worst one and then another one comes in.

KARYL SPILLER-WALSH – Is it possible to construct a road within the layout according to some standards?

ALAN DETOMA – If this was a plan with 2 lots and they came in for ANR endorsement, what would happen?

Gino Carlucci – I believe it would be approved slam dunk.

Jim Pavlik – I am getting frustrated. By having 2 prior plans that came before the Planning Board in 1983 and 1988, doesn't that set the precedent that Pearl Street is an acceptable way for its intended use as an ANR?

DAN HOOPER – For you, it doesn't. An ANR doesn't create a road.

DAN HOOPER – I haven't seen too many other places where road is built outside of the right of way.

Jeff Lovely – The thing I would like to look at more closely is whether your Board can permit the Pavliks to repair Pearl Street so that it creates adequate access. He has the right to work within the private way. We could go forward with an understanding that if he were to improve Pearl Street, a subsequent ANR would be offered. I think you could consider it a repair rather than a subdivision.

MATT HAYES – Are they saying they are going to repair Pearl Street?

Jim Pavlik – It is designated a scenic street by the town.

ERIC ALEXANDER – That doesn't really mean anything in this context.

DAN HOOPER – I would entertain a motion to resolve this.

A motion was made by Eric Alexander, seconded by Alan DeToma to not endorse the ANR Plan for 10 Walker Street, dated March 8, 2005, prepared by Outback Engineering. The motion passed unanimously.

DAN HOOPER – We are going to need to have some findings that would support the denial vote. We can reference Gino Carlucci's 2 letters.

Does lot 3 have frontage on an accepted street? No.

Does lot 3 have frontage on a way approved under the Subdivision Control Law? No.

DAN HOOPER – Therefore Lot 3 does not have frontage as Pearl Street is not suitable for providing access. The paved Pearl Street is not in the legal Pearl Street right of way.

PUBLIC HEARING CONTINUATION – Zoning By-law Amendments

9:10 pm

NOTE – The board took a brief break to get pizza.

KARYL SPILLER-WALSH – The AUOD project we approved is going to be sold. It has been asked if the existing building could be razed. But part of the overlay district premise is the rehabilitation element. Is that really a good idea? There are some instances where razing the existing structure would be better for the town than trying to save it.

MATT HAYES – If the home is not historic, then I wouldn't want to be concerned.

ERIC ALEXANDER – There are a lot of older structures in Medway that are historic that wouldn't meet the state criteria to be officially designated as historical.

ALAN DETOMA – How does the demolition delay bylaw fit in?

DAN HOOPER – When we approve things, we have to be aware of how it can ultimately be used.

Susy Affleck-Childs – I think razing the building would nullify that special permit.

KARYL SPILLER-WALSH – I think that is a problem. We should allow for demolition.

Susy Affleck-Childs – I would suggest that you hold off on making any quick changes along the lines of allowing demolition. I would look at the whole bylaw and see where it needs to be fixed.

ERIC ALEXANDER – I am comfortable with both the contractors yard and AUOD changes as proposed tonight

KARYL SPILLER-WALSH – I agree with Eric.

A motion was made by Matt Hayes and seconded by Karyl Spiller Walsh to recommend approval of the contractor's yard definition (4-25-05) and drive-thru facility definition. The motion passed unanimously.

A motion was made by Karyl Spiller-Walsh, seconded by Matt Hayes to recommend approval of the revision to the uplands section of the zoning By-Law, as presented. The motion was unanimously approved.

A motion was made by Matt Hayes, seconded by Eric Alexander to recommend approval of the revisions to the Site Plan approval section of the Zoning Bylaw. The motion passed unanimously.

A motion was made by Matt Hayes, seconded by Eric Alexander to recommend approval of the amendments to the ARI district re: a special permit for a contractor's yard (per the 4-25-05 text). The motion passed unanimously.

NOTE – This will involve a recommendation to amend the town meeting article as printed in the warrant.

A motion was made by Matt Hayes, seconded by Karyl Spiller-Walsh to recommend approval of the amendments to the ARII district re: a special permit for a contractor's yard (per the 4-25-05 text). The motion passed unanimously.

NOTE – This will involve a recommendation to amend the town meeting article as printed in the warrant.

A motion was made by Karyl Spiller, Walsh, seconded by Alan DeToma to recommend approval of the amendment to the Commercial I district to allow drive-thru facilities by special permit. The motion passed unanimously.

A motion was made by Matt Hayes, seconded by Karyl Spiller-Walsh to recommend approval of the amendment to the Commercial II district to allow drive-thru facilities by special permit. The motion passed unanimously.

A motion was made by Matt Hayes, seconded by Karyl Spiller-Walsh to recommend approval of adding Tables 5 and 6 to the signage regulation section of the Medway Zoning By-law. The motion passed unanimously.

A motion was made by Matt Hayes, seconded by Alan DeToma to recommend approval of a replacement of the Open Space Residential Development section of the Zoning Bylaw. The motion passed unanimously.

A motion was made by Matt Hayes, seconded by Karyl Spiller-Walsh to recommend approval of an amendment to the ARCPUD section of the Zoning Bylaw . The motion passed unanimously.

A motion was made by Matt Hayes, seconded by Karyl Spiller-Walsh to recommend approval of a amendment #1 to the Adaptive Use Overlay District (AUOD) section of the Zoning Bylaw. The motion passed unanimously.

NOTE – This will require a recommendation to amend the articles as printed in the warrant.

A motion was made by Matt Hayes, seconded by Eric Alexander to recommend approval of amendment #2 (dated 4-21-05) to the Adaptive Use Overlay District (AUOD) section of the Zoning Bylaw. The motion passed unanimously.

NOTE – This will require a recommendation to amend the articles as printed in the warrant.

A motion was made by Matt Hayes, seconded by Karyl Spiller-Walsh to recommend approval of amending the Zoning Map to expand Commercial District 5 at the intersection of routes 109 and 126 as requested by the Avellino family. The motion passed unanimously.

A motion was made by Matt Hayes, seconded by Alan DeToma, to close the public hearing on proposed amendments to the Medway Zoning Bylaw. The motion passed unanimously.

Public Hearing Continuation - Subdivision Rules and Regs

DAN HOOPER – We have been working on this for 2- 21/2 years and I hope we will conclude tonight. We have made a lot of good changes. As Karyl will tell us, these regs are dynamic, always susceptible to change. However, you have to come to a moment in time and say we have to approve something to address many prior problems. Hopefully, those things that have subsequently come to light will be addressed in the coming year or so. I understand a few CONCOM members here with some suggestions

Dave Travalini, CONCOM chairman - What we have noticed is that we really have not been bonding for many years. I have been on the CONCOM for 13.5 years. The problems at Field Road have really brought this to a head. What we would like, if possible, is for the PB to bond any Conservation related work such as wetland replication areas. These are notoriously poorly designed and consistently fail. By the time it is evident that they have failed, the builder is long gone. We have also had a problem in recent history with work near vernal pools. As build out happens, there are a lot more vernal pools. We have had an issue come up where we believe they have destroyed a vernal pool (at Ishmael Coffee Estates). We believe that construction work has probably destroyed a vernal pool. We are worried that a developer could walk away from this. When we permit an individual lot, the only thing we have over the applicant is a certificate of compliance. With a subdivision plan, any replication areas or vernal pools that could be damaged during road construction would be included in the subdivision bond. There would need to be some expert to determine what it would cost to reproduce the wetlands. That amount of money would be set aside, plus a percentage for inflation. We would like to have that bonded and only have it released once the applicant receives a Certificate of Compliance from the CONCOM.

Ken McKay, CONCOM – We are concerned with things that get left undone. We don't have any mechanism for bringing that into compliance. We would want to be involved in recommending the bond amount.

David Travalini – The CONCOM has enforcement capabilities. The Mass DEP will look at big stuff but won't bother with small stuff like detention pond planting at Field Road. They aren't chasing down small things. We feel it would be in the best interest of the town if money was held in bond

ALAN DETOMA – I couldn't agree more with the concept, but is it legal?

Mark Louro – Anything that the PB bonds must be shown on the definitive subdivision plan. Part of the solution is that the PB shouldn't close the subdivision public hearing until the CONCOM Order of Conditions is complete and we can incorporate it into the plan. It is more difficult on vernal pools. It is hard to establish a bond estimate on something that hasn't happened.

ALAN DETOMA - Can we require insurance?

Andy Rodenhiser – What about a warranty bond?

DAN HOOPER - The vernal pool at Ishmael Coffee Estates is on a private lot?

David Travalini – Yes. I have been fighting with DEP re: this subdivision. The DEP rep has not been willing to get involved. Our ability to deal with stuff like this is limited to what DEP will do. All we can do is sue folks. It has been our impression in the past that the town attorney has been loathe to go to court.

DAN HOOPER – Gino, what can you share with us on the linkage between CONCOM's decisions and ours?

Gino Carlucci – It needs to be on the plan and it needs to be related to the subdivision construction that you are bonding. I would check with town counsel. I would be skeptical that you could bond work that is only related to the CONCOM order of conditions. I think wetlands replication is OK to bond as those areas are shown on the subdivision plan. But an independent project separate from the subdivision, I don't think you should.

KARYL SPILLER-WALSH – Is there some way to bring CONCOM's findings into our process earlier?

Mark Louro – The applicant isn't always inclined to go to CONCOM first. We could require the Order of Conditions to be issued before the public hearing is closed.

David Travalini – Another issue we have, for example, the Design Review Committee asked us, with Hartney Acres, if we could allow them to do a sloped bank instead of a straight bank. We don't have any leeway under state law. Wetlands crossings have to have the least impact. It seems like it would be wise to require them to go to CONCOM first before you finalize. They can't have a road that goes thru wetlands on both ends.

Mark Louro – I think a concurrent process makes sense.

David Travalini – We would be more than happy for you to bond replication areas. It may look great, but it has to sit there for 3 years to see if it takes. We can hold the individual lots over their heads. I think DEP will work with us on vernal pools.

Mark Louro – As long as we require CONCOM's Certificate of Compliance before street acceptance or bond release.

Ken McKay - We would want a consultant to prepare the estimate for the wetlands replication areas.

David Travalini - Replication areas need 3 years to take hold. Many developers do it at the end.

Mark Louro – Can we bond something like a wetlands replication area?

David Travalini - Construction isn't complete until it has 3 years of life.

DAN HOOPER – I think what we have here is adequate for us to do something with.

Andy Rodenhiser – Could you require them to post a warranty bond for the area that hasn't taken yet? Can you use a warranty bond instead?

MATT HAYES – The issue is holding bond money for completion.

ALAN DETOMA – I sense there is a level of cooperation we are trying to reach here between the CONCOM and the PB.

DAN HOOPER – It has to pass legal muster within our rules and regs.

Mark Louro – Is part of CONCOM's process to issue a copy of the Order of Conditions to other town departments? That would be helpful if we could get them.

David Travalini – We can require that the Order of Conditions and plans be given to the PB.

ALAN DETOMA – Thank you for bringing this forth.

DAN HOOPER – Even as a novice 5 years ago, it made no sense to me that we didn't have all the wetlands stuff up front. We need to know what the palette is for "painting" the landscape.

David Travalini – Ideally, it would make sense to have a joint meeting with both of our boards so they can hash things out at the same time.

DAN HOOPER – Maybe this could be at the first preliminary plan meeting.

Andy Rodenhiser – There has been some discussion at the DRC of a unified approach with one person from the various boards, sort of a kick off type meeting so that some bigger projects get everybody involved early on.

DAN HOOPER – That would be the Development Review Coordinating Council we have proposed for town meeting. The idea is for everybody at the same time to get the same basic pitch. It could serve as an intro to the project and an intro to Medway for the developer.

Mark Louro – do you have specs on

David Travalini - Also, we no longer permit hay bales now. They are rife with purple loosestrife. We advise mulch tubes.

Mark Louro – OK. We will strike hay bales from our construction detail drawings.

A motion was made by Eric Alexander, seconded by Alan DeToma to close the public hearing on proposed amendments to the Subdivision Rules and Regulations.

A motion was made by Eric Alexander, seconded by Matt Hayes, to adopt the April 21, 2005 version of the new Subdivision Rules and Regulations, with construction details dated April 26, with one to be updated to not show hay bales).

MATT HAYES – I would like to take a moment to recognize Dan Hooper for his service to the Planning Board. He has had so much energy. I commend him for a job well done for the last 5 years.

Public Hearing Continuation – Modification to Wingate Farm Definitive Subdivision Plan

Karyl Spiller-Walsh, recuse.

Steve Poole – WE have a revised plan dated April 22 with a couple of minor changes. We talked about the Fire Chief's concerns about access thru lot 3. We opened up the radius, eliminated a couple of parking spots and reoriented the parking lot. I went over that with the Chief and he seemed to be pleased that we had done that. He thought it was more than adequate. We also added the sign Holliston Street with a note that we will coordinate the exact location with the Police Department Safety Officer. Also, we made a few changes on the Operations and Maintenance Plan as VHB had asked.

Mark Louro – I got this yesterday. I don't think it is worth holding up the Certificate of Action on this.

DAN HOOPER – This is the last opportunity for input from the audience, and for us to receive it.

NOTE – A memo dated 4-25-05 from Fire Chief Wayne Vinton was read. It is attached and made a part of these minutes. It says that he is OK with the revisions as shown on the April 22 plan.

NOTE – A review letter dated 4-26-05 from PGC Associates was read. It is attached and made a part of these minutes.

Gino Carlucci – My main point is to resolve the ownership of the road. I believe you need to have a homeowners association to handle the road if the property changes hands. If the ownership of Lot #1 (main house at 168 Holliston Street) changes, the new owners may not have the incentive to truly maintain it. Several more recommendations follow from that premise. And then I recommend that the maintenance requirements be more specifically referenced in the Declaration of Protective Covenants. Then there is a condition on any rights to the road by abutting properties. It is suggested that the language be revised so that a change could occur if agreed to by all parties. If it is agreeable to everybody then that opens it up as a possibility.

NOTE – A letter dated 4-26-05 from the Walsh family was read regarding their request for a waiver from the payment in lieu of sidewalk construction. The letter is attached and made a part of these minutes.

KARYL SPILLER-WALSH – It was made clear that TBase was used on the emergency access road from Adams Street to the new high school.

DAN HOOPER – Clearly there is a difference between a graded, sifted size of Tbase and reconstituted asphalt.

KARYL SPILLER-WALSH – The TBase used at the high school was a specification by Carol Johnson Associates (landscape architects/site designers) that they have used before. The high school drive is about 500 feet.

A motion was made by Matt Hayes, seconded by Eric Alexander to close the public hearing. The motion passed unanimously.

It was agreed that the next step was to work on the Findings for the waivers for the Certificate of Action.

A motion was made by Alan DeToma, seconded by Eric Alexander to adjourn the meeting to Thursday, April 28, 2005 at 7:30 p.m. The motion passed.

A motion was made by Alan DeToma, seconded by Matt Hayes to adjourn. The motion passed unanimously.

The meeting was adjourned at 1:25 am on April 27, 2005.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Karyl Spiller-Walsh
Andy Rodenhiser
Alan DeToma
Cranston (Chan) Rogers, P.E.*

**MINUTES
PLANNING BOARD MEETING
May 3, 2005**

PRESENT: Karyl Spiller-Walsh, Matthew Hayes, Andy Rodenhiser, and Alan DeToma

ABSENT WITH NOTICE: Chan Rogers

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant; Gino Carlucci, PGC Associates

Meeting called to order at 7:32 pm

MATT HAYES – I would like to welcome Andy Rodenhiser to the Board.

ANDY RODENHISER – I want to learn. Please correct me if I am wrong and support me when I am right. Is there a mission or philosophy to guide us?

MATT HAYES – The master plan is the guideline. We are looking to update it. That will be one of the biggest orders of business this year.

ANDY RODENHISER – Given the present situation we (the Town) find ourselves in, I am under the impression that commercial development is important in the appropriate places. Do you feel the zoning ordinance is in the proper place to support that or does additional work need to be done?

MATT HAYES – We are always looking for ways to enhance that. First, we looked at the Adaptive Use Overlay District area and now we are looking at ideas for the Commercial I district.

Gino Carlucci – Approving the business improvement financing article on the warrant (for the 2005 annual town meeting) is one of the biggest things we can do.

MATT HAYES – What is the schedule for that?

Gino Carlucci – If the article passes, it will probably be 2 years between passage and construction.

ALAN DETOMA – What is the issue?

ANDY RODENHISER – There is not sufficient water for processing sewage. Giant areas are needed for septic systems. .

Gino Carlucci – A good example is the Conroy building, 160,000 sq. ft. on Alder Street. It is empty. They could get tenants for O and D but they are limited to the # of people to put in the building because of sewer limitations.

ANDY RODENHISER – There is concern when an industrial area is in a water protection district.

ELECTION OF OFFICERS & BOARD APPOINTMENTS

MATT HAYES – As vice-chairman last year, I am acting chairman right now. The Town's consulting engineer is VHB and I work for VHB. I am concerned about a conflict of interest. I am not necessarily withdrawing my name, but I don't think it is necessarily in the best interest of the PB for me to serve as chairman. I have been recusing myself from all votes on authorizing payments to VHB.

ANDY RODENHISER – Where is the conflict?

KARYL SPILLER-WALSH – Maybe there can be some mechanism for you to automatically recuse yourself.

MATT HAYES – I did discuss my concerns with state Ethics Commission. They seem to feel it would have the appearance of a conflict, which one should try to avoid.

Susy Affleck-Childs – The PB chairman also has to be a public advocate for the PB budget.

ALAN DETOMA – Mr. Paul DeSimone could make it an issue.

ANDY RODENHISER – Is it possible that for Susy Affleck-Childs to interact with VHB instead of the chairman?

ALAN DETOMA – What about a vice chair to deal with invoices? That would be easy. It is the ongoing communication with VHB that may be difficult.

Susy Affleck-Childs – The PB Chairman is essentially a department head.

KARYL SPILLER-WALSH – I think it would be advantageous for the PB for you to serve as chairman. Philosophically, we have all pretty much been on the same pages with no real conflict. I wonder if that will continue. I see VHB as not a primary issue, but you have to be comfortable with it.

MATT HAYES – The conflict is pretty much financial.

ALAN DETOMA – Put aside the VHB thing, and look at this from a logical standpoint. Does it really make sense to have a rookie running the chair, with all due respect to us three (Alan, Andy and Chan)?

KARYL SPILLER-WALSH – There are so many nuances and so much history. Being there for a few years really does help.

ALAN DETOMA – I am a year into this and I don't know all about it. I would have to look it up. The other issue is the time commitment. I cannot give it. It would not happen. I would be a failure to the board.

KARYL SPILLER-WALSH – I feel logistically that I cannot serve because of my limitations – lack of clerical skills, no email, etc.

ANDY RODENHISER – I had a long conversation with Dan Hooper. We talked for a couple of hours. Dan has a lot of respect for you, Matt. I have listened to him over the years and I have come to respect him. I don't have a problem with you serving as chairman.

MATT HAYES – I will talk with the state Ethics Commission again over the next week.

Note – The Board reviewed options for board/committee liaisons and agreed to delay making appointments until the full board was present.

ANDY RODENHISER – What about all the 40B projects that are before the town?

KARYL SPILLER-WALSH – As our rules and regs get more restrictive, developers are choosing to go that route.

ANDY RODENHISER – Can we create zoning that can only be used for affordable housing developments?

KARYL SPILLER-WALSH – We can buy land.

MATT HAYES – Inclusionary zoning is being looked at (Affordable Housing Study Group).

Gino Carlucci – If a community has a plan to get to the 10% and each year you get a ¾ % increase, you are immune to 40B applications.

ALAN DETOMA – It is the freedom of not having to follow the rules of the Town that is appealing to the developers of 40B projects.

Consideration of Release of Granite Woods Landscaped Island Bond

Susy Affleck-Childs – Wally Frink contacted the board to request release of the bond being held for the landscaped island. Mark Louro did an inspection and found that some azalea bushes are dead and there is a crack between the curbing of the island and the street.

A motion was made by Alan DeToma, seconded by Andy Rodenhiser to release the bond for the landscaped island once the dead azaleas are replaced and the joint around island is repaired to the satisfaction of Dave D'Amico/DPS. The motion passed.

AUOD Rules and Regulations – Status

Gino Carlucci has done revisions. Susy Affleck-Childs needs to review and finalize.

Development Guidebook

Gino Carlucci - Here is an outline of the Development Handbook. It will be written mostly from a business perspective.

MATT HAYES – What do you envision the end product to look like?

Gino Carlucci – 10-12 page document total with individual pages that could stand-alone and a table listing all the permits.

ALAN DETOMA – This is a wonderful concept, even for new members coming onto the PB.

ANDY RODENHISER – The friendlier we make it, the easier it is.

MATT HAYES – Our goal is to get some things completed before the end of this fiscal year such as this Development Handbook.

ANDY RODENHISER – We have talked about the proposed Development Council. Maybe each board could just sketch it out and put it on paper?

Gino Carlucci – Actually, I was going to do it in the reverse. Many of the boards work from state laws, so the process is pretty much the same in each town. I would do a draft and ask them to review and edit it.

ALAN DETOMA – Let's strive to use up that money during this fiscal year.

MATT HAYES – When will you have something more concrete to show us?

Gino Carlucci – At next week's meeting. (May 10th).

MATT HAYES – I would also like to see some ideas for updating the master plan. Would you please put some notes together on that?

KARYL SPILLER-WALSH – Remember when the master plan was done before? They did a survey and there was such a big response. Maybe we should do a questionnaire to mail out or give out at town meeting.

ALAN DETOMA – Do we have any new questions that we could add to that list and let people fill in and add room for other comments? Sort of a targeted list with ideas. We need their help to prioritize.

MATT HAYES – The master plan is available on line.

ANDY RODENHISER – We could show the results from the 1999 survey.

MATT HAYES – I envision this as an on-line survey so the results could be more easily compiled.

KARYL SPILLER-WALSH – You need some kind of initial incentive to get people to fill it out.

ANDY RODENHISER – There is PRIDE Day coming up and the BOS is talking about having a booth. Maybe we could set something up at PRIDE DAY.

KARYL SPILLER-WALSH – I would suggest getting a few really pertinent issues to instigate some questioning in people's minds.

ANDY RODENHISER – We could also celebrate our accomplishments in implementing some of the master plan action items.

KARYL SPILLER-WALSH – We need something sort of interesting and easy for people to participate in a survey.

Gino Carlucci – In preparing the Community Development Plan for EO 418 certification, I did go back and note what has been accomplished of the goals and actions from the 1999 master plan.

Low Impact Development Workshop

Susy Affleck-Childs – This should be a good session on May 16th. I have registered for 3 of us to attend. Please let me know if you want to go.

Planning Board Directions – FY 06

NOTE – The board quickly reviewed the 5-3-05 Ideas for Discussion and agreed to wait until the full board was present.

MATT HAYES – The idea to have a use and dimensional tables in the zoning bylaw is a good one. Let's do it now and have Gino prepare it.

Pine Meadow II Preliminary Plan – Set Fees

Susy Affleck-Childs – We have received a revised plan from Matthew Barnett for this project. It was submitted April 26, the day you adopted the new subdivision rules and regs. Since we have already collected filing fee monies from them on the first plan, how do you want to handle the fees for this version? He still owes us some plan review money from the first application.

KARYL SPILLER-WALSH – The PB wasted a lot of time with this applicant (the first time around.) We carried them over. Nobody gave them a definitive direction of what we thought were going to be the findings.

ALAN DETOMA – I think they chose to keep their plan illusive enough with hints, suggestions, and hidden agendas such that we didn't know where they wanted to go. They chose to continue the process.

KARYL SPILLER-WALSH – It was a ruse on their part to try to push us further into doing the dead end.

ALAN DETOMA – They were trying to muscle us and strong arm us.

KARYL SPILLER-WALSH – It was a Mickey Mouse presentation.

Gino Carlucci – You voted to deny the waiver on the dead end road a long time before the final vote was taken.

ALAN DETOMA – If we wanted to do a kind gesture to be considerate, I might be amenable to waive the filing fee. But we do have expenses, right?

NOTE - It was agreed to go ahead with the \$500 filing fee for the Pine Meadow II Preliminary Plan and to review it based on the “old” rules and regulations. The outstanding plan review fees must be paid in full.

10 Walker Street ANR – Discussion with Bob Speroni

Susy Affleck-Childs – Bob Speroni stopped by to visit after reading our decision on the Pavlik ANR for 10 Walker Street. He feels the PB has overstepped its boundaries in making a frontage determination. He believes that is his authority. It was not a pleasant discussion. I have drafted a written response to his concerns that I would like you to look at.

NOTE – The Board reviewed the memo and provided some good editing suggestions.

MATT HAYES – I will follow-up with a call or visit to Bob Speroni.

133 Site Plan Modification – Fee

Susy Affleck-Childs – We have been contacted by Dick Steinhoff who wants to modify the site plan for 133 Main Street. As this is such a small project, I need some guidance on what fee we should charge. The standard site plan modification fee is \$500.

ALAN DETOMA – So the options are to make him pay or waive it?

ANDY RODENHISER – I say we should charge the full \$500. Susy wouldn't have to do the work if the modification didn't exist.

NOTE – Karyl Matt and Alan agreed the filing fee should be reduced to \$250.

FINCOM Meeting – May 4, 2005 re: 2005 Annual Town Meeting articles

MATT HAYES - I will plan to attend the FINCOM meeting on 5-4-05.

***A motion was made by Alan DeToma, seconded by Andy Rodenhiser, to adjourn the meeting.
The motion passed unanimously.***

The meeting was adjourned at 10:15 pm

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Acting Chairman
Karyl Spiller-Walsh
Andy Rodenhiser
Alan DeToma
Cranston (Chan) Rogers, P.E.*

PLANNING BOARD MEETING MINUTES May 10, 2005

BOARD MEMBERS PRESENT: Matt Hayes, Andy Rodenhiser, and Karyl Spiller-Walsh

ABSENT with NOTICE: Chan Rogers and Alan DeToma

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant; Mark Louro Louro, VHB, Inc.; Gino Carlucci Carlucci, PGC Associates

The meeting was called to order at 7:30 p.m. by Acting Chairman Matt Hayes

Citizen Comments – None

MR. HAYES - Chan Rogers is not able to attend tonight due to a family commitment. Alan DeToma is ill. We will delay the election of officers until May 24, 2005. We have some time until our first appointment.

OTHER BUSINESS

Construction Observation Reports – Mark Louro

Grapevine Estates – Two drywells are to be installed on lots 4 and 5. The roof runoff from the house could not be collected by roadway drainage system. So they are putting it into a dry well to recharge. This kept them under the rate and volume requirements standards. I had to go and inspect the drywells for the two houses

MS. SPILLER-WALSH – Grapevine looks good. Who did the retaining wall? It is a beautiful job.

Mark Louro – It is not in the right of way. He had the stone from another job.

MR. HAYES – They still haven't moved the utility pole.

Mark Louro – For Redgate 2 (Ash Lane and part of Clover Lane), they submitted the as-built plans. Some minor revisions are needed and a little more information. A couple more bounds are needed. Would a pike be OK? All the trees are planted. I checked the detention pond size against the approved plan. It looks fine in the field.

Susan Affleck-Childs – I received info from Paul Kenney on all the legal documents - deeds, easements, etc. They need to add the extension of Clover Lane to the deed and legal description. We have an OK from the Disability Commission and DPS.

Mark Louro – Regarding Lot 9 at Ishmael Coffee Estates, Karyl was concerned about the detention pond location. There is a very large house that has been built very close to the detention pond. I think we should request an as-built footprint of the house as it relates to the drainage easement.

MS. SPILLER-WALSH – It is right there. I also think the shape of the detention pond is not as described.

Mark Louro – It is a little bigger than what is needed. They gave us volume counts with the as-builts. The shape is actually a little larger and the house is closer than is shown on the definitive subdivision plan. The house is also larger than is shown on the plan.

MS. SPILLER-WALSH – There is no room there. I don't think you can walk around the house.

Mark Louro – I paced it off. It is around 10 - 12 feet or so. With the final grading around the house, they may need to put a wall in.

MS. SPILLER-WALSH – Why couldn't they make the pond smaller and build it to plan?

MR. HAYES – Are you concerned about vehicle access?

Mark Louro – It is narrow, but I think they can do it. I think the Planning Board can require an evaluation of the house, easement and pond. It has to be outside the easement. I don't think the house is in the easement but the slope is of concern. They could regrade the pond a little bit and give a little more room to the house.

Mark Louro - Under the current rules and regs, the Planning Board doesn't have control over what happens on the lot in terms of how close the houses are to the ponds.

FY 06 BUDGET – Discussion

Birch Hill Update

John Rosenfeld

Joe Marquedant, surveyor (worked with Dan Merrikin, engineer)

Joe Marquedant - This is an existing circle on Hunter Lane. There is an area where the pavement is deteriorating for some reason. We are proposing a variety of things to attack this issue. We

will replace the stone swale with a grass swale with a stone bottom . We will remove and reseed slope that leads up to Mark Rosenfeld's new home. This is a 3 pronged attack on the pavement problems. We will remove the asphalt and place stone rip rap with a filter pipe to take the water to the nearest outlet in Hunter Lane. Then we will regravels and pave.

Mark Louro – It will be one to 2 inch crushed stone wrapped in filter fabric.

MR. HAYES – What kind of slope?

Joe Marquedant - 3 to 1.

Mark Louro – They have cleaned the drainage system and swept the road. Also, Lot 18 is stabilized. It has been loamed and seeded and seems to be doing better. Some of the issue downstream is due to the fact that 3 lots were developed. Lot 18A contributed to filling in the drainage system.

John Rosenfeld – The lawn is in now?

MS. SPILLER-WALSH – What about the retaining walls??

Joe Marquedant – We have been doing a lot of the individual lot plans with retaining walls.

Mark Louro – Did you notice there is another spot where it is bleeding through? I saw it today.

Joe Marquedant – I can't tell what it is coming from.

Mark Louro –It appears to be the same thing as the bad patch was 6 months ago. I was thinking you could take a line from the drop in inlet from the slope to the center of the cul de sac and expand the pavement area.

Joe Marquedant – All that compromised gravel has to come up. We may want to go 10 – 20 more feet out.

Mark Louro – I want the rip rap and matting to go further west. The difference between what they are proposing now and what they did last year is make a connection to the drain system.

MS. SPILLER-WALSH – There must be a lot of pressure coming down to make it pop up through. Is there any way to recharge this water? Has Dave D'Amico seen this?

Mark Louro – The Rosenfelds have agreed to video the system and see if anything has failed. They will also clean it out. I checked with our paving guys and they said this is a good solution. I also asked them to extend the stone further.

MR. HAYES – Would it make sense to put a second pipe in there?

Mark Louro – You could you install rip-rap to the edge line and maybe put in a second pipe. Or, just center the single pipe. The storage you will get from the swale. Use a 6 inch perforated pipe. Maybe to be safe, put in a second one.

MR. RODENHISER – how large are the perms? will it plug up with the silt?

Mark Louro – The perforations are actually slits, then it is wrapped in filter. It will be similar to what they did in the sub drain.

MS. SPILLER-WALSH – Is there any way to test this water source to see what it is so we know how aggressively to treat it? Are we putting a thumb in a dyke?

Joe Marquedant – We are really talking about a safety issue at this point.

John Rosenfeld – I think the question is the size of the area, not the flow.

Mark Louro – The pavement in the other 3 quadrants in the circle looks good.

MR. HAYES – You said that DPS is OK with this?

Mark Louro – They were on board with this idea 6 months ago.

Susan Affleck-Childs – What is the next step?

MR. HAYES – Would it make sense to have a clean out at the other end?

Joe Marquedant – We can make changes but they want to go ahead and get going on these changes.

John Rosenfeld – I want to get the slope stabilized first.

Mark Louro – They have improved upon the situation.

John Rosenfeld – Is there any way I can get my brother's lot released?

MR. HAYES – I don't feel I can release a lot yet.

John Rosenfeld – How about if we get on your agenda for the next meeting?

Susan Affleck-Childs – OK for May 24th.

John Rosenfeld – I still have plenty of work to do on the slope. I may cut the pavement but I am not going to install until I have something signed from you and I get VHB out there to inspect while we work.

Mark Louro – At least include everything we discussed tonight in the plan revisions but I will need to be out there to inspect

NOTE – John Rosenfeld and Joe Marquedant leave.

Mark Louro – These guys cleaned this drainage system 3 times last year. They had to cut into the hill.

MS. SPILLER-WALSH – There is a huge amount of water running out of there.

Mark Louro – Maybe they could use it for irrigation.

MR. RODENHISER – With Low Impact Development (LID) that water would be directed to cisterns.

INVOICES

PGC Associates for consulting services. \$1085. *Motion to approve by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Motion passed unanimously.*

MINUTES

MR. HAYES – Maybe we need to shorten up the minutes with just the key points to get caught up.

INFORMAL DISCUSSION - Friendly 40B

Andrew MacDonald
Jonathan Fryer

Andrew MacDonald – We have been in the process of doing some affordable elderly housing. We have a project breaking ground in Dover, a 28 unit senior active adult community (the Meadows in Dover center). We also have one in Holliston (Winter Street) that is going to be a 48 unit senior and affordable. We did the Dover project as a friendly 40B. It received a 100% vote on the ZBA. Before we put the land under agreement, we went to the town and asked what they wanted in Dover. In Holliston, it is a little bit different. We put the property under agreement, went to the state and got the site approval letter and we are on track. So we are now interested in Medway and came upon your bylaws that seem to be in favor of some cluster density. We prefer to do it by right, on a friendly positive basis. We are here to find out what the town wants and needs. Does it need senior housing, family, apartments, ownership? What sizes? You know your town. What do you want and need?

MR. HAYES – Welcome to Medway, we have been waiting for you! Do you have a piece of property in mind?

Jonathan Fryer – We have been looking at several sites. We are very interested in your new OSRD bylaw.

MR. HAYES – It simplifies our old process some. Figuring out the number of units is pretty straightforward. I think Medway would love to have a mix of housing types – You are talking 25% affordable?

Andrew MacDonald – Those would be deeded in perpetuity. We do basement level parking. It is warm and dry and secure with elevators. People who are presently living in this building seem to love it. We got the concept up in Tewksbury. The Holliston project is under permitting.

Jonathan Fryer – We have one building with 36 units and a dozen single-family homes scattered around it.

MR. HAYES – Do you have any interest in rental?

Jonathan Fryer – So far, we have only done condo sales.

Andrew MacDonald – We may be looking at a rental market.

MR. HAYES – We have a newly formed Affordable Housing Study Group. They might have some ideas for you.

Andrew MacDonald – Do you have any need for child day care in the community? One of our partners owns 16 day care centers.

MR. HAYES - We could hook you up with the Medway Zoning Board if you would like to discuss a 40B.

Andrew MacDonald – We have a 3 ½ acre parcel with ½ acre zoning that is surrounded by wetlands. What would you like us to do with it?

MS. SPILLER-WALSH – That really depends on the location.

Jonathan Fryer – On the cluster zoning, I read it that you get a special permit and then do a subdivision?

MR. HAYES – Yes

Susan Affleck-Childs – Medway would be very interested in some affordable housing.

Jonathan Fryer – With the cluster option, it gives some opportunity for some cost savings and then you can put some of those savings into an affordable unit. Regular subdivision roads eat up land and capital.

Andrew MacDonald – With interest rates going up, the affordable sales price is going down.

Jonathan Fryer – On the cluster, it doesn't provide for an increase in density?

MR. HAYES – Depending on the site, it may end up a few lots more with the formula provision.

Jonathan Fryer – What about water and sewer?

MR. HAYES – The entire town is not watered and sewer. Our water department could let you know what you need. I don't think there is any real issue on sewer.

Susan Affleck-Childs – Also, our Design Review Committee is available to meet with you as early as you would like.

MR. HAYES – We can you set up with the DRC if you like to meet with them. Where is your nearest project?

Jonathan Fryer – The Dover project is under construction now.

Andrew MacDonald – We like to do these as friendly with 5 fair market units and 1 affordable. It makes sense for all of us to work together. We like to get the abutters in early so they can be part of process.

Andrew MacDonald – We would like to meet with the AHSG.

Jonathan Fryer – We would like to try sometime if the Town had some property that they would like to develop for affordable housing. The best way for any town to get their quota up is to build something yourselves that is affordable.

Andrew MacDonald – Dover tried to do it for 20 years but it was always crummy land.

MR. RODENHISER – The realities have become clear to all of us. We desire to work with folks to do what is best for town but we also understand that this is a business venture for you.

Andrew MacDonald – This is workforce housing. People making \$60,000 qualify. Those people are your teachers, firefighters, police officers, etc.

MS. SPILLER-WALSH – Medway was a town that was filled with affordable housing at one point in time. Today, those houses now are not affordable at all.

Gino Carlucci – Yet even today, 68% of the housing stock is assessed at under \$375,000

MS. SPILLER-WALSH – The town is evolving demographically. It is changing incredibly quickly with all the new houses. We still have some remaining agricultural land that needs to be protected. There are lots of problems with many of the 40B projects we have before town now.

MR. RODENHISER – There is concern about influx of population growth.

Andrew MacDonald – If we were to come in with a 20 unit all ages community, which way would you like to go?

MS. SPILLER-WALSH – I would want to see senior housing.

MR. HAYES – All ages would be preferable.

MR. RODENHISER – Sounds like this could be a market research type meeting. I bet Ann Sherry from the Medway Business Council could help you as well.

Susan Affleck-Childs – We could ask Missy Dzickek (Medway Senior Center) to attend the AHSB meeting on May 26th. We should also chat with Joe Musmanno (ZBA Chairman) as well.

2005 Annual Town Meeting

IDC Proposal to extend sewer line for west side industrial park

Gino Carlucci – The article is to establish a district improvement financing (DIF) area from Route 109 and Summer street to the town line. It could probably be narrowed.

MR. RODENHISER – Is there a benefit to having the district bigger?

Gino Carlucci – The incremental tax revenues resulting from development in the district would go toward the expense of the up front improvements. Hopping Brook estates could have sewer through this. If they are part of the district improvement financing area, all that revenue would go to the district. The article could be amended to provide some flexibility in the final boundary of the district.

A motion was made by Andy Rodenhiser and seconded by Karyl Spiller-Walsh for the Medway Planning Board to support the District Improvement Financing warrant article for consideration at the 2005 Annual Town Meeting. The motion passed.

Site Plan Bylaw

Gino Carlucci – At the last Medway Business Council meeting, they wanted to hear the selectmen's perspective on the proposed site plan bylaw. They were concerned about personalities and old problems. Raphaella Rozanski, Kent Scott and Glenn Trindade attended but they really didn't address it specifically. The discussion focused more on the town budget and TA search.

MR. RODENHISER - I talked to Bob Parella on Monday. (NOTE – Bob is on the MBC Board.) He is concerned about an appeal having to go to court. I think the Selectmen are more apt to follow the Planning Board recommendations now.

MS. SPILLER-WALSH – That does help, but the problem is with the structure of it and with the applicant appealing to the BOS. The BOS has not gone thru the public hearing process. There isn't enough time for the BOS to make a decision that is thoughtful.

MR. RODENHISER – Is it possible for you, Gino, to solicit their support?

Gino Carlucci – I have been supporting it all along. The MBC Executive Committee met yesterday and didn't discuss it. Perhaps they could meet before the annual town meeting. Many like it and understand it is about the process that it is more business friendly to only go to 1 board instead of 2. That cuts down on time. Nobody else really does it like this.

MR. RODENHISER – Do you want me to talk to Ann Sherry (President of MBC)?

MR. HAYES – Yes please.

Development Handbook

Gino Carlucci – This is a draft. It follows the outline I presented last time. I will add the DRC and Water/Sewer and Historical Commission.

MR. HAYES – We will send a memo to all the boards and ask for input.

Other Business

A motion was made by Karyl Spiller Walsh and seconded by Andy Rodenhiser to approve the PGC estimate of \$140 to review the Pine Meadow 2 Preliminary Plan. The motion passed unanimously.

It was agreed to hold on approving the VHB estimate for \$250 to review the Pine Meadow II plan until the next meeting.

A motion was made by Andy Rodenhiser and seconded by Karyl Spiller-Walsh to approve a PGC estimate of \$315 to prepare Use and Dimension tables for the Zoning Bylaw.

NOTE – Andy Rodenhiser read a memo from Fire Chief Wayne Vinton acknowledging that the Camelot subdivisions are OK for street acceptance.

2 Main Street project (Bob Potheau)

Susan Affleck-Childs – The Building Inspector has determined that this project needs a special permit from the ZBA to building the flood plain. Bob questioned the flood plain line on the approved site plan. Bob Potheau is at the ZBA on May 18. I expect the ZBA will refer him to the PB, BOH and CONCOM for recommendation. So I will put him on our agenda for the May 24th meeting.

Party for Dan Hooper

MR. HAYES – We will do it on June 2 at Primavera in Millis at 6 pm. Please get gift ideas to Susy.

A motion was made by Karyl Spiller-Walsh and seconded by Andy Rodenhiser to adjourn. The motion passed unanimously.

Minutes of May 10, 2005 Planning Board Meeting
Approved- June 21, 2005

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Susan E. Affleck-Childs

Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Karyl Spiller-Walsh
Andy Rodenhiser
Alan DeToma
Cranston (Chan) Rogers, P.E.*

PLANNING BOARD MEETING MINUTES May 24, 2005

PRESENT: Matt Hayes, Chan Rogers, Karyl Spiller-Walsh; Alan DeToma, Andy Rodenhiser

ALSO PRESENT: Gino Carlucci, PGC Associates; Susan Affleck-Childs, Planning Board Assistant; Mark Louro, VHB, Inc.

The meeting was called to order at 7:30 P.M.

Citizen Comments - None

Matt Hayes welcomed Chan Rogers to Planning Board.

Election of Officers

A motion was made by Karyl Spiller-Walsh and seconded by Andy Rodenhiser to nominate Matthew Hayes to serve as Planning Board chairman. Matt agreed to serve. The motion passed unanimously.

It was agreed to hold off on other officers to a later time or date.

Pine Meadow II Preliminary Subdivision Plan

Paul DeSimone, DeSimone & Associates
Matt Barnett, Applicant

Paul DeSimone – This is now a 7-lot subdivision instead of 8 lots as originally proposed. The general layout is 2 streets with 7 lots. Lantern Lane is 100 feet shorter than the first plan. We haven't changed the drainage easement. We are still looking for one waiver on the grade on the slope of the road to keep the road well above the Algonquin transmission line. We didn't change the detention basin. There is no sewerage. On-site septic will be used. We just shortened the road.

Everything else is pretty much the same. We were denied before on the design of the detention basin. We really need to be clear on what you want. This is a gradual slope. The construction area where the road and the house is way up.

Mark Louro – It looks a bit different than the first one. What is the initial drop?

Paul DeSimone – 2 feet in 8 feet. We are not too clear on the denial and why it didn't meet the town's regulations.

CHAN ROGERS – Who denied this?

MATT HAYES – This board denied a previous plan with a longer road.

Paul DeSimone – You only require one sidewalk?

MATT HAYES – Yes. The house footprints are shown for information only, they are not in an exact location?

Paul DeSimone – We are showing a 60' by 30' footprint. If there is another type of means of controlling the water that you guys want, I want to know what that is.

Mark Louro – You really need to look at that decision.

MATT HAYES – This doesn't look like a problem to me.

Paul DeSimone – I haven't changed anything except make the road shorter. I didn't adjust the pond size.

Mark Louro – Some of the contours are mislabeled around the pond and house.

Paul DeSimone – So the detention basin is OK?

Mark Louro– If it meets the requirements and the house has been moved away from the top of the slope.

Paul DeSimone – The septic will go in the back yard now.

Paul DeSimone – What side do you want the sidewalks on?

Mark Louro – You can't use the driveway as a wheelchair ramp. Make sure you can cross at the intersection of the two streets.

Paul DeSimone – I was thinking of the sidewalks along the south side of Pine Meadow Road.

KARYL SPILLER-WALSH – What is the pavement width?

Paul DeSimone – It is 26 feet.

KARYL SPILLER-WALSH – I think that is excessive for the size of the subdivision. Also, could one of the cul de sacs be changed to a hammerhead?

Mark Louro – Just remember that anything changed would need a waiver.

Paul DeSimone – The only waiver we are requesting is a change in slope. But we would be glad to narrow the pavement.

KARYL SPILLER-WALSH – If you do cul de sacs, you need to do landscaped islands.

Paul DeSimone - A hammerhead wouldn't really work in this setting. It works better if a driveway comes out of each end.

ALAN DETOMA – I am not thrilled about a hammerhead solution.

Paul DeSimone – We could reduce the size of the cul de sac.

ALAN DETOMA – I am not averse to narrowing the road width and I think islands would be good. I would suggest that the sidewalk just connect most of the way around. In lieu of wide roads, make it more pedestrian friendly.

Mark Louro – That does make a lot of sense.

KARYL SPILLER-WALSH – I would consider a waiver on road width.

MATT HAYES – I would rather see it as a 26 foot road.

Nick and Nancy Turi, 8 Fisher Street – We would rather see the road a little bit narrower. We have seen the plan and we like what we see. The only thing we had asked for at one point is access from the new street. We think this is a nice plan. It would be nice to have some neighbors. I would like the road a little narrower to make it further away from my driveway.

Paul DeSimone – We would terminate the sidewalk away from the driveway.

MATT HAYES – Would you consider having your driveway come off the new road for safety purposes?

Nick Turi – I want an appealing driveway and a safe way.

CHAN ROGERS – There shouldn't be a driveway at the corner like that.

Mark Louro – The proposed road creates a safety issue. The edge of the driveway and the curb intersect.

Paul DeSimone – We are deeding him the piece of land.

MATT HAYES – What is the Board's feeling on reducing roadway widths?

CHAN ROGERS – That would be OK with me but you need to be consistent.

KARYL SPILLER-WALSH – I would like to see Lantern Lane reduced down to 20 feet and have 24 feet for Pine Meadow and landscaped islands in both cul de sacs.

Paul DeSimone – When the pavement width requirements came into effect, the roads were made wider to accommodate granite curbing, which couldn't be mounted. Without the granite curbing, the pavement width becomes less of an issue as the bituminous curbing can be driven upon.

ALAN DETOMA – If we can successfully reduce Pine Meadow in width to move it away from the abutter, I see that as trying to improve a precarious situation.

Paul DeSimone – We can offset the road. We will definitely work with Mr. Turi.

ANDY RODENHISER – I agree with Alan. If the paving can be narrower, that reduces the amount of paved surface. As long as it is safe.

Mark Louro – The outlet pipe that comes from the cul de sac to Lantern Lane. I would suggest you cut it down.

Mark Louro – The drainage was modeled to assume that all runoff from all impervious surfaces of the lots would go into the roadway drainage system. What if a builder doesn't put the downspouts at the back of the houses?

Paul DeSimone – The drainage design figured that a very small % would go to the roadway drainage system.

Mark Louro – You are increasing impervious area and that needs to be accounted for. With stormwater management, you cannot increase the volume or rate of flow.

Paul DeSimone - I am told from Barbara (Thissell, the engineer) that the number is too small to calculate.

Mark Louro – You are clearing trees. Perhaps she can make it work and model it so the runoff goes off the back of the roof.

Paul DeSimone – If there is any increase, we can put cul tec units in.

Mark Louro – A portion of the stone wall has to be removed to construct the roadway so there will need to be a scenic road hearing.

Paul DeSimone – There is one tree that is dead that will need to come out.

MATT HAYES – If the tree is dead, we may not need a scenic road public hearing.

Paul DeSimone – Can we coordinate that?

Susan Affleck-Childs – Yes, when we get to the definitive plan stage.

Gino Carlucci – One of the regs requires that features of the land be shown on preliminary plans. The wooded areas are not shown.

Paul DeSimone – The entire parcel is wooded.

MATT HAYES – Would you consider selective cutting zones on the perimeter? We want to keep it very wooded.

Paul DeSimone – We can commit to a 15 foot zone for no cut area but we are concerned about septic designs and locations.

Paul DeSimone – Would offsetting the road require a waiver?

Mark Louro – I don't think that is a requirement, but a preference. It would improve safety to offset the road.

MATT HAYES – It seems the Board is favorable to reducing Lantern Lane to 20 feet.

MATT HAYES – I would like to keep the entrance of Pine Meadow Road at 26 feet, but then it could be 20 feet after the Lantern Lane intersection.

ANDY RODENHISER – Could the stone walls on site that are going to be removed, could they be reused in some way?

MATT HAYES – We will want you to go with landscaped islands in each cul de sac. And the sidewalk should go most of the way around to the end of the Lantern Lane cul de sac. Also, the paved Pine Meadow Road can be off center within the right of way.

Susan Affleck-Childs – The plan shows two lots with more than 30,000 square feet. What are your intentions on seeking ZBA approval for those lots for duplexes?

Matt Barnett – We will not be applying to the ZBA for duplex special permits.

Request for Repetitive Petition to the ZBA - 168 Holliston Street

KARYL SPILLER-WALSH – Recuse at 8:20 p.m.

Gene Walsh – The road has been changed, so we don't need a variance from the ZBA anymore.

MATT HAYES – Last fall, the ZBA denied the applicant a special permit and variance to build an accessory in law apartment. The Zoning bylaw does not allow an applicant to come back within 2 years without a repetition authorization from the Planning Board.

Gene Walsh – We need you guys to say its OK to go back to the ZBA.

A motion was made by Andy Rodenhiser and seconded by Alan DeToma to authorize Eugene and Karyl Walsh to repetition the Zoning Board of Appeals for a special accessory dwelling unit special permit. The motion passed.

NOTE – Karyl Spiller-Walsh returns at 8:25 pm

Flood Plain Special Permit Referral from ZBA – 2 Main Street

Bob Potheau - I am before you asking for very little tonight. The building inspector wouldn't issue a building permit for the new building. He felt the building would be located in the flood plain. The problem lies in the way the flood plain map is drawn.

MATT HAYES – The building inspector has to go by the FEMA maps. When Mr. Potheau's engineer put the plan together, there was a mix-up on the flood plain lines. So now, Mr. Potheau needs to get a special permit from the ZBA (to build in a flood plain) and the ZBA needs to get recommendations from the Planning Board, CONCOM and Board of Health before it can do so. The ZBA needs a letter from us recommending that the special permit be issued. There are no changes to the site plan we recommended earlier this winter.

ALAN DETOMA – if we have BOH and CONCOM support, I see no reason why we shouldn't recommend –

A motion was made by Andy Rodenhiser and seconded by Alan DeToma to recommend that this go back to the ZBA with a positive recommendation by the Planning Board. The motion was unanimously approved.

Birch Hill Subdivision – Consideration of Plan Revisions

Joe Marquedant – Marquedant Surveying
John, Mark & Ellen Rosenfeld – Applicant/developer

John Rosenfeld – We are trying to get this hill stabilized. We seeded and stabilized the whole hill. It seems to be holding up quite well in all this rain. The road is clean as a whistle. We popped up everything. The pipes look clean. The sump has silt in it but we will get it all cleaned out. The pavement has been saw cut and is ready to come out. It should take me a week to finish if the weather permits. The entire swale was redone as well. We put the pipe in, filter paper and rip rap. It is flowing good. The first retaining wall for the house is in place at lot 17A. That stabilizes the hill in front.

Mark Louro – The only comment I have on the revised plans is that I want to extend the limit of the stone.

MATT HAYES - That is because I noticed another area where it was starting to deteriorate.

Joe Marquedant – See note #10. I put that in to give them some flexibility. It is already wider.

John Rosenfeld – I took up about 60% of the area, more than what is shown.

Mark Louro – The other thing that you said you would do is to video and clean the drainage system.

John Rosenfeld – It will be the second week of June to do the clean out. The French drain is 700 feet away. I will get him in there somehow. We want to make sure it is running the entire way.

ANDY RODENHISER – Can we contact Dave D’Amico when it is going to occur?

Mark Louro – I will be there, either Dave or me.

Mark Louro – Another question I had was on the endorsed modified plan from April 2002. Sheet 1 shows sidewalk on just on one side ending at the intersection of Ivy and Hunter. Another sheet shows sidewalk going around the entire cul de sac. I am just looking for clarification.

Joe Marquedant – With all the activity here, we will have the sidewalk go just to the intersection with Hunter and Ivy and not go around the cul de sac.

Mark Louro – So this is a point of clarification, that there will NOT be a sidewalk all the way around.

CHAN ROGERS – What caused the problems?

John Rosenfeld – It appears that there is an underground spring.

Mark Louro – There was a substantial cut. Then water started to come up from under the binder.

NOTE – It was agreed that the 5-11-05 drawing as revised is OK for the reconstruction.

Mark Louro – I revised the bond estimate to a total of about \$60,000. That includes all this work.

MATT HAYES – The reason for increasing the bond is to authorize the lot release.

Mark Louro – However, the regs say that to release a lot, the binder needs to be in and drainage system functioning. They are now lacking/missing. The binder was in but it has failed and they are repairing it. But the binder is no longer acceptable as is and the lot has to be accessible. What if the binder isn’t actually completed?

Mark Rosenfeld – I need the lot release to get the loan for the house.

MATT HAYES – I don’t consider the road to be complete.

KARYL SPILLER-WALSH – I would recommend a release of one lot with an increase in the bond amount.

MATT HAYES – This bond estimate includes the cul de sac.

Mark Louro – Yes, it also includes sidewalk all the way around, but I can adjust this number downward.

MATT HAYES – The Board can vote on a bond amount, as a “not to exceed” number. Then we can vote to release one lot. Mark Louro will revise his bond estimate to not include the sidewalk all the way around. Susy and I will review that number. The applicant will come in and pay the money and we will issue the lot release.

A motion was made by Alan DeToma and seconded by Andy Rodenhiser to increase the bond for Birch Hill to an amount not to exceed \$59,556. The motion passed unanimously.

A motion was made by Karyl Spiller-Walsh and seconded by Andy Rodenhiser to release lot 17A upon payment of the supplemental bond. The motion passed unanimously.

It was agreed to have this item on the agenda for the June 14th PB meeting for a status report and to consider an additional lot release and bond reduction.

Mark Louro will calculate a revised bond amount on Wednesday for Susy.

Restaurant 45 – Informal Site Plan Discussion

Paul Yorkis, Patriot Real Estate
Mark Smith, owner
Jay Melick, architect

Paul Yorkis – Thanks for the opportunity to meet with you. We met with you once before and you raised concerns raised about traffic flow. The revised plan has a one-way entrance coming in off of Route 109 and then traffic would flow thru a one way lane toward the back of the site. I met with Fire Chief Wayne Vinton to review this informally. Wayne said he would be happy to review the final document. He has no objections, concerns or issues so far. He didn't see any problems. All of this area along the south and west of the site toward Little Tree Road would be constructed to be a light barrier. Building B is a pad site. We have no idea of what it would look like, whether it would be one or two tenants. We understand you would want to see that. We intend to apply for site plan approval for the entire site but we also know that the tenant for building B would have to come in as well for site plan approval. There is adequate parking in this configuration based on building B being a retail space and for the restaurant with the addition.

MATT HAYES – How many total parking spaces?

Paul Yorkis – 104.

Mark Smith – Right now we have 68 spaces.

Paul Yorkis – I am sure the configuration would be changed based on Disability Commission review. We need your input, suggestions, etc.

ALAN DETOMA - You make reference to front yard setback. What is the side yard setback?

MATT HAYES – We are concerned about the buffer between commercial and residential uses.

Paul Yorkis – We will have to do some homework on that and meet with the neighbors.

Jay Melick – There is a 15 foot buffer between the parking and the edge of property line per the new zoning district.

Mark Smith – We would be looking for a daytime business for building B so we can share the parking spaces at night. Our lunch business is just OK. Nighttime is when we need the space. We will be adding a handicap accessible entrance from the back. We aren't going to expand the seating but rearrange it.

CHAN ROGERS – Will the 126/109 intersection be impacted by what you do? I understand there is to be another lane. I have talked to the traffic engineer at the Mass Highway district office. That is an awful situation there. It backs up all the way to Fisher Street.

Paul Yorkis – To the best of our knowledge, we don't know of any proposed taking of that site. I know there is a left turn green arrow that is inoperable.

CHAN ROGERS– Dunkin Donuts was supposed to provide an arrow, but that wasn't done due to delays for the road upgrade.

Mark Smith – I have not been approached by anyone about any land taking. I haven't had the slightest hint that something was happening.

Mark Louro – There will be no takings there. The reason the left turn arrow was not functioning is because the conduit under the roadway had collapsed. Former DPS Director Lee Henry had planned on the town fixing the conduit. It just needs to be connected. The equipment out there does not function properly. Once you get a new signal system, it will relieve a lot of the problems. The traffic analysis that was done did not recommend an extra lane.

Paul Yorkis – I believe it is an "F" intersection.

Mark Louro – Loop detectors will improve that dramatically. There will be a brand new signal with the Route 126 improvement project.

CHAN ROGERS – Whenever a truck is there, there is a real problem.

Mark Louro – I don't believe they are planning to move the controller.

CHAN ROGERS – So these guys aren't losing any property?

Mark Louro – No.

Gino Carlucci – The maximum lot coverage is 30% for this district

Mark Smith – We are under that.

Mark Louro – Are you increasing or decreasing impervious area?

Jay Melick – Increasing.

Paul Yorkis – The guidance we are seeking is if there is a sense that something close to this would work, then we want to start designing a drainage system. The team of Faist and O'Driscoll are going to be handling this project.

MATT HAYES – I am concerned about the alignment of the entrance with the thru road. It doesn't match up. Please look at that.

Susan Affleck-Childs – How do you want to handle sidewalks on this site?

Mark Louro – I would recommend linkage to the Route 126/109 intersection work.

ANDY RODENHISER – There is some low impact development stuff that is coming out that we have been trained on that would be good to look at.

CHAN ROGERS– I am surprised you have it so constrained for entrance and exits.

Paul Yorkis – We are not showing any drive-thru facility for Building B.

Mark Smith – I have received nothing but positive feedback from all the people I have talked to. Everyone is pleased with the curb cut plans. The landscaping will be 1000% top of the line.

ALAN DETOMA – This plan will take it from what is was to what you want it to be.

Mark Louro - How will you phase this?

Mark Smith – I will want this to move quickly.

Paul Yorkis - Building B is 5400 sq. ft as of right now. It may have to be a little smaller.

MATT HAYES – There will need to be sidewalks to link up with 109/126 work.

Susan Affleck-Childs – Can you explain more what you intend to do in that buffer area?

Paul Yorkis – We will meet with the abutting neighbors soon. Probably a nice looking fence will be included.

Mark Louro – Are there any wetlands?

Paul Yorkis - We have had a professional person evaluate the site and they have determined that no wetlands are on site.

NOTE – The Board took at break at 9:35 pm

159 Main Street Site Update

Paul Yorkis, Patriot Real Estate

Paul Yorkis – I am here this evening because of I think some confusion has developed. I would like to start with the sequence of events. Dave D'Amico, DPS Director stopped in at my office one day when I wasn't there. We later spoke and Dave asked what was going on at the site. I explained to him. Through that discussion, he indicated he had been asked by the Inspector of Buildings/ZEO to see what was going on at my site. I explained and he said everything was fine. There was and is a pre-existing driveway apron on route 109. There has always been an unpaved driveway going back to the garage. Shortly after we bought the building, in order to meet the ADA and AAB requirements, the paved area of the parking lot was extended deeper and a lot of fill was brought in. So a stone wall has been built to cut the angle down and to provide some access to the garage. The area to the right of the garage has been regarded, but not paved. Nothing has been built. Following my discussion with Dave, he suggested that I needed to see Bob Speroni and explain to him. Dave indicated that I did not need a street opening permit. Bob asked me to send him a letter explaining what I was doing which I did. Then I got Bob's letter. Let me be clear that I have not requested a modification to my site plan. I am not trying to be argumentative with Bob or the Planning Board, but I did not request a modification. I don't think any of the work that has been done needs a site plan. It would help me if you can send me a letter acknowledging receipt of my note to Bob and his note to you.

Gino Carlucci – If the ZEO officer says it is a modification and the bylaw says it has to come to the PB, then that is how it works.

ALAN DETOMA – I am a little confused. You didn't request a modification to the site plan area?

Paul Yorkis – It is a new turn around area, but it is not paved. I think it is insane to stop on Main Street and try to back in and or to back out onto Main Street. This gravel area allows a person to turn around.

MATT HAYES – 159 Main Street is not a residence?

Paul Yorkis – No, it is not.

ANDY RODENHISER – What would be helpful here?

Paul Yorkis – Truly, to send Bob Speroni & me a letter indicating that the Planning Board is in receipt of his letter and Paul's letter to him and that there seems to be some confusion. I truly don't know how I have modified the site plan.

ALAN DETOMA – What is this worth to you?

MATT HAYES – Susy and I will draft a letter to you and Bob. We will try not to make it worse for you.

Paul Yorkis – To pay a fee to have something reviewed of this nature seems ridiculous.

Susan Affleck-Childs – If this work had been shown on the original site plan, would it have impacted how we reviewed the site plan. Would this more extensive work triggered a drainage analysis?

Mark Louro – With the first site plan, they wanted to do a gravel parking area. The site plan did not show the existing gravel driveway he speaks about. And now he is almost doubling the gravel area. AT the time of the site plan, the Board tried to reasonable and did not require an engineering analysis and that was with the understanding that everything else would be lawn. Now you are putting in gravel and changing patterns. It is different.

Paul Yorkis – I don't think we have changed runoff patterns.

Mark Louro – Why wasn't the old driveway shown on the original site plan?

Paul Yorkis – We didn't think we were going to use it but we find now that we need to store the signs in the garage.

Mark Louro – I don't have a problem with the steps at all.

Paul Yorkis – The real new area is the gravel turnaround. I believe it would be unsafe to try and turn around on the grass area with the slope that was there. The water was shooting down. With the stone wall there now, it is stopping the long run of the water. The level area in front of the garage is still level. I think the velocity of water going across the site is diminished substantially.

ALAN DETOMA – The gravel turnaround area appears to be very large on the drawing you gave us. Is it accurate?

Paul Yorkis – That is my sketch. I believe it is probably smaller.

ANDY RODENHISER - Is it your intent to park cars there?

Paul Yorkis – The only one might be the plow truck. I plow the Ishmael Coffee Estates roads and plow out my other clients. I have not been parking it there but would like to. My wife wants the truck out of our driveway at home.

ANDY RODENHISER – It seems like there are a series of minor changes that precipitated Bob Speroni's involvement.

Mark Louro – From a drainage perspective, I agree you are not adding a lot of gravel to the site.

MATT HAYES - Ask Bob if it is really a modification, or a violation.

KARYL SPILLER-WALSH – We should try to set a tone that would imply that we have looked at it and there is some confusion. Ask Bob what he really means.

Mark Louro – Do you have any before photos?

ANDY RODENHISER – It is important that we maintain some consistency in our expectations of Bob.

MATT HAYES – I will chat with Bob.

Paul Yorkis – I will hold off on doing the steps until I get some guidance on this matter. There are some dead trees that need to come down. The truck to remove the trees needs the gravel driveway. I am sorry that this has taken so much of your time

Construction Observation Fee – Wingate Farm Subdivision

Recuse – Karyl Spiller-Walsh and Matt Hayes.

VHB recommendation of \$4,767.

A motion was made by Alan DeToma and seconded by Andy Rodenhiser to set the construction observation fee for the Wingate Farm subdivision at \$4,767. The motion passed.

Street Acceptance – Mark Louro

Redgate II Subdivision – Ash Lane and part of Clover Lane

Mark Louro – Re: the as-built plans, we issued a review letter on May 18, 2005. Comment #7 indicates there is a conflict of information between the profile and plan showing different elevations. Revised plans were submitted today but they still are not correct. Regarding item #10 on as-built comments, Steve Poole provided a letter dated 5-24-05 regarding the dimensions of the detention pond. I don't care why the plan isn't correct. It needs to be fixed so that the plan portrays the actual as-built condition.

Susan Affleck-Childs – Let's have Mark contact Steve Poole to specify how the plan needs to be fixed.

Mark Louro – I want the plan to show the actual pond as it was built.

Mark Louro - On the street acceptance plans, those are complete and they have addressed all our outstanding comments.

NOTE – Susy will communicate with Mike Narducci that these details need to be handled.

Camelot II & III /Medway Manor Estates I & II Subdivisions

Susan Affleck-Childs – Everything appears to be in order. We have a sign off from Chief Vinton on the fire alarm box. We have letters from the Mass Architectural Access Board indicating that the complaints have been resolved. I will ask the Disability Commission for a note and follow-up with Dave D'Amico to make sure that DPS is still OK with accepting these streets. They had signed off on them in May 2003.

MATT HAYES - We will plan to meet right before town meeting at 7 pm on June 6th to decide on the final street acceptance votes for Redgate 2 and the Camelots/Medway Manor

Construction Observation

Grapevine Estates

Mark Louro – Things are going along quite well.

ANDY RODENHISER – The wall that the subdivision sign is in, is it in the public way?

Mark Louro – I don't know. The property owner thinks it is on his property. That wall and sign was not on the approved plan;

Birch Hill

Mark Louro - You already heard everything earlier tonight.

Country View Estates

Mark Louro - Greg Whelan was out this past week with Bevilaqua to repair some settlement around some of the structures using the infrared. There are 3 structures where the roadway grade had settled a bit where the road is lower than the structure. We had a meeting with Greg to go thru punch list items.

NOTE – Mark Louro departs at 10:40 p.m.

OTHER BUSINESS

CHAN ROGERS– CONCOM doesn't have an Agent right now. I was going to volunteer as a senior to do work for them. I don't believe there is a conflict of interest with doing that if I am serving on the PB. I am very familiar with wetlands process and issues. I plan to meet with them and prove my ability to handle the task although there may need to be a specialist from time to time. I am just letting you know right now

ANDY RODENHISER – What is our overall direction for next 3-4 months? Is there any overall vision other than economic development?

CHAN ROGERS – I want to second that question. I would like to have some kind of discussion. I agree with Andy that the PB should have some objectives to deal with planning. There is room to set the overall objectives and even if we spend 5% of our time in planning, it is important to articulate that as a community interest.

MATT HAYES – For Chan and Andy, one of the best things you can do is get familiarized with the rules and regs.

Susan Affleck-Childs – I am meeting Thursday morning with Andy and Chan, sort of an orientation.

MATT HAYES – Let's plan to have this discussion at our June 14th meeting.

Invoices

\$315 – PGC Associates 3-7-05 invoice for plan review services. Motion to approve by Karyl Spiller-Walsh, seconded by Alan DeToma. Approved unanimously.

\$1,452.50 - PGC Associates 5-3-05 invoice for plan review services. Motion to approve by Andy Rodenhiser, seconded by Alan DeToma. Approved. Karyl Spiller-Walsh recuse.

\$118.83 – VHB, Inc. 1-12-05 invoice for construction observation services. Motion to approve by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Approved. Matt Hayes recuse.

\$241.20 – VHB, Inc. 4-7-05 invoice for construction observation services. Motion to approve by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Approved. Matt Hayes recuse.

\$297.62 – VHB, Inc. 4-7-05 invoice for plan review services. Motion to approve by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Approved. Matt Hayes recuse.

Gino Carlucci – I have been working on the use and dimension tables for the Zoning By-Law. I will have a rough draft ready for next time.

Gino Carlucci - Another article on the town meeting warrant is the DIF proposal. Also, we had some good news that the state approved a \$500,000 CDAG grant for the sewer project.

A motion was made by Andy Rodenhiser and seconded by Alan DeToma to adjourn. The motion passed unanimously.

The meeting was adjourned at 11:45 p.m.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

NOTES – The March 8, 2005 meeting minutes prepared by Gino Carlucci were distributed. Susy will notify the other boards/departments of the liaison assignments.

*Matthew J. Hayes, P.E., Chairman
Karyl Spiller-Walsh
Andy Rodenhiser
Alan DeToma
Cranston (Chan) Rogers, P.E.*

Approved- June 21, 2005

**Minutes
Special Planning Board Meeting
Monday, June 6 and Tuesday, June 7, 2005
(Before and During the 2005 Annual Town Meeting)
Medway Middle School**

BOARD MEMBERS PRESENT: Matt Hayes, Karyl Spiller-Walsh, Andy Rodenhiser, Chan Rogers, and Alan DeToma

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant

Matt Hayes called the meeting to order at 6:47 p.m. in Room 112 at the Medway Middle School.

Consideration of ANR Plan from James Byrnes for 21 High Street

Jim Byrnes summarized his plan to split off a lot from his property for his daughter.

Susy Affleck-Childs – This plan came in last week. I forwarded it to Gino for review. (NOTE – Gino's review letter was distributed.) The plan presented to you tonight by was revised based on Gino's comments which have all been addressed.

NOTE – The Board reviewed the plan, and asked a few questions which Mr. Byrnes answered.

A motion was made by Karyl Spiller-Walsh, seconded by Alan DeToma to endorse the ANR plan for 21 High Street dated 5-16-05 prepared by Andrews Survey & Engineering, Inc. of Uxbridge, MA for James Byrnes. The motion passed. Andy Rodenhiser abstained.

Street Acceptance Recommendations for 2005 Annual Town Meeting

Susy Affleck-Childs – All outstanding items have been addressed for Redgate II (Mike Narducci) and the Camelots/Medway Manor (Greg Coras) subdivisions

A motion was made by Andy Rodenhiser, seconded by Karyl Spiller-Walsh, to recommend the following streets, included in Article 29 of the warrant, for acceptance by the 2005 Annual Town Meeting.

King's Lane from Station 1+90 to Station 10+55.53 as shown in the *Definitive Subdivision Plans Camelot II* dated September 10, 1992 prepared by GCG Associates, Inc. and endorsed by the Medway Planning Board on February 23, 1993.

Crestview Avenue from Station 10+59.68 to Station 16+57.87 and **King's Lane** from Station 0+00 to Station 5+12.87 as shown in the *Definitive Subdivision Plan Medway Manor Estates II*, dated January 10, 1989 prepared by Westcott Site Services and endorsed by the Medway Planning Board on January 23, 1990.

Crestview Avenue from Station 9+28 to Station 10+59.68 and **Gable Way** from Station 0+00 to Station 4+50 as shown on the *Definitive Subdivision Plan Medway Manor Estates* dated March 4, 1988 prepared by Westcott Site Services and endorsed by the Medway Planning Board on June 14, 1998.

Ash Lane from Station 0+00 to 12+38.77 and **Clover Lane** from Station 0+00 to 2+79 as shown on the *Definitive Subdivision Plan of Redgate II*, dated August 26, 1998, prepared by Consolidated Design Group, Inc., endorsed by the Medway Planning Board on July 27, 1999, and amended on March 13, 2001.

All other streets listed in Warrant Article #29 should be dismissed, as the requirements for street acceptance have not been satisfactorily completed. The motion passed unanimously.

Susy Affleck-Childs – I will place both of these subdivisions on the agenda for the next PB meeting for bond release.

Consideration of Reducing Site Plan Modification Fee for 159 Main Street

Susy Affleck-Childs – Matt talked to Bob Speroni about this matter and I understand that Bob and Paul Yorkis spoke as well. Paul understands that the work involved constitute a minor site plan modification. He has asked the Board to consider reducing the site plan modification application fee (normally \$500) due to the limited scope of the project. When you considered this same issue for a modification to the site plan for 133 Main Street, you voted to reduce the fee to \$250.

Andy Rodenhiser – Is that a recommendation? Will that amount cover your time and that of the Town Clerk, BOS office, Gino, etc.

Susy Affleck-Childs – It is not a recommendation, just information on what you did in the recent past. I think my work on this will involve about 4 hours total.

Andy Rodenhiser – We need to be able to figure in the total cost of these things, including benefits.

A motion was made by Andy Rodenhiser and seconded by Karyl Spiller-Walsh to reduce the site plan modification application fee from \$500 to \$250 for 159 Main Street. The motion passed unanimously.

Susy Affleck-Childs – Do you want our discussion with Mr. Yorkis last week to count as the PB's review?

Matt Hayes - I want to have him in to a meeting for us to do a full review. He needs to do an application.

Karyl Spiller-Walsh – I have some concerns about the sight lines from the second driveway.

Medway Mill Redevelopment

Susy Affleck-Childs – A couple of weeks ago, we were contacted by some folks representing that they had put the Medway Mill under agreement and were interested in finding out about what kinds of things the Town was interested in happening there. They specifically asked the PB to convene a meeting of various folks to have a brainstorming session. I spoke with Matt and that meeting is scheduled for Thursday night this week at 7 pm. I have been in contact with the BOS, IDC, CONCOM, Historical Commission, CPC, ZBA and DPS. I think we will have a very good turnout.

Matt Hayes – Did you include the DRC? I think they should be invited.

Susy Affleck-Childs – No, I didn't. Good idea. I will contact Gary Jacob tomorrow. I did contact the Historical Commission and they were very appreciative.

NOTE – Chan Rogers and Karyl Spiller-Walsh will try to attend. Alan DeToma and Andy Rodenhiser cannot.

FY 06 Planning Board Budget

Susy Affleck-Childs – I have reviewed the PB budget recommended by the FINCOM that will be voted on tonight. The salary amount is not sufficient to cover my present salary and it certainly does not reflect the % and step increases per the union contract for FY 06. I ask that the PB take some time at a future meeting to decide how it wants to allocate its total budget for FY 06 between Salaries and Expenses.

2005 ATM Articles 11 and 13

Susy Affleck-Childs – Selectman Jim Galligan sent an email around this afternoon to a number of folks, sharing some information he had received from the Department of Revenue at a workshop he attended last week. Folks from DOR had reviewed the 2005 ATM warrant and raised some concerns about the two articles on establishing revolving funds. The DOR people thought the revolving funds would not be approved by the AG's office. According to Moderator Mark Cerel, some of the other FINCOM folks are now concerned. I responded to Jim and tried

to address the concerns. He seems OK to let it go through tonight and take our chances with the AG's review.

NOTE – Copies of the various email communications were provided to Alan DeToma who is responsible for speaking for the PB on behalf of these two articles.

Other Business

Karyl Spiller-Walsh – With this discussion on the sidewalk fund, Gene and I had an idea. For the amount we have to pay in lieu of sidewalk construction at Wingate Farm, we would rather see the money used for something else, like architectural assistance to the DRC to come up with some design ideas for these big box residential buildings we are starting to see proposed (River Run ARCPUD, and possible other multi-family project by Metro West Housing Initiative.)

At 7:25 p.m., the Planning Board relocated to the 2005 Annual Town Meeting held in the gymnasium. NOTE – At this time, Susan Affleck-Childs departed.

The 2005 Annual Town Meeting was opened by Moderator Mark Cerel. The town meeting continued until 11:00 p.m. on June 6, 2005 and was reconvened on June 7, 2005 at 7:30 p.m. Chan Rogers did not attend on June 7, 2005.

The Planning Board meeting adjourned at approximately 9:45 p.m. on June 7, 2005 at the close of the 2005 Annual Town Meeting.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Alan DeToma, Clerk
Karyl Spiller-Walsh
Chan Rogers*

Approved – June 28, 2005

MINUTES
June 14, 2005 Planning Board Meeting

PRESENT: Karyl Spiller-Walsh, Alan DeToma, Matthew Hayes, Andy Rodenhiser, Chan Rogers
(arrived at 8:20 p.m.)

ALSO PRESENT; Susy Affleck-Childs, Planning Board Assistant; Mark Louro, VHB, Inc.,
Gino Carlucci, PGC Associates

Matt Hayes called the meeting to order at 7:33 p.m.

Citizen Comments - None

Construction Observation – Mark Louro

Grapevine Estates – They have reclaimed 200 feet of Oakland Street where the trench patch was not well done. The binder is down. They graded the sidewalk gravel and did sidewalk binder. The utility pole was relocated but the guy wire was set within the sidewalk and that has to be moved. All frames are set to finish grade height.

Birch Hill – They are working diligently out there. They put in the drainage mat below half of the cul de sac. All the fabric is in along with all the pipes and gravel up to binder grade. Yesterday, they were cleaning out the drainage system and videotaping. They had already reconstructed the swales on the slope and the grass is starting to take. They are moving right along. The pavement is left and sidewalks need to be finished.

Forest Edge – I was out at Forest Edge to put together a punch list for Dave D’Amico. The abutters had planted all the rose bushes around the detention pond and they need to put in an 8 foot gate. A couple of frames that need to be dealt with.

Morgan Heights – There are a lot of concerns. The drainage system does not appear to have been installed per the approved definitive subdivision plan. There is no roadside trench to convey water to the detention system. No treatment is being done. The runoff is going right to the wetlands.

ALAN DETOMA – How does CONCOM feel about that? Should we tell them? Can we send them a note out of courtesy?

Mark Louro – The runoff that is going down the hill is creating erosion. The hammerhead shape of the roadway is a little weird. It doesn't match the plan. There is a lot of junk (trucks/construction debris??) left in the street that should be moved off the roadway.

Hartney Acres 2 – They are clearing and grubbing. They are having difficulty getting around the site. They were loading up gravel and they went down 2 feet deeper. We will have to monitor that very closely. They may have to go deeper.

ALAN DETOMA – What concerns are there surrounding the road?

Mark Louro – There are some areas where there is some perched water. Maybe they will need to do some compaction testing before they bring in the gravel for the pavement and get a better handle on the areas that need to be fixed. It needs 95% density. They are in as far as the cul de sac. They put in a temporary pipe to go over the wetlands. They need to come into the PB to finalize that design for the box culverts.

Ishmael Coffee Estates – I looked at lot 9. They finished regarding the pond. They put up a big wall of large stone boulders. The size of the pond looks adequate. Its shape has been restored. I will ask for an as-built of the pond.

ELECTION OF OFFICERS

MATT HAYES – Andy, would you be willing to serve as vice – chairman?

ANDY RODENHISER – What is involved?

MATT HAYES – I will need you only those occasions when I can't be here or have to recuse myself.

ANDY RODENHISER – OK, I will do it.

Motion by Alan DeToma, seconded by Karyl Spiller-Walsh to nominate Andy Rodenhiser as vice-chairman of the Planning Board. The motion passed unanimously.

Motion by Karyl Spiller-Walsh, seconded by Andy Rodenhiser to nominate Alan DeToma as Clerk. The motion passed unanimously.

Update on Country View Estates Subdivision Construction

Neighbors present: Irene Streifer, 37 Broad Acres Farm Road

MATT HAYES – We understand your concerns are on going. We recently met with Greg Whelan, about 2 weeks ago to review some of the issues regarding some of the drainage concerns with the detention basin in the back and some possible remedies.

Irene Streifer – Which ones were discussed?

MATT HAYES – The one on your property. Greg Whelan said he would hire an engineer to analyze the existing pond and compare it to the designed pond.

Mark Louro – They need to look at the forebay to see if the volume is necessary for the system to function as intended. They can provide that volume elsewhere. Greg indicated that he had the original drainage calcs so that the engineer can review those. I think the way he is leaning is to extend the forebay to the west to get the volume he needs.

MATT HAYES – Some of the other concerns are trees at the end of Broad Acres Farm Road near Summer Street. Greg stated he would take those down near the front bus stop.

Mark Louro – I met with Greg in the field. He has someone that was supposed to be here last week to take down the trees. He expects it will be taken care of in 1-2 weeks.

MATT HAYES – There were some concerns about the sewer and catch basins.

Mark Louro – There is settlement or pavement damage around several manhole covers. One of one of the lift holes for the structure was not mortared up correctly and settlement was created. They went out 2-3 weeks ago and cut open the problem area and patched the road. Greg has indicated he has patched up the lift hole. They were also out there today and we reviewed the other locations of concern such as where the concrete that holds the frame in place is too high and causes the pavement around it to settle and crack (9, 20, 30 and 31 Broad Acres Farm Road) For all these catch basins, the pavement has to be removed and then the concrete has to be ground down. Then they will use an infrared panel to heat the pavement. They expect to be out there next week. VHB will be on site to inspect.

ANDY RODENHISER – Are the structures too high?

Mark Louro – That is what I originally thought, but I think the gravel on the roadway is a little too low. Jimmie Smith was out when they were excavating at 30 Broad Acres Farm Road. He said it wasn't the structure but the concrete.

MATT HAYES – Did you notice whether any more sand from the winter has been removed?

Irene Streifer – They did remove the sand. It doesn't sound that you have a long list. In March 2004, there was a huge long list they you prepared. I assume you have a punch list of a sort now.

Mark Louro – That punch list is still intact. Today we were out there to discuss the paving in particular. When we met with Greg, I gave him a master collection of all punch list items from the construction observation reports. In that meeting, Greg stated he expects to have everything done by the end of August. He has talked to a contractor who said he can get the work done by then.

Irene Streifer – My question is whether there is money now for engineering inspections?

MATT HAYES – Greg lets us know when he is doing the work so VHB can be there to inspect.

Irene Streifer – I know that there are some other individuals here from the development. This has gone on for a long time. He has said he will finish it. You have bond money for certain things. I think we need to take a look at that bond money. When it was originally placed it goes back to 1999. There should have been a time of completion. I have been told there isn't enough bond money for the town to complete the work.

MATT HAYES – When the bond is set it is based on current prices.

Mark Louro – And we add a 20% contingency, but not necessarily an inflation rate, plus costs for maintenance and snow plowing. There is some money in there that is not hard costs.

Irene Streifer - In looking at this, he has gotten a lot of money back. The inflation rate has gone up quite a lot. I would think the town would want to make sure that the matters are covered. There is a lot of icing out there in the winter that is not just from a lack of plowing and sanding. My concern is that if something is not completed or something is found after the case, it will cost the Town money to be repaired. We know that won't happen and we residents will just have to live with it. I don't think we paid to live on that block to have these kinds of problems.

MATT HAYES – Once the town accepts the street, it is the town's responsibility to repair the roads.

Chuck Wright, 15 Broad Acres Farm Road – What needs to be done for street acceptance??

MATT HAYES – The construction has to be built to conform to the (definitive subdivision) plan. Then as-built plans need to be submitted. The Town DPS needs to review. VHB inspects. Deeds and other legal documents have to be prepared. The Disability Commission inspects and the Fire Department too.

Irene Streifer - Is the Town willing to give him an end date and stick with it this time?

Gino Carlucci – This is one where there was no date of completion in the Certificate of Action. Bond reductions constitute an implicit extension of time. But it is certainly in the Town's authority to impose a time limit.

MATT HAYES – Is there a 7-year deal?

Gino Carlucci – I believe that pertains to the zoning freeze that comes along with submitting a subdivision plan.

KARYL SPILLER-WALSH – At this stage, can we institute a deadline?

Susy Affleck-Childs – The regs in effect at that time provide for 2 year extensions. As Gino said, by doing bond reductions, there is a defacto extension. The last reduction was made in November 2003. So, that two years is up November 2005.

ALAN DETOMA – Having only been involved in the tail end of this, we are at a point where we seem to be getting a spirit of cooperation with this guy. It appears as though there is some level of cooperation going on. You don't want to counteract that by drawing a line in the sand until he demonstrates that he is not proceeding as promised.

MATT HAYES – Since the construction season has started up again, we need to give him this time.

Mark Louro – But he has made commitments before that he hasn't kept.

ALAN DETOMA – What is your ultimate option? To seize the bond?

Gino Carlucci – How does the bond amount relate to what actually still needs to be done?

KARYL SPILLER-WALSH – Remember, he did some work after November 15, 2003 that needed testing to prove it was done acceptably.

Irene Streifer - Then he took a leave of absence for 2 years.

Susy Affleck-Childs – The Board would be well advised to not authorize any further bond reductions even if work is completed.

Paul DeSimone – Greg is scheduled to do the sidewalk and binder on Stable Way next week.

MATT HAYES – Anything further on drainage design for 37 Broad Acres Farm Road?

Mark Louro – I told Greg to have David Faist (engineer) call me.

Paul DeSimone – Today, Greg called Joe Hanlon, who did the original engineering design, to set up a meeting to discuss this.

NOTE – Alan DeToma read a 6-14-05 letter from Alan and Peggy DiBiasio, 11 Broad Acres Farm Road. That letter is attached and made a part of these minutes.

Chuck Wright - If you apply a deadline and pull the bond, then what happens?

MATT HAYES – The road would have to be accepted and then the Town would use the money to finish the road according to the plan.

Chuck Wright – And if the bond is not enough?

MATT HAYES – The Town would most likely use the money for the most important things.

Irene Streifer – Is it true if you pull over \$100,000, that town counsel has to be involved?

NOTE – No one on the Planning Board could confirm that.

MATT HAYES – We would involve Town Counsel in any circumstance.

KARYL SPILLER-WALSH – This list that the DeBiasios sent in is not 100% accurate.

ALAN DETOMA – Any letter like this has to be taken in its context.

MATT HAYES – This board is actively pursuing this project to completion. We are in contact with Greg to live up to the bargain. In good faith, he has said he will be done by the end of August. If we don't see any progress, we will be in touch.

Brian McSweeney, 20 Broad Acres Farm Road - I have some other questions regarding all this.

NOTE – Chan Rogers arrives at 8:20 p.m.

Brian McSweeney – What about some of the other neighborhoods that have unaccepted streets, how do those neighborhoods carry on?

MATT HAYES – In some cases, the developer takes care of the roadway. In cases where the developer has taken off, the Town does handle plowing. I expect the Town would probably maintain a drainage system if an emergency occurred.

Brian McSweeney – In those neighborhoods whether the developer is taking care of the road, what is the purpose of the red “unaccepted street” signs?

Mark Louro – That is something the former DPS director used to require. What the purpose of those was, I am not absolutely sure. I am not sure the current director requires those.

Brian McSweeney – At some point, they probably had a practical purpose to indicate these were roads not to plow. But from a taxpayer's perspective, those signs are a slap in the face. The Town has let down these neighbors. I don't see the Town of Medway offering any of us any tax reduction because our street is not accepted. Is that practice going to be carried forward?

ALAN DETOMA – We are hypothesizing why that was done. It is really up to the developer to see to it that he meets the requirements to get the road accepted. We, as a board, cannot actively chase these guys. We are somewhat tied at how quickly these things can be constructed.

MATT HAYES – We need to chase them to deal with safety issues.

ALAN DETOMA – We can't drag them to the finish line.

Chuck Wright - Can you apply pressure? What about the house Greg is building? It sounds like you have lost all negotiating power with him. At some point he will walk away.

Susy Affleck-Childs – The total bond amount (for all 3 phases) is about \$240,000.

Brian McSweeney – Those neighborhoods with those red signs, the town has let them down. They totally tick me off and a lot of other people in the town who pay lots of money in taxes. Is there any way to find out the status of those signs?

MATT HAYES – One of the reasons may have been to put prospective home buyers on notice.

Brian McSweeney – So now it is the responsibility of new home owners in a new neighborhood to have to push hard on the Planning Board.

Mark Louro – When those signs were put in, it was a condition of lot releases. It is a warning.

I have to tell you that Country View Estates is not your typical subdivision where the contractors and developers want to get in and out. With the typical ones, they get in, they build the road, they get out and done in 3 years. There are some difficult subdivisions like Country View Estates. You have to understand, that no one on this Board now was involved at the time the subdivision was approved in 1999.

Brian McSweeney – As a taxpayer, I am in a neighborhood that I want to be accepted. I want to brace for what may happen but hope won't happen. Another question. In Country View Estates, could part of it be accepted?

MATT HAYES – The road could be accepted in sections, as long as what is accepted is connected to a public way. That would apply to the first phase.

Brian McSweeney - The only other thing and my last question is what is the best way to get an update? Susy probably gets a lot of calls so I feel guilty calling her. She gives me good info and background. What is the most effective way for the folks on Broad Acres Farm Road to keep abreast of what is going on? How do we know if this is progressing toward being accepted rather than all of us individually getting a hold of Susy?

MATT HAYES – To participate, come to the meetings.

Irene Streifer – What about the punch list? It has been 7 years. Everybody should be apprised of what needs to be done.

MATT HAYES – We can put that together for you to pick up.

Brian McSweeney – Assuming all the work on the list is done, you mentioned some other things that have to happen for the whole package to come together. Is there any estimation on how long it could take?

MATT HAYES – If he completed all the work by August 31, it might be possible to accept the street this fall, if there is a town meeting.

Brian McSweeney – Is it reasonable to expect that?

Mark Louro – Yes, for Broad Acres Farm Road, but probably not for Stable Way.
NOTE - Mark Louro leaves at 8:35 pm.

ANR Plan – Francis Panachelli for 116 Summer Street

Paul DeSimone - They are cutting a lot out of the site. He plans to demolish the house.

MATT HAYES – It is quite an old home, does the demolition delay bylaw kick in?

Paul DeSimone – He is going to raze it or give it away. He is going to move here and tend the farm. The farm will be offered to the town first under 61A, once the lot is cut out.

Gino Carlucci – There were a couple of minor technical deficiencies in the plan.

Paul DeSimone – This property is on town sewer. There is a drainage ditch that runs thru the site.

Gino Carlucci – That is not on the newly created lot.

Paul DeSimone – He is just going to tend the farm and keep it like Jim Panechelli had done.

ANDY RODENHISER – Will the Town have a chance at this?

MATT HAYES – Yes, under the 61A provisions. The Board of Selectmen will probably refer it to the CPS for recommendation.

Motion by Karyl Spiller-Walsh, seconded by Alan DeToma to endorse the ANR plan for 116 Summer Street, prepared by DeSimone and Associates. The motion passed unanimously.

ANR Plan - 236 Main Street – George and Carol Groehl

Paul DeSimone – Mike Fasolino is buying the house and the back parcel is going to be deeded to the abutter to the north (Crowley or Guerrero, whoever owns it at the time.)

Gino Carlucci – It met all the requirements. The in between lot line is being eliminated.

Paul DeSimone – It had been 2 separate parcels. Now it will be one with the back part being sold off.

ANDY RODENHISER – What is the purpose?

Paul DeSimone – The back piece is going to be deeded to the adjacent parcel and I have a preliminary subdivision plan for you on that.

Motion by Andy Rodenhiser, seconded by Alan DeToma, to endorse the ANR plan for 236 Main Street with a revised date of June 14, 2005. The motion passed unanimously.

NOTE – The Board endorsed the plans and signed the A-1 forms for both projects.

OTHER BUSINESS

Paul DeSimone showed a new 2 lot preliminary subdivision plan for the Crowley/Guerrera property on Milford Street, to be known as Rolling Hills.

Susy Affleck-Childs – Did you prepare it in accordance with the new Subdivision Rules and Regs?

Paul DeSimone – We will need a lot of waivers.

Susy Affleck-Childs – That doesn't answer my question.

Paul DeSimone – Yes.

Susy Affleck-Childs – A Development Impact Report is required with a preliminary plan.

Paul DeSimone – I will work on that.

Informal Discussion with John Spink re: Marian Community ARCPUD, 154 Summer Street

NOTE – Associate Member Eric Alexander joins the meeting

John Spink – I filed with the CONCOM yesterday for the first section of the road. I would like to walk you thru verbally what the bridge and road will look like. I want some aesthetics input. Coming off the entrance road it would split and then rejoin. What I want to talk to you about is the dividing of the road. You passed a change in the ARCPUD bylaw to allow one-way roads to be less than 22 feet. So what do you want? 14 or 16 feet width for the split? There will be an underground drainage detention area in the split area, grassed with shrubbery in between the roads with cape cod berm on the side basically at ground level. It goes thru the trees and up to the bridge where it comes together. We will have a stone dust path with a post and rail fence. I need to use locking stone. Pick your color. There is a huge boulder rock formation. We will use pavers with infiltration and a parking area of the same. Do you have any comments?

KARYL SPILLER-WALSH – Certainly the locking stone blocks.

John Spink - I don't have much choice. I don't want to do a concrete wall.

KARYL SPILLER-WALSH – Why not stone? Why don't you bring us some material? We usually recommend stone or cast from stone form liners.

John Spink – OK

John Spink – The Fire Chief wants 18 feet width for the back emergency access road. It will be about 900 feet or so long.

ERIC ALEXANDER – Do you anticipate any occasion where there will be parallel parking along the one way road?

John Spink – The Marian community is a Catholic lay community. Someone has donated a bronze statue of Christ rising that is 14 feet high. This is a park area around the statue with parking. It sits on a granite cross. We anticipate 75 to 85 ARCPUD dwelling units. The existing bridge currently has 2 abutments. We are going to pick off the deck and dig down 32 feet across and put in foundations and put in a U shaped bridge. That will leave the walls and river bank in place. Also, it is in the 100 year flood zone.

MATT HAYES – The elevation of the road is above the flood plain?

John Spink – No. It will flood every 14-15 years.

MATT HAYES – Aren't you concerned about that?

John Spink – If you raise the road, it will cause flooding on either side. The length of time for a 100 year flood is less than one day, 6 inches. I may have to use the emergency access road at the back for the residents when it floods.

ANDY RODENHISER – Will these be public streets?

John Spink – No, not ever.

John Spink – The bottom line is that if it needs to be out of the 100 year flood zone, I will need a culvert 18” high and 6 feet wide. I also need some input on guard rails.

Susy Affleck-Childs – The new subdivision regs provide for Corten (weathering steel.)

John Spink – That is ugly. I have a guard rail between the path and the roadway for 300 feet. I want to keep the cars and the pedestrians separate.

MATT HAYES - If you don't need an actual guard rail, you don't need to have a barrier separating the pedestrians from the vehicular traffic.

ANDY RODENHISER – Have you been to the CONCOM with all this? This seems to be one of those things that what we have to say might not matter. How do they feel about a road that would be submerged in the wetlands?

KARYL SPILLER-WALSH – Our concern from a safety perspective.

Susy Affleck-Childs – So what do you want to see for the fencing/divider?

KARYL SPILLER-WALSH – I suggest you go thru the Design Review Committee on that.

MATT HAYES – On the bridge, would it make sense to have a metal barrier at the outside?

John Spink – It needs to be a metal barrier so I can connect the guardrail strength to the bridge. I could encase it in a reinforcement.

MATT HAYES – The DRC will help you out.

John Spink – The practical aspects of this is that I will be coming with this and the remainder of the site in about 6 weeks for you to have a formal submittal as the ARCPUD special permit and subdivision.

KARYL SPILLER-WALSH – If you have any large buildings, please make sure you have elevations.

John Spink – I still don't have a good reading yet on how it will be structured.

Susy Affleck-Childs – John and I have talked about a possible OSRD component as well for this area for the Marian folks that are under 55 years old.

MATT HAYES – Please talk to the fire chief for his input on the road width for the one way road segments.

ERIC ALEXANDER – My personal preference is less impervious surface, the better.

MATT HAYES – I don't have a big issue with 14 feet, but talk to the fire chief.

Informal Discussion - River Run ARCPUD, Village Street

John Spink – I have almost all the same questions here s with Marian. What about the stone wall at the entrance?

KARYL SPILLER-WALSH – I think we would want to see some sort of sketch.

John Spink – There would be a sign separate from the wall. I have it as a dry laid rock wall. I have got a half of mile of stone wall out in the woods and we might as well bring it out front.

ANDY RODENHISER – Open joint?

John Spink – I would rather see dry laid.

John Spink – We brought the GSA in and found the ground water to be down more than 3 feet so so we can drop the height of the fill. I put the water into underground storage. I may need to do a foot and half of fill around the houses. Does that change anybody's view of what the site islike? We will have sidewalk one with 24 feet width for the roadway. That is OK with us, a sidewalk is 4 feet on one side

John – I don't have much walkway along the roads. I want to stay away from 5 feet width, I would love to do the sidewalks at 3 feet.

MATT HAYES - You have to make sure that this works for wheelchair issues.

KARYL SPILLER-WALSH – I would entertain 4 feet for sidewalks

ERIC ALEXANDER – Will you have one way streets?

John Spink – Yes.

John Spink – So a stone wall up front. What else?? The bridges are culverts and not visible. I will probably do a stone guardrail. All drainage will be underground but I will release it into an aft bay about half the size of this room to settle out everything that is left. You shouldn't see any rock or stone. It will all be grassed with a geogrid product and the grass grows thru it. Visually, it will look like grass.

NOTE – The board took at break at 9:45 p.m. and reconvened at 9:53 p.m.
Eric Alexander leaves meeting.

CHAN ROGERS - If the road is going to be the access road for the ARCPUD, then it should be designed to be above the flood water.

MATT HAYES – This is the first we heard about this.

ALAN DETOMA – We didn't give him much guidance.

KARYL SPILLER-WALSH – We need to talk about it with Mark Louro.

ANDY RODENHISER – I can't imagine CONCOM would want to allow a road under water.

KARYL SPILLER-WALSH – I am thinking we need to discuss this some more.

MATT HAYES – There will be a pre application meeting on this. It has to be looked at during the preliminary stage.

KARYL SPILLER-WALSH – He needs to know how we feel.

ALAN DETOMA – They want to get the statue in place and get the road in.

MATT HAYES – I would think the bridge would constitute a structure per the zoning bylaw.

CHAN ROGERS – We have to tell him he can't have a road under water for access to the ARCPUD.

ANDY RODENHISER – He is looking for tacit approval now beforehand.

CHAN ROGERS – Did we give him anything tonight?

KARYL SPILLER-WALSH – We surely didn't give him a negative response to building the road under water.

CHAN ROGERS – We should notify him by letter or email.

MATT HAYES – Let's clarify this issue with him. Let's do an email that the road that will later be used as access for the ARCPUD cannot be below the 100 year flood plain. It must be above the flood plain.

NOTE – The Board concurred.

MATT HAYES – So they will have to address this in the pre-application meeting so we can take under advisement while they go get a special permit from the ZBA to build in the flood plain.

ANDY RODENHISER – Is there a standard we can reference? We can't allow a road under water.

KARYL SPILLER-WALSH – This could look awful when it has to be replicated.

Gino Carlucci – Flood plain replication is just volume.

FY 06 PB Priorities

Susy Affleck-Childs – I am thinking that considering the late hour, we may want to hold a special meeting just on this topic. I would also suggest that we seek input from other boards, etc.

ANDY RODENHISER – I will be gone the week of June 27 and July 4th on vacation.

ALAN DETOMA – On June 28, I will be off on a business trip. I leave for vacation June 30 and will return July 7.

Susy Affleck-Childs – what about a Saturday?

ALAN DETOMA – No on June 25th.

MATT HAYES – Neither June 18 or 25 work for me.

It was agreed to meet Tuesday evening, June 21st for a special meeting on FY 06 planning priorities from 7:30 – 9 pm. Former Chairmen Dan Hooper and Jim Wieler will be invited. Susy will seek input from the BOS, ZBA, Bob Speroni, IDC, Historical Commission, Medway Business Council, CONCOM, DRC, etc. We should try to get something in writing from these groups.

ANDY RODENHISER – We need to seek some input from Joe Musmanno on the contractor's yard zoning articles.

Bond Release – Camelot II & III, Medway Manor Estates I and II

MATT HAYES – We have a memo from Susy on this.

Motion by Andy Rodenhiser, seconded by Alan DeToma to release the full bond amount remaining for Camelot II and III and Medway Manor Estates I and II. The motion passed unanimously.

Bond Release – Redgate II

Motion by Andy Rodenhiser, seconded by Alan DeToma, to release the full bond funds for Ash Lane. The motion passed unanimously.

NOTE – Karyl Spiller-Walsh departs at 10:30 pm

Appointments to Design Review Committee (DRC)

A motion was made by Chan Rogers, seconded by Alan DeToma to appoint Gary Jacob, Katie Tortorello, Stacey Wetstein and Julie Fallon for a 2 year term to the Design Review Committee through June 30, 2007. The motion passed unanimously.

Appointment to the Open Space Committee

Motion by Andy Rodenhiser, seconded by Alan DeToma to elect Karyl Spiller-Walsh as the Planning Board's representative to the Open Space Committee. The motion passed unanimously.

Committee Liaison Reports

ANDY RODENHISER - Medway Business Council – We met with the executive committee yesterday to discuss the draft Development Handbook. They suggested we should circulate it to local attorney, certified public accountants and commercial realtors. It would help all those folks in guiding their clients to a new and friendlier permitting process. The MBC folks would like to see a revised draft for final comments. They loved the flow charts and would like less words.

ANDY RODENHISER – I approached Bob Heavey on Water/Sewer. I told him I was the liaison from the Planning Board to them. I also talked with Mark Flaherty and tried to bridge some communication there as well.

ANDY RODENHISER – I passed on to Bill Wright an on-site sewage disposal plan for a large apartment building in Bellingham, just for consideration.

MATT HAYES – The CPC met the other night. We won't meet again this summer unless a chapter 61A property becomes available.

MATT HAYES – Also, we met with the Zealand Corporation re: the Medway Mill. There was a good representation from the Historical Commission, CONCOM, the BOS etc. They are still in their due diligence phase, interested in possibly working with the town on a friendly 40B, maybe split up with the site with an ARCPUD in the back and reworking the historic mill for 40B. They mentioned the idea of razing the entire building but that didn't go over well. They also thought about adding on another floor to the top but there was some concern about that. They didn't feel a mixed use residential/commercial project would work well. They are definitely going more toward residential.

ANDY RODENHISER – Why?

MATT HAYES – There are real visibility issues for commercial development in the back. Also, tough access issues. They sounded like they want to work with the town. They know there is CPC funding available for affordable housing and preservation. They are not in any rush. They may just hold it for awhile. The Planning board will be their contact for the town.

Other Business

McDonald's petition to ZBA for a sign variance

Susy Affleck-Childs – McDonalds is seeking a variance from the ZBA to allow them to install a free-standing sign out in front. I would recommend that we sent a letter to the ZBA to encourage them to deny this variance request.

NOTE – I was agreed that Susy and Matt would work on a note from the Planning Board to the ZBA.

Minutes – June 14, 2005 Planning Board Meeting
Approved - June 28, 2005

Susy Affleck-Childs – I would also like to encourage the Town to consider alternative styling for signal fixtures for the Route 126 project. Perhaps we could do a letter to the BOS and to Dave D'Amico. But we need to be cost conscious as well as interested in something decorative.

Motion by Alan DeToma, seconded by Chan Rogers to adjourn. The motion passed unanimously.

The meeting was adjourned at 11:25 pm.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Alan DeToma, Clerk
Karyl Spiller-Walsh
Cranston (Chan) Rogers, P.E.*

Approved- June 28, 2005

MINUTES
Special Planning Board Meeting
June 21, 2005

PRESENT: Matthew Hayes
Andy Rodenhiser
Karyl Spiller-Walsh
Alan DeToma
Chan Rogers

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant
Diane Borgatti, Former Planning Board Chairman
Gino Carlucci, PGC Associates
Dan Hooper, Former Planning Board Chairman
Kent Scott, Chairman – Board of Selectmen

The meeting was called to order by Planning Board Chairman MATT HAYES at 7:38 p.m.

APPROVAL OF MINUTES

March 9, 2005 – Motion by Alan DeToma, seconded by Karyl Spiller-Walsh to approve the minutes of the March 9, 2005 meeting. The motion was approved. (*NOTE – Chan Rogers and Andy Rodenhiser did not vote on the minutes as they were not PB members on 3-9-05.*)

May 3, 2005 – Motion by Karyl Spiller-Walsh, seconded by Andy Rodenhiser to approve the minutes of the May 3, 2005 meeting. The motion was approved. (*NOTE – Chan Rogers did not vote as he did not attend the 5-3-05 meeting.*)

May 10, 2005 – Motion by Andy Rodenhiser, seconded by Alan DeToma to approve the minutes of the May 10, 2005 meeting. The motion was unanimously approved.

May 24, 2005 – Motion by Chan Rogers, seconded by Andy Rodenhiser to approve the minutes of the May 24, 2005 meeting. The motion was unanimously approved.

June 6 & 7, 2005 – Motion by Andy Rodenhiser, seconded by Alan DeToma to approve the minutes of the June 6 and 7 meeting (at the 2005 Annual Town Meeting). The motion was approved.

NOTE – The June 14, 2005 meeting minutes will be considered at the June 28, 2005 meeting.

MISCELLANEOUS ITEMS

ANDY RODENHISER – I noticed on one of the construction observation reports that Mark mentioned a sign for Grapevine Estates in the stone wall that he thought might be on private property. What do we do about that?

Susy Affleck-Childs – I would follow-up with Mark directly.

CHAN ROGERS – Did we do a letter to John Spink re: flood plain issue for the roadway in the Marian ARCPUD?

MATT HAYES – Yes, we did. I got a call from Rich Coppa who raised some issues about our concerns. Mr. Coppa reports that Fire Chief Vinton has no concerns about the roadway flooding issues and it would be OK for him to use back access. I suggested he get in touch with Bob Speroni to see if they would need a special permit to build a bridge in the flood plain. Rich Coppa said he was concerned about the cost to do so.

KARYL SPILLER-WALSH– That drops it back in our lap. We have to think about the quality of the second access and how easily can it be used.

CHAN ROGERS – There are many details you need to know.

ANDY RODENHISER – What if a beaver builds a dam that can cause flooding?

MATT HAYES – I believe the Board still has concerns about this. We should have Rich Coppa in here to discuss this further. I will contact him tomorrow to invite him to a meeting.

ALAN DETOMA – He wants this so he can get the road done to get his sculpture in.

Discussion of FY 06 Planning Priorities

ANDY RODENHISER– I got a letter from Mr. Paul DeSimone encouraging the idea of a town engineer. He was advancing his position of having a town engineer.

Susy Affleck-Childs – I would like to add one item to the list of accomplishments for FY 04, that being the acquisition and installation of the aerial photograph of Medway overlaid with the streets.

ANDY RODENHISER – So what are our immediate priorities?

RULES and REGULATIONS

MATT HAYES – I would say to rewrite Site Plan Rules and Regs as final site plan approval is now with the Planning Board.

ANDY RODENHISER – What does that entail?

ALAN DETOMA – We need to have a discussion on what sections need to be revised.

MATT HAYES – We need to go thru section by section and rewrite and then eventually hold a public hearing.

Diane Borgatti – You need to have something in place ASAP. You are going to have people submitting plans and the only guidance you have is the bylaw. The rules and regs are the back-up. There was chaos when this was done before. Site plan is a major deal. All the bylaws need to have the backup in place thru rules and regs.

MATT HAYES – The revised zoning bylaw will govern. You can kind of work between the current rules and regs and the new bylaw.

ANDY RODENHISER – So we need a working committee.

Susy Affleck-Childs – I need somebody to be a point person for me to work with. I can draft the revisions.

MATT HAYES – I want to be involved in that. Susy and I will put a draft together for the board to review. We will all review it and provide comments back to Susy so she can rework it.

ANDY RODENHISER – What is a reasonable timeframe?

Dan Hooper – I would be aggressive on the time frame. It is better to have something in place that is true to the bylaw, even if they are not absolutely right on. Something as a fallback.

Diane Borgatti – Look at other towns to see what they have. It is easy to extract text from them.

ALAN DETOMA – Is what we presently have viable?

Susy Affleck-Childs – Much of it is.

Dan Hooper – The current regs are very viable for the major. But we sold it to the town on the basis of having a different approach for minor projects. We want to facilitate those applications quickly. It needs to be very clean and clear to both sides of the table so the process is expedited.

Gino Carlucci – I know Norfolk has the minor and major option. Also, look at draft AUOD rules and regs. They were kind of geared toward minor site plan type of review.

Susy Affleck-Childs – I can go back to the towns that we studied in drafting the bylaw and look at their rules and regs.

Adaptive Use Overlay District (AUOD) Rules and Regs – Agreed that we need to finalize those.

Open Space Residential Development (OSRD) – Agreed we need to draft those.

MATT HAYES – Let's try to finish up AUOD first, then site plan, then OSRD.

ALAN DETOMA – So the update to the ARCPUD Rules and Regs is lowest priority.

ZONING CHANGES IDEAS

ANDY RODENHISER – Page 4 of the master plan shows all the zoning recommendations. It says that sewered areas should be rezoned for commercial/industrial. Also maybe expand the zoning westerly along route 109 down toward West Street from the industrial park. There are a lot of "paper streets" along there. That might open up some space for development. Going easterly, the Oak Grove parcels that are in there - some of those might become more attractive development in the 109 corridor.

MATT HAYES – Is there a definite line for the sewer?

Gino Carlucci – It will not go all the way to route 109. It will go just north to the Alder/Trotter intersection but not all the way.

ANDY RODENHISER – If it went that far, then private development could take it back up

ANDY RODENHISER – Another issue listed on the master plan is down zoning. What is that?

Dan Hooper – I don't remember what that was about.

Gino Carlucci – Down zoning means going to a lower zoning district.

ANDY RODENHISER – So taking one-acre density residential to a lower density.

Diane Borgatti – That was in response to the idea of too much residential coming in.

ANDY RODISER – The master plan says to consider rezoning contaminated lands for economic development purposes. Where do we have brown fields?

Diane Borgatti – Broad Street.

Gino Carlucci – Where the DPS facility is?

Diane Borgatti – That was targeted for the Broad Street area.

ANDY RODENHISER – There s all kinds of special financing for brown fields recovery.

MATT HAYES – What could we redo with zoning?

ANDY RODENHISER - Could we rezone it for office space? I can't imagine residential development there. Look at Route 109 from behind the Medway Commons back over toward Broad Street. That area is all wide open – the Cassidy farm. There is the infrastructure. I think it is their intent to develop that. Could we create a zone for low-rise offices?

KARYL SPILLER-WALSH – Do we really want that?

ANDY RODENHISER – We want some commercial development, right??

MATT HAYES – We could continue commercial district on south side of route 109 toward Millis.

ANDY RODENHISER – There are some good developable parcels. You might take some of the traffic off of route 109.

CHAN ROGERS – I think we should pick some priorities and pick out people to be a spearpoint on each one. I don't think you can look at 15-20 items.

ANDY RODENHISER – Where can we make the biggest dent? Is there sewer already available in any one area where we can convert the zoning?

CHAN ROGERS – We have Diane, and Dan and Kent here tonight. I think we ought to pick their brains and let them go.

Dan Hooper – This is a compilation of scrambled thoughts. One I like though is rezoning easterly on route 109 and then southerly behind Medway Commons out to Broad Street. There are lots of rumors of Cassidy development in then. That to me is just from a knee jerk reaction. I think you get a lot less friction doing that. I think with the Route 109 district expansion idea there will be a lot of residential issues with that, a very strong neighborhood reaction. The Cassidy property is a great open canvas. We need to engage them. I would be happy to help them in their thoughts on what they would like to do but I would want to have some ideas to throw at them so it is done somewhat in sync with their ideas.

MATT HAYES – Do you think they have a master plan of their own?

Dan Hooper – Yes.

KARYL SPILLER-WALSH – I think it is driven by the economy. Houses are sitting right now. Medway Commons shops are crying the blues that their projections are not being met.

Dan Hooper – I think they were way off base from the beginning.

Kent Scott – I remember asking the question whether the market was really there.

Dan Hooper – They way underestimated the allegiance to Roche Brothers.

KARYL SPILLER-WALSH – I don't think they will be in the midst of board meetings for 3-5 years. They will wait till the economy changes but we need to be ready.

Kent Scott – The development of Medway Commons was a chance to project revenue over 2-5 years.

KARYL SPILLER-WALSH – Walgreens too. It doesn't look like there is a horse race to finish the CVS site.

Kent Scott – The BOS will deal with enforcement of the sign bylaw.

ANDY RODENHISER – CVS has an agreement with Walgreens to not construct for one year after Walgreens opened.

Dan Hooper - All these items on this list are all good. Consolidate CI and CII into one district. The other things you can bang out easily and get them for the next town meeting. We can get a big splash for very little jump. We invested ourselves last year in a long, onerous project with the subdivision rules and regs, new site plan bylaw and new OSRD. We need some flashy quick ones that have some impact.

Dan Hooper – I leave with an offer to jump back in (after the summer) and help with a subcommittee.

MATT HAYES – Perhaps we need to revisit the CI master plan overlay zoning idea.

Dan Hooper – Yes, that one too. Jim and I can help spearhead that. Let's include Mr. DeSimone in these discussions and Joe Musmanno too. We have seen how close Joe takes these changes. Thankfully, he is on top of those things. I definitely appreciate his investment of time.

CHAN ROGERS – We have an issue with him to fix up the contractor's yard definition and bring that back.

KARYL SPILLER-WALSH – We weren't ready. It wasn't clean.

Dan Hooper – Joe Dziczek's intent was to protect residential neighborhoods.

Susy Affleck-Childs – What about the Master Plan update??

Dan Hooper – It was a great experience and a very good group. Personally, I think they should be reconvened, but more briefly to revise what is already a good document.

ANDY RODENHISER– I bet you that a lot of people have forgotten about it.

Dan Hooper –What pains us who were involved in it is how much time it took. But an update must include another survey. There was a 67% response to the first survey. People like to feel their voices are being heard. We need to ask about rezoning residential property to commercial. –

KARYL SPILLER-WALSH – The unfortunate question that we are starting to realize on the housing issue is that the general layperson is totally in the dark.

Diane Borgatti – Medway is a typical, lazy, apathetic town in the interest sense.

ANDY RODENHISER – Look at what's happening in Bellingham with 2 huge new apartment projects. They are looking at having to build another school just for these two developments.

Dan Hooper – That would be a great piece of data - how many homes would it take for us to have to build a new grammar school and at a rate of how many permits per year? That would scare a lot of people.

ANDY RODENHISER – The reality is that this is a hot political item right now. We need to take advantage of that. People are very sensitive to this. We need to take some action now.

Kent Scott – We could have another whole discussion on the toxicity of our voters. Everybody knows there is a lack of confidence across the board in many different places. I am here tonight because of the master plan. That dovetails into what the town wants to be. Dial that up and communicate it and update it and then communicate it again back to the town. Its purpose is vital. One of the challenges we have is that there is a lack of confidence because of a lack of direction. We are caught in the mire. It will be better when we can communicate direction – IDC, sewer, master plan of what the community wants to be. We need you to play a part. We need you to elevate the dialogue. The master plan is a perfect way to elevate goals, direction, etc. I think that is critical. I would embrace and impress upon you how important it is to dial up a big picture.

ANDY RODENHISER – Could you help us find money to do a mailing?

Dan Hooper – I can talk to Jim Wieler and Dave Kaeli about how to get this done.

Kent Scott - I am an investor in a printing company. So don't sweat that part of it.

MATT HAYES – What if we internet based the survey?

Kent Scott – A target to consider is starting this year, there will be an annual state of the town address. A platform for boards to talk about what is going on. With strong publicity. We need to recognize the boards that are doing good work. What is we targeted the fall of 2006 to present an updated master plan?

CHAN ROGERS – How do you see that presented?

Kent Scott – We need to create a platform of communication and be proactive. This is the current state of affairs. This is where we are going. We need to share the story board. Do the same for each board/department. It is all those things. There isn't a platform to do that now.

ALAN DETOMA – I thought that the comments that Dick Maciolek made at town meeting about looking at ourselves was a little misguided. I think the town needs to look at what type of development has occurred and what its impact has been. It is pretty clear if we keep going in

that direction that we will need to build a new school in 4-5 years. Also, more police, fire, etc. The master plan is the way to get that message out.

ANDY RODENHISER – We can almost start to restore some credibility. Ask people what they think!

Kent Scott - It falls in the way we have to communicate with the public. We have a lot of work to do

KARYL SPILLER-WALSH – We had this housing meeting regarding the Medway Mills with Stuart Rose (Zealand Corporation). He was talking about Lincoln where there is hug philanthropy. They have been aggressive in open space acquisition. He said they pass the hat and dig deep to find money to do what they need to do.

Kent Scott – This is a town that doesn't respond unless there is pain. Services are going to be cut.

CHAN ROGERS – One of the critical issues we have is this initiative (Massachusetts Land Use Reform Act) and the public hearing at the State House on June 29th. Right now, Medway is in a position to react. Regarding industrial development, we have to take a back seat to towns like Franklin with direct access to 495. What are our peculiar restraints? Simply rezoning doesn't make development happen. We have to get the whole concept of land use. We have to apply the pressure where it makes sense. We need to get to the new citizens. There are a lot of new people in town who have concerns about a street being accepted. Have an open house. The Planning Board doesn't have much control over anything. We should have a series of forums. The legislature is going to have to do a lot to help the towns.

ALAN DETOMA – We need to slow the residential development.

ANDY RODENHISER – We have to market the town for economic development.

KARYL SPILLER-WALSH – With 40B projects, there is nothing we can say about them.

Diane Borgatti – The State is not going to help you. It will not be your savior. The real estate lobby is too strong.

ANDY RODENHISER – Do you think the land use bill will fail?

Diane Borgatti - I hope not, but I don't think it will pass. People don't care enough. Nobody is proactive enough.

ALAN DETOMA – I would like to think there are people out there that understand that we are trying.

Diane Borgatti – You are the conduits for information. You have to talk it up. Generally, people don't care about much other than the green lawn, water ban, good landscaping. The Town does a lousy job of helping people know what is going on. There were no signs, nothing on cable TV about the elections. I was on the town web site. There are dead people listed as board members.

ALAN DETOMA – Is it out of the question, is there any avenue to restrict, slow development. It seems to make sense to consider a moratorium, to slow down everybody and change the course of development of this town. If we don't do something we will drown. We need to shift toward business and commercial slow down residential.

Dan Hooper – Actually, residential development is not a hot bad. The biggest subdivisions last year were Evergreen Meadow and Ishmael Coffee Estates.

ALAN DETOMA – I think the damage has been done, but it isn't over.

Diane Borgatti – There is a down shift going on in Medway. House prices are going down. If you can go to Henry Wickett with the golf course idea. Now is the time to talk to him.

KARYL SPILLER-WALSH – How many units?

Dan Hooper – I understand he has capacity for sewer for 280-300 units.

Diane Borgatti – My recommendations are to watch the rules and regs. You can expect the developers are going to come in here kicking and screaming. Now is the time to check your bonds and be prepared to pick up things. You need to push them now and nudge them along. You have to be ready for when the developers aren't going to be ready. You certainly have some unhappy residents re: street acceptance.

MATT HAYES – We should look at acceptance of a bunch of the ways where there are no bonds remaining.

CHAN ROGERS – I was reading the letter that Irene Streifer wrote to us. She was at our meeting last week along with Brian McSweeney (from Country View Estates). If they buy property and the street has not been accepted, they have bought into that situation. A lot of towns force homeowners associations to be formed to collectively fix the street before they ask the town to accept it

ANDY RODENHISER–There is an avenue for remediation. It depends on the deeds in the subdivisions. With private ways, people own to the centerline of the road unless the deed says differently.

MATT HAYES - Gino, what would you like to work on?

Gino Carlucci – The CI and CII districts and the overlay. There may be some money available from the state as implementation to the EO 418 study. That would certainly be something that everybody is interested in.

ANDY RODENHISER– Corey Finklestein owns property along south side of route 109 – the post office, car wash, Mattress Magic building. That is one guy we should talk to.

KARYL SPILLER-WALSH - There is massive amount of land with nothing there. 11 and 14 acre sites. But people are not relinquishing them.

CHAN ROGERS – Just rezoning something is not going to make people knock on your door. Other towns in the 495 corridor are way ahead of Medway.

ANDY RODENHISER– I am not giving up on working with land owners. I want to try to sell him on the idea. I want to talk. I want to open a dialogue and see what it would take to develop the property.

KARYL SPILLER-WALSH – In an economic decline, the first thing that starts to go down is office.

ANDY RODENHISER – Maybe a mixed use project.

KARYL SPILLER-WALSH – maybe we need an analysis.

ANDY RODENHISER– What is your opinion Gino?

Gino Carlucci – Mixed use, definitely. It is more stable for the owner.

ANDY RODENHISER– So housing and retail?

MATT HAYES – We can offer it as an overlay zone.

ANDY RODENHISER – That would require town meeting vote. How does that work? What is the right way to do this?

MATT HAYES – Any PB member can have conversation with anybody.

RODENHISER– I would like to ask Gino to have lunch with me and Corey.

MATT HAYES – One of the priorities is to get communication going. I want to get Dan to talk to the Cassidies about their property.

KARYL SPILLER-WALSH – My husband has a good relationship with Bob Briggs.

ANDY RODENHISER – Is the Town treating him fairly?

KARYL SPILLER-WALSH – He is not receptive. He is not happy with his life or his family.

ALAN DETOMA – He is not currently planning to do anything?

CHAN ROGERS – We really don't want that land developed.

MATT HAYES – Jim Wieler has been talking to him about purchasing the ANR lots and getting development rights and leasing it back to Briggs for farming.

MATT HAYES – When a 61A opportunity comes up, the CPC will consider it.

KARYL SPILLER-WALSH – We have very sketchy understanding of what land is important. There isn't an overall strategy.

ANDY RODENHISER – In the absence of anything else, we use the master plan.

KARYL SPILLER-WALSH - We can only follow thru with what is available. Nothing else matters.

ANDY RODENHISER – The CPC has about 3 million dollars.

MATT HAYES – OK, so master plan update is critical. And the site plan rules and regs. I will work on that. Susy needs to finish up the AUOD Rules and Regs.

MATT HAYES – I will also ask Jim Wieler and Dave Kaeli to consider convening a group to update the master plan. Also, I would like Dan to talk with the Cassidies.

Susy Affleck-Childs – How about Dan and Andy as a team to contact developers?

ANDY RODENHISER– I want to be in constant communication with the Medway Business Council. We need to look at that whole area - Medway Block, Cumberland Farms, Medway Shopping Center.

KARYL SPILLER-WALSH – Regarding the Briggs ANR lots. It might be a real leap of faith if the Town of Medway were to purchase the ANR lots from him.

MATT HAYES – That is what Jim Wieler is working on.

MATT HAYES – Alan, could you go through some of the small, easily changeable zoning items and see what needs to be done to put something together? #2, #5, #8 from this list.

Gino Carlucci – I will take on #7 on zoning list.

Susy Affleck-Childs – I will dig up the buffer zone stuff that we looked at in 2003 for Alan.

ALAN DETOMA – This list says to expand the Commercial 5 district. How far south?

ANDY RODENHISER– I will go door to door and start talking to folks. I will go 126 south to Main street and also Route 109 from West street to Trotter.

CHAN ROGERS – That part of Route 126 is never going to really develop for residential. We should bird dog any opportunity to help them along to enhance the property

CHAN ROGERS – I could help on the update of the master plan.

MATT HAYES – I want to get the former PB chairs to start a committee to update the master plan.

ANDY RODENHISER – What about the street acceptance procedure?

MATT HAYES – Kent seemed to be saying that could be put off a bit.

MATT HAYES – We need to look at how the new stormwater bylaw best management practices are going to be incorporated into our subdivision stuff.

ANDY RODENHISER – We can pull together from the resources some of the best management practices.

MATT HAYES – Dave D’Amico had a stormwater drainage bylaw passed at town meeting. So, we need to implement something in our regs to reflect that.

ANDY RODENHISER – We need to look at how contractors can be certified to work in our town especially if they have to be certified in proper ways of controlling stormwater flow on a construction site.

MATT HAYES – Karyl, what do you want to work on?

Susy Affleck-Childs – We will need to send a note to the BOS to ask for town counsel help on this matter of certifying developers.

CHAN ROGERS – Jim Galligan’s concern about unaccepted streets. Can we talk about that? There has to be some problem with these streets that we already know about.

ANDY RODENHISER– We heard Kent say he is not too keen on accepting streets and taking on more financial responsibilities for the town.

ANDY RODENHISER– We can talk with counsel on this. When we get into a situation where we feel insecure, we can enter into an agreement for judgment. It is a waiver of a trial. We would file it with the court.

NOTE – Susy needs to update the list of unaccepted streets and brief the board.

CHAN ROGERS – Medway has a peculiar set of constraints. We are less marketable than Franklin and Hopkinton.

KARYL SPILLER-WALSH – We should buy as much land as possible until we bleed.

ANDY RODENHISER – There is \$3 million in CPC that can be leveraged.

CHAN ROGERS – At this MLURA hearing on the 29th, can I say I am there on behalf of the PB

Susy Affleck-Childs – This board has supported the MLURA for 2 years. It was at our request and urging that Jim Vallee and Karen Spilka signed on as sponsors.

CHAN ROGERS – Have we responded to the letter from Irene Streifer re: ice concerns?

Susy Affleck-Childs – Not yet.

ANDY RODENHISER– What is our liability?

CHAN ROGERS – I want to make sure that we answer this. There is a lot of unfinished business left by the contractor.

NOTE – A draft letter to Greg Whelan was distributed to the board for review.

ANDY RODENHISER – How about if we send a copy of this letter to Irene and the other people who attended last week?

MATT HAYES – We can copy those who attended the meeting.

NOTE – It was agreed to separate the draft letter into two letters. The first part would come from Matt on the deadlines. The second part re: the Construction Observation Separate invoice would come from Susy.

MATT HAYES – I have a question on whether Greg meant August 31, 2005 for all three phases of Country View Estates?

CHAN ROGERS – We should send it to him with return receipt.

Susy Affleck-Childs – I want the board to know, as you are looking ahead to plans, that I will need to be out 6-8 weeks with knee replacement surgery. I expect to do it this fall sometime.

Invoices

PGC Associates - \$ 122.50 for plan review services. Motion by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Unanimously approved.

WB Mason - \$137.14 for office supplies. Motion by Karyl Spiller-Walsh, seconded by Alan DeToma. Unanimously approved.

FSU - \$51.26 for envelope printing. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers. Unanimously approved.

PGC Associates - \$1,820 for general consulting services. Motion by Karyl Spiller-Walsh, seconded by Alan DeToma. Unanimously approved.

VHB, Inc. - \$660 for plan review services for Hopping Brook, Pine Meadow and Franklin Creek. Motion by Chan Rogers, seconded by Alan DeToma. Approved. Matt Hayes recuse.

VHB, Inc. – \$2,641.12 for contracted services. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers. Approved. Matt Hayes recuse.

VHB, Inc. - \$749.49 for construction observation services for Hartney Acres, Birchill Hill and Redgate 2. Motion by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Approved. Matt Hayes recuse.

Minutes- June 21, 2005 Planning Board Meeting
Approved – June 28, 2005

A motion was made to adjourn the meeting by Alan DeToma and seconded by Andy Rodenhiser.
The motion passed unanimously.

The meeting was adjourned at 10:35 pm.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Alan DeToma, Clerk
Karyl Spiller-Walsh
Cranston (Chan) Rogers, P.E.*

***PLANNING BOARD MEETING
Tuesday, June 28, 2005***

PRESENT: Matthew Hayes
Karyl Spiller-Walsh
Chan Rogers

ABSENT WITH NOTICE: Alan DeToma
Andy Rodenhiser

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant
Mark Louro Louro, VHB, Inc.
Gino Carlucci Carlucci, PGC Associates

The meeting was called to order at 7:37 p.m.

Citizen Comments - None

Susy Affleck-Childs – I have a few changes in the agenda. Ellen Rosenfeld (Birch Hill) asked to be rescheduled to the next meeting. Kate Labbe cancelled her informal discussion regarding a possible AUOD at 171 Main Street. So I asked Bill Halsing to come in early. Also, John Ryder did not respond to several telephone calls to confirm his appointment so I don't know if he will show up.

MATT HAYES – Mark, What is the status on Birch Hill?

Mark Louro – They have done pretty much everything except the pavement. They have done some videotaping as requested by DPS to make sure nothing was crushed or damaged.

***Informal Discussion – Bill Halsing, Land Planning Inc. – Possible subdivision at
13 Franklin Street***

Bill Halsing – The Walshes currently own two lots on the west side of Franklin Street off of a private way (unnamed). They would like to rearrange their 2 lots and bring sewer up the street. They are presently on septic. There was a ROW created in 1966 so there is an existing private way per an approved subdivision plan. We simply want to move the property line to make it a buildable lot.

MATT HAYES – The question is whether it is an ANR or a subdivision?

Gino Carlucci – As long as the way was approved on a subdivision plan, it would be an ANR.

MATT HAYES – The issue is access and the quality thereof. But this private way has been providing access to the Walsh's home and one other for many years now. What about the lot shape factor?

Bill Halsing – We need to show the edge of wetlands.

MATT HAYES – We need to go out and look at the condition of the roadway and see if it meets the minimum standards for a built way - vertical alignment not greater than 8%; 200 foot site distance; 18 feet wide;

MATT HAYES – I would want to realign the proposed driveway to new lot 2 to match up to the other two driveways.

Gino Carlucci – Those minimum road standards don't apply in this case. Those only matter if the way was created before subdivision control. As this way is from an approved subdivision plan, we need to see what the original plan specified.

Bill Halsing – We will research that at the Registry of Deeds.

MATT HAYES – I would want to see an 18 foot width roadway at least up to the new driveway.

Mark Louro – If the way was constructed as it was approved, then you don't have to do anything at all.

MATT HAYES – Please do some more research to see if it was built to what was required at that time.

NOTE – Susy needs to check with the Town Clerk for the Certificate of Approval from 1966!

KARYL SPILLER-WALSH – As it is built is appropriate for the type of street and neighborhood, except for widening it to the standards at the front.

MATT HAYES – Could you bring back some photos of the roadway in its current condition?

Susy Affleck-Childs – If this ends up being a subdivision modification, we would want to look at a permanent arrangement on road maintenance and upkeep in the deeds.

MATT HAYES – Let us know what you find out.

Informal Discussion – Pine Meadow II Definitive Subdivision Plan

Paul DeSimone

Matt Barnett

Paul DeSimone – We were hoping we wouldn't have to revise the drainage calcs. We received your letter.

Mark Louro – The drainage calcs should accurately reflect the proposed design, even though I understand there is a reduction in the impervious. The calcs need to be for this plan, not the former plan. The make up of the drainage area will change because of the change in lots and roadway length.

Paul DeSimone – I can't believe you can't just take the drainage calcs as they are. To redo the calcs will cost him another \$5,000 to 6,000 grand for the engineer to revise.

Mark Louro – The calcs need to reflect what is on the plan, whether it goes up or down. She (engineer Barbara Thissell) needs to adjust the makeup of each of the proposed drainage areas.

Paul DeSimone – These are such small drainage area changes and you say she has to go back in and do it all over.

Mark Louro – If you are shortening up the cul de sac you are changing the locations of the catch basins and your pipe runs are changing.

Paul DeSimone – We are shortening up the road and changing catch basins.

Mark Louro - The pipe runs are changing.

Paul DeSimone – You can't professionally say that the system won't work?

Mark Louro – If the slope on the pipe changes, I am talking about flow on a particular pipe.

Paul DeSimone - How can flow increase the rate?

MATT HAYES – We don't know if the design has changed. The structures are in a different place.

Paul DeSimone – I can't believe you are actually asking for that.

Mark Louro – You want me to take responsibility to say that it is going to work?

MATT HAYES – We need your professional engineer to say that it is going to work.

Matt Barnett – I would request that VHB not review my plans anymore.

MATT HAYES – We will take that under consideration.

Paul DeSimone – I just can't understand why he (Mark) can't say it is OK.

MATT HAYES – It needs to be submitted.

Mark Louro – It would be OK if you wanted us to start the review now and get the calcs to us later.

Paul DeSimone – It will take 2-3 weeks.

Susy Affleck-Childs – I have to tell you there isn't going to be any quick turnaround on getting another engineer to review the plans. The Town Administrator has to make a selection and that isn't going to happen in a timely fashion. The new TA starts July 18th and you can't expect that this will be a high priority.

NOTE – It was agreed to start the public hearing process to commence July 26th and to have the new drainage calcs submitted ASAP.

Construction Observation Reports – Mark Louro

EVERGREEN MEADOW – We had a kick off meeting with Doug Brown (general contractor) and Taniel Bedrosian (developer). They will stake out the road the week of July 5th. Doug Brown is the engineer who works for the contractor. Taniel asked that we start to prepare the bond estimate assuming the binder will be down by the end of September so he can start to pull together his financing. We talked about the stone walls.

MATT HAYES – What is the schedule for the trails and parking area?

Mark Louro – The plan to pave in September and do the landscaped island and parking area and path and bridge in the fall. The pedestrian bridge is not designed yet. He needs to submit it to the PB to finalize the design.

MATT HAYES – The bridge will that have to go to Bob Speroni.

Mark Louro – I am not sure if it is high enough to have to be approved by Bob.

HARTNEY 2 – They are installing the sewer line from end of the Blueberry Hill cul de sac through parcel A into the subdivision parcel. Most of the soil was impervious clay. They are using plastic shields that the pipe goes thru and is clamped tight. They put 4 of those along parcel A instead of a clay dam, tight to the trench. I am OK with that alternative. They will probably work better than the clay dam. The water just sets out there, not much infiltration.

MATT HAYES – Is every house going to be sewerred?

Mark Louro – They have their wetland replacement area constructed, but not yet planted. They have a temporary wetland crossing coming from Nobscott. John Claffey still needs to come back in for the revisions to the plan for the fill wall and show it to the PB.

Susy Affleck-Childs – I believe we previously decided to call this a plan revision (as compared to a plan modification) as there are no lot changes, no roadway layout changes, no drainage changes.

ISHMALE COFFEE ESTATES - They are raising all the frames to prepare for paving the top course of sidewalk and roadway. The concern there is that only 6 houses are done. Mark Flaherty (Water/Sewer Department) won't allow them to tie in the houses to the sewer line until he can go down and inspect the entire sewer system. Those manholes need to be opened up and adjusted to finish grade and pave the top. There is some concern that there might be damage.

COUNTRY VIEW ESTATES - They were preparing to repair the catch basins at 6 locations. But the contractor that Greg Whelan hired was not interested in doing the work as they thought it was going to cost more than they had quoted. So those 6 locations have not been fixed yet. Greg is trying to get somebody else to do that work. I did have a brief meeting with Bill Canessi who will be finishing the construction work. I need to prepare a cumulative punch list as requested by the Board for the neighbors. I will review that with Bill Canessi so he is clear on what is expected.

GRAPEVINE ESTATES – Oakland Street was reclaimed and the binder replaced. The sidewalk binder is complete and the berm is in place. The next step is the roadway top and sidewalk top and leveling course and then a top course on Oakland Street.

BIRCH HILL – As I mentioned before, they videotaped the sub drain and cleaned out the trunk line. They had not cleaned out the detention pond yet. I cannot confirm whether that is done yet. They have not yet supplied the video tape. We will want to give that to Dave D'Amico/CPS. The subdrain system under the road is in place.

MATT HAYES – I was out there last week and saw some moisture on the pavement, right where it was before!!

FOREST EDGE - I talked to Dave D'Amico regarding what he wants for a punch list. I wasn't sure if he wants me to determine quantities for top coarse and loam and seed. Dave said they will take a first stab at it and let me know if they need some help with the specs.

MATT HAYES – The rosa rugosa is in around the detention pond.

INFORMAL DISCUSSION – MORGAN HEIGHTS/WILD TURKEY RUN

NOTE – John Ryder did not show up for the meeting.

CHAN ROGERS – What is this all about?

Mark Louro - The drainage system was never installed and so stormwater goes direct to the wetlands. There is no treatment or detention and so the runoff to the wetlands is higher than designed. Also, there is some debris in the hammerhead area. It is kind of a mess. They never built the trenches to convey the flow.

NOTE - Mark Louro leaves at 8:40 pm

Development Handbook Update

Gino Carlucci – Since the draft that you have, I added another page for the Water/Sewer Commission. They had commented that there wasn't enough detail. I got their Rules and Regs and drafted a page on them. Also, the list of resources is updated with notes as to which ones

are on line and noted, etc. There are a few minor editorial changes too but nothing that changes anything really.

MATT HAYES – So who provided comments?

Gino Carlucci – CONCOM, DPS, Water/Sewer, BOH, and the DRC.

MATT HAYES - Nothing from the ZBA, or the building inspector? I will follow up with Bob Speroni. What do you see as next step?

Gino Carlucci – I will run the Water/Sewer page by Mark Flaherty for final approval.

Susy Affleck-Childs – We had talked about having introductory letters from the MBC, IDC, and BOS. I will follow-up on that.

Gino Carlucci – I will take some photos for the cover.

MATT HAYES – Can we do a grand roll out within a month??

Gino Carlucci – It is 99% complete.

MATT HAYES – Any thought on how to promote?

Gino Carlucci – The town's web site with hyperlinks to the various departments. Distribute at MBC September meeting and at town hall.

NOTE - Gino Carlucci departs at 8:45 p.m.

CORRESPONDENCE

Susy Affleck-Childs – The good copy machine is broken so I have not been able to copy the two lengthy documents for you – the ZBA decision on West Haven Estates and the information from the Permit Streamlining Initiative workshop at Dean College. I will distribute with your next board packet.

A series of other items were distributed.

- a. SWAP meeting announcement for July 21st. Medway is hosting.
- b. Smart Growth Technical Assistance Grants – 7/11/05 workshop at MAPC
- c. Editorial on Massachusetts Land Use Reform Act in the 6/27/05 Metro West Dailiy News.

Minutes

June 21, 2005 – Motion by Chan Rogers, seconded by Karyl Spiller-Walsh to approve the June 21, 2005 meeting minutes. Motion approved unanimously.

July 14, 2005 – Motion by Karyl Spiller-Walsh, seconded by Chan Rogers to approve the July 14, 2005 meeting minutes. Motion approved unanimously.

OTHER BUSINESS

Associate Member

Susy Affleck-Childs – As I understand it, the night that you met with the BOS to select Eric, only the BOS voted and it is a joint appointment.

A motion was made by Chan Rogers and seconded by Karyl Spiller-Walsh to appoint Eric Alexander as Associate Member of the Planning Board. The motion passed unanimously.

Adaptive Use Overlay District Rules and Regs

Susy Affleck-Childs – I had let this slide. After the brainstorming meeting, I pulled this out and did some editing on the earlier draft.

MATT HAYES – I will review this latest draft and work with Susy to finalize. Let's do the public hearing on July 26th.

Informal Discussion – Possible Amendment to 127 Main Street Adaptive Use Special Permit

Tony Biocchi – Ted Reardon had decided to put the building and site up for sale. He had gone through a lengthy process to get the Adaptive Use Special Permit. I think what he wanted to do was to sell off the whole thing but I talked to Ted about doing a half and half thing with that. He would still like to put up the new building (for his business) but there was a lot of site work to do, more than what he thought. I suggested that he go ahead and build his new building and I would take over the other half with the existing building for my business. I wanted to get some commercial environment out of that building. I would like to move my office there. I have a computer business that now runs out of Raynham but I don't have anything local. I want to have a local office here to get out of the house. It would not have a heavy environmental or business impact, strictly an office that I would use in this building for me and my partner. I do have some accounts in Framingham and Boston. I would use it mainly for phone and office work. I design computer networking systems for law firms and insurance companies and for small businesses. I might use the living room area to pre-stage a couple of computer systems to do diagnostics testing.

MATT HAYES – So the existing building would remain as a residence?

Tony Biocchi – There could be a residence portion and a business portion. It is up to you guys.

KARYL SPILLER-WALSH – What would you really like it to be?

Tony Biocchi – An office environment for downstairs and possibly the upstairs for an apartment. If we went ahead with this, I would do just that or I would leave the upstairs vacant and perhaps use for myself.

MATT HAYES – I believe there must be some residential use per the AUOD.

Susy Affleck-Childs – I don't believe that is the case. It can all be converted to commercial uses but it can't be all converted to all residential uses.

Tony Biocchi – The overlay lets you change it to commercial. But you made some changes at town meeting and there is more flexibility. A special permit can be written anyway you want it to. I may still have to go to the ZBA for a use variance. I will do it either way you want to do it. I would like to have the ability to do either/or.

KARYL SPILLER-WALSH – I had a conversation with Mr. Yorkis who had a client who was looking at that property and they asked about razing the house. To tell you the truth, after working with Ted several times at the DRC, that house really doesn't seem to have anything of merit worth preserving.

Tony Biocchi – Have you been inside it?

KARYL SPILLER-WALSH – No

Tony Biocchi – There is nothing special, no architectural integrity. But what is nice about it is how nice the new building looks with the existing building. If I made it all commercial, what works better? To gut it and make it into one space? I just don't think that it doesn't suit itself to residential anymore after you look at the interconnections between this lot and the lot to the east to connect thru to Elm Street. I think it is important to keep the smallness with parking in the back. I am looking to keep the atmosphere, rather than razing it. When Ted talked to me about this, we discussed space for two offices or one big office space.

MATT HAYES – This would involve a modification to the Adaptive Use special permit.

KARYL SPILLER-WALSH – I would be very receptive to that.

Tony Biocchi – Ted's concern was focused on the new building. I don't think the intent of the bylaw was to tear down a structure

Susy Affleck-Childs – So this would be a special permit modification to change the allowed 2 apartments to one business use and one apartment?

MATT HAYES – We would need to limit the business uses for this.

CHAN ROGERS – This is like a professional office. It is not really a commercial use. You won't be having clients or business people coming in.

Tony Biocchi - It is basically a service facility for me and my partner. If I needed to have somebody come out, I would have them go to Raynham. The more I do outside my office, the more money I make.

CHAN ROGERS – A professional office with no client demands seems to be the most innocuous use we could have.

Tony Biocchi – I am looking at a low key scenario. With ZBA special permits, we try to limit the square footage by the parking. I wouldn't have a problem if you limited it to two businesses each limited to a set square footage. I don't need 1500 sq. ft. for myself. The problem with the house is the layout.

MATT HAYES – How do we handle this?

Susy Affleck-Childs – As I understand it, we have to follow the same process as with the original the special permit with a public hearing, legal ad, abutter notice, etc.

KARYL SPILLER-WALSH – Who would do the renovation?

Tony Biocchi – Probably me.

MATT HAYES – Who would be the applicant?

Tony Biocchi – It would have to be Ted Reardon. I could see 2 offices up and 2 offices down and have the kitchen used by all. The outside would remain the same but the back may change some.

CHAN ROGERS – I think this is a very good transition. Your use is actually going to be less intensive than a residence.

MATT HAYES – I like going with two lower impact business uses vs. one general business use. Susy will work with you and Ted.

A motion was made by Chan Rogers and seconded by Karyl Spiller-Walsh to adjourn. The motion was unanimously approved.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Alan DeToma, Clerk
Karyl Spiller-Walsh
Cranston (Chan) Rogers, P.E.*

**MINUTES
PLANNING BOARD MEETING
July 12, 2005**

PRESENT: Karyl Spiller-Walsh
Andy Rodenhiser
Matthew Hayes
Chan Rogers
Alan DeToma (arrived at 7:39 p.m.)

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant
Gino Carlucci, PGC Associates, Planning Consultant
Mark Louro, VHB, Inc., Engineering Consultant

Chairman Hayes called the meeting to order at 7:35 p.m.

CITIZEN COMMENTS - None

PUBLIC HEARING - HOPPING BROOK ESTATES DEFINITIVE SUBDIVISION PLAN

NOTE – Karyl Spiller-Walsh recused herself due to a conflict of interest. (She has a financial relationship with applicant's engineer – Steve Poole.)

Andy Rodenhiser read the public hearing notice. It is attached and made a part of these minutes.

A motion was made by Andy Rodenhiser, seconded by Chan Rogers to approve the plan review fee estimate of \$450 from PGC Associates. The motion was approved.

A motion was made by Andy Rodenhiser, seconded by Chan Rogers to approve the plan review fee estimate of \$4,588 from VHB, Inc. The motion was approved. Matt Hayes recuse.

Steve Poole, VEO Associates
Tony Delloraco, VEO Associates
Paul Zonghi, Applicant

Steve Poole – This definitive plan is based on a preliminary plan you previously looked at. We have 3 lots off West Street. One of the lots would be where the existing house owned by Barbara Ashman is located. We propose a private way to access 2 additional lots. All lots conform to zoning requirements of town. With this being a private way, we are asking for several waivers – reduced roadway width with a hammerhead turnaround within a cul-de sac right-of-way. We are looking at an 18 foot width on pavement within the 50 foot right of way. We want to offset the centerline of the roadway within the right of way to make for better turning into the new street from West Street. The drainage from the roadway will flow to the end of the cul de sac to an infiltration system and then down into a level spreader for discharge into the wetlands. We have received the initial comments from the Board's consultants and we will file with the CONCOM. We will bring Town water in from West Street. We propose to have individual subsurface sewer disposal systems although there is some potential to have sewer on West Street in the next few years. With the road profile, it has a 1.5% downgrade. It is very shallow. We will be placing fill in this area to raise the area up for stormwater management purposes. We filed the preliminary under the previous rules and regulations.

MATT HAYES – Have you received Mark Louro 's review letter?

Steve Poole – Yes. I went thru Mark Louro and Gino Carlucci 's letters. We would like to address them within the next 2 weeks. We would look to come back to you in a month. We will file with the CONCOM right away.

Mark Louro – One issue is the 200 foot riverfront area. Part of a driveway and most of the drainage system is within the 200 foot zone. I ran it by our folks and they said that within the 200 foot area you can impact up to 10% of the area.

Steve Poole – Stormwater management is exempt from the riverfront rules.

Mark Louro – You could still try to minimize the impact and move it away from the 200 foot line.

Steve Poole – There are 3 resource areas – the wetland itself with 100 foot buffer and 25 foot no disturb area; the Riverfront Act area with the 100 foot no disturb zone; and a 100-200 foot regulatory zone where changes are limited. If the CONCOM feels, we could move it back and consolidate the stormwater facilities.

Mark Louro – I recommended they start discussions with CONCOM to finalize where the drainage system will be.

Steve Poole – We will definitely get with them (CONCOM).

MATT HAYES – Have they (CONCOM) approved the wetland line?

Steve Poole – Not yet. The work was done by Ecotek which does a fair amount of work here.

Alan DeToma read a letter from Health Agent William Fisher. It is attached and made a part of these minutes. The letter noted concerns about the proximity of the septic systems and

stormwater management facilities and requested that the applicant's engineer contact him to discuss the matter further.

Alan DeToma read a letter from the Police Department's Safety Officer, Jeff Watson. It is attached and made a part of these minutes.

Steve Poole – We have pushed the roadway away from the closest driveway on West Street as far as we can go.

ANDY RODENHISER – How far is (proposed) road from 37 West Street?

Steve Poole – About 25 feet.

Mark Louro – The riverfront issue needs to be addressed. You showed a downspout detail. Is that for recharge?

Steve Poole – Yes, for one of the houses.

Mark Louro – What house footprint size was used for the drainage design?

Steve Poole – Exactly as shown. One house is smaller.

Mark Louro – What about trees?

Steve Poole – Two are definitely going to have to be removed.

Mark Louro – What are your thoughts on tree planting?

Steve Poole – We will add some landscaping to this. I will sit down with Mr. Zonghi and come up with a plan.

ANDY RODENHISER – There should be some screening with the property at 37 West Street.

Mark Louro – Regarding the 20 foot turning radius issue, did you put a template on there to see how that would work and what size truck can do that turn?

Steve Poole – We will get that backup info on size.

Tony Dellorco – I can look at that for you.

Mark Louro - You show turning radiuses at the end of the cul-de-sac with the hammerhead. Certainly a vehicle could use the driveways, but I am not sure about a fire truck.

Steve Poole – I will talk to the Fire Chief. I will make sure to get a letter from him.

Mark Louro – You are very close on the drainage calcs. You need to get those to work so you don't need to ask for a waiver. Like the Board of Health, we commented on septic and infiltration system being so close. Have you used that system before?

Steve Poole – Yes, up in Hudson on several occasions. It is called Atlantis drainage cells. They are cubes and you stack them.

MATT HAYES – Can they be placed under a roadway?

Steve Poole – I will make sure we get a letter from the company about what weight they can support.

ANDY RODENHISER – What about putting it under the roadway? Could it be installed under the road?

Steve Poole – No, not with all that water. You could have some settlement. I hate to put them under pavement.

Susy Affleck-Childs – You need to apply to the Street Naming Committee.

Gino Carlucci - There was not an erosion and sedimentation control plan. In the preliminary plan decision, there was a suggestion that there be a covenant regarding possible extension of street.

Steve Poole – We need to incorporate that into the thinking on this.

Gino Carlucci – The plan as drawn shows a stub in the cul de sac.

Steve Poole – That is a turnaround.

Mark Louro – It leads one to think there is a connection.

ANDY RODENHISER – What is your intention on connection to 37 West Street?

Steve Poole – We have not discussed it.

Gino Carlucci – I think we just wanted to allow for it to be done in the future. There was also a suggestion in the preliminary plan decision that if lot #1 is changed in the future, the access to that new house should come off the new road (instead of from West Street.)

Gino Carlucci – You show a utility pole on the plan. How come?

Steve Poole – The electric service is across the street. It needs to come overhead from there and then underground within the subdivision.

Gino Carlucci – Our sidewalk requirement would involve about 500 feet of sidewalk construction along West Street.

Steve Poole – With regard to Development Impact Report, do we have to do that?

Susy Affleck-Childs – No, as you are coming in under the old regs. That is a requirement of the new regs.

MATT HAYES – Are there questions from the board?

ANDY RODENHISER – You will be coming back after you meet with Conservation?

Steve Poole – We will respond to comments from VHB and PGC. I would estimate in a month we would return.

Susy Affleck-Childs – That would be our meeting on August 9th.

Barbara Ashman (33 West Street) – I don't want to have anything to do with the new development. I don't want to be part of any association. I didn't agree to that at the beginning when I was selling the property and I don't think it should be thrown in now.

MATT HAYES – Let's discuss waivers.

Mark Louro – They are proposed high-density polyethylene instead of concrete pipes. That will need a waiver.

ANDY RODENHISER – Just a comment. I don't have a problem with any of the waivers. It is a very extensive list. But this review letter is overwhelming to consider when there is so much that needs to be done.

Steve Poole – Probably half of that list is small technical issues. We just need to work out some things with Mark Louro and the Fire chief. We will give you a definite written response.

MATT HAYES – Customarily, we require sidewalk on the frontage street. In lieu of actually building the sidewalk within the West Street right of way, a payment in lieu of sidewalk construction is an alternative. We will have VHB prepare an estimate for this.

The public hearing was continued to August 9, 2005 at 7:35 p.m.

ROLLING HILLS PRELIMINARY SUBDIVISION PLAN

MATT HAYES – We need to approve the plan review fees.

A motion was made by Andy Rodenhiser and seconded by Chan Rogers to approve the VHB fee estimate of \$250 for review of the Rolling Hills Preliminary Subdivision Plan. The motion was approved. Matt Hayes recuse.

A motion was made by Alan DeToma and seconded by Chan Rogers to approve the PGC Associates fee estimate of \$150 for review of the Rolling Hills Preliminary Subdivision Plan. The motion was approved.

Paul DeSimone, DeSimone and Associates

Paul DeSimone – This area is on Milford Street, west of Colonel Fales Street, east of Summer Street and west of Highland. What we want to do is to carve it up into 3 lots with one existing house and 2 proposed lots. There is a separate parcel for a drainage facility (retention or detention pond). We haven't done any testing yet. The owner of the house has told the prospective buyer that testing was done in the past and that it did pass. The topography is all over the place. Starting at Milford Street, the contours go south. The existing house will stay, no additions are planned. The swimming pool will be gone. It sets up a good flow for drainage

toward the back of the site. We are looking for a bunch of waivers and are proposing a 20 foot paved road.

MATT HAYES – Are you looking to do this as a public or private way?

Paul DeSimone – We have no preference. We are not proposing sidewalks. We want to keep it as small as possible. We do show a landscaped island. What we would try to do is to save whatever is already there.

MATT HAYES – What is our new private way standard.

Mark Louro – 18 foot with cape cod berm for a private way to serve up to 3 lots.

Paul DeSimone – We have no problem with that.

MATT HAYES – That is allowed under the new regs

Paul DeSimone – We would need a sidewalk waiver.

MATT HAYES – There is no requirement for sidewalks on a private way.

Paul DeSimone – What about the sidewalk issue for the Milford Street frontage?

Mark Louro – Sidewalk does need to be provided.

MATT HAYES – If there is existing sidewalk that can be repaired, that would be OK.

Paul DeSimone – So we could repair what is there now and make a payment for the rest that doesn't have sidewalk?

Comments from DPS and Police department

Alan DeToma read an email communication from Dave D'Amico, DPS Director. It is attached and made a part of these minutes.

Alan DeToma read a note from Police Safety Officer Jeff Watson. It is attached and made a part of these minutes.

Paul DeSimone – The length of road is actually longer than we would like but we need it to make the Lot Shape Factor work. Re: Dave's letter, the area from the Groehl's property that was added to this site is all uplands. The drainage will all flow to the drainage parcel. There are wetlands immediately to the west.

Mark Louro – You may want to adjust the profile of the road.

Paul DeSimone – We will flatten that out more. Re: Gino's comments, we will include trees on the definitive plan.

ANDY RODENHISER – Is there a list of waivers yet?

Paul DeSimone – We will go with 18 feet paved width and cape cod berm. We will fix it for the slope to go to 2%.

MATT HAYES – That is important since Milford Street is a major roadway.

Mark Louro – Have you done the wetland flagging?

Paul DeSimone – We had Municipal Engineering Services flag it. I will meet with CONCOM to set up a sight walk.

Mark Louro – Do you have any idea on wetlands impact?

Paul DeSimone – By going with the narrower road, there will not be a lot of impact, maybe 100 sq. ft of fill in two places.

ANDY RODENHISER – Where will you replicate that?

Paul DeSimone – We have enough to do 3 to 1 replication.

Gino Carlucci – Would it make sense to offset the pavement here to minimize wetlands impact?

Mark Louro – That would be OK.

MATT HAYES – That would be a waiver.

KARYL SPILLER-WALSH – That is absolutely fine.

Mark Louro – On the locus plan, it looked like a stream or ditch to the west. Is that a perennial stream?

Paul DeSimone – It is not. The wetlands are more extensive on the adjacent parcel than is shown on the Assessors map.

Mark Louro – The houses you are showing are too small. Per the new regs, the footprints need to be 40 by 80 plus driveway and that is what the drainage calcs have to be based on.

Susy Affleck-Childs – (With the 30,000+ sq. ft lots), do you intend to seek a special permit from the ZBA for duplexes?

Olga Gererreio – My husband is the buyer. We simply do not know yet.

MATT HAYES – We will open this up for public input.

Mark Robinson, 26 Milford Street - You just mentioned this duplex possibility. I would be concerned if you did that. Your proposed road is right across the street from my house.

Paul DeSimone – It will take us at least a month to put together the definitive plan. Right now, the new lots are 30,000 sq. ft.

Mark Louro – They would have to get a special permit from the ZBA to do duplexes.

Mark Robinson – Private sewer?

Paul DeSimone – Private septic systems will be put in.

MATT HAYES – We would want to see the access to the existing home come off the new road.

Mark Louro – If you go to 5 dwelling units (with two duplexes) that would change it to a local road that would not be private and would require wider paved width, sidewalks, etc.

Joe Buchini, representing 6 Fales Street Trust – It is zoned for duplexes.

Mark Louro – It would need a special permit from the ZBA.

Joe Buchini – There is an existing drainage that goes from Fales Street west toward the proposed cul de sac and I presume the cul de sac would sit on top of the. It doesn't seem like there was a lot of cover.

Paul DeSimone – 2.5 feet is required.

Joe Buchini – The hydraulics are very sensitive in there, very shallow. I want to make sure that your subdivision is downstream of Fales Street.

Paul DeSimone – The mouth opening is lower but the elevation of the houses is about the same.

Joe Buchini – We want to make sure the impacts to the Fales Street neighborhood will be negligible.

Paul DeSimone – We inspected the pipe at the outfall and there is nothing coming out. We aren't going to back it up.

Joe Buchini – Re: the septic systems, you mentioned that the soil was perked some time ago. So, you don't really know that this will work?

Paul DeSimone – Only by his word of the current owner. We have no results to study. We will do our own tests. I would expect it was done within the last 10 years. I know this area of town well and it will be pretty good. The Town (BOH) has strict regulations on that.

Joe Buchini – The fourth concern that the neighbors on the eastern boundary have is about the trees. They want to make sure that your subdivision won't be seen and that ample tree coverage will be retained.

Paul DeSimone – I understand what you are saying. We have dealt with this Board on showing selective cutting zones at the plan stage. But once owners come in, we can't control what they do.

KARYL SPILLER-WALSH – We can certainly require a selective cutting zone with the plan.

Joe Buchini – Who owns that easement?

Paul DeSimone – I believe the Town has right to the easement, but it will be owned by the Guerreros (once they own the property.)

Rob Pearl, 4 Fales Street – The existing detention pond (for our neighborhood) is on my property. I am really concerned that the water is really downstream and that nothing will come back. I want to make sure that they don't drain into our pond. A couple of years ago when this was tried before, they couldn't make it work. There is not a lot of room out there for even an 18 foot road without impacting the wetlands too much. My other concern is what do the regs say about endangered species? There are fisher cats out there.

Mark Louro – Both the wetlands and endangered species issues will be addressed by the CONCOM. That info will have to be disclosed.

Mark Louro – As far as the drainage goes, the outfall from your property has to be maintained. The drainage for this subdivision has to take all its runoff and treat it and detain it so there is no increase in rate or volume of flow from the site. There will be a complete drainage study with the definitive plan.

MATT HAYES – On item number #13 on the Development Impact Report, you state there are no endangered species.

Paul DeSimone – That is correct. I got that information from the ????

Sharlene Harris, 1 Fales Street – The property that you have acquired, it seems just to the east of the house, there is a shed there. Is that part of your land?

Paul DeSimone – I do not believe so.

Lori Mosher Murphy, 24 Milford Street – It is ours. Our house is across the street from the shed.

Susy Affleck-Childs – I think we are tight on time and should make a decision on this at the next meeting. There are a lot of details that should go into the decision.

Joe Buchini – Is there a schedule for what boards they need to meet with and what sequence? And do the boards talk to each other?

MATT HAYES – We do try to communicate. We share our plans with the others boards. It is not set in stone who an applicant comes to first. But if they want to build duplexes, they will need to go to ZBA for a special permit. They also have to go to the Board of Health for septic permits.

ANDY RODENHISER – There are liaisons between the different boards. Chan Rogers is our liaison with CONCOM.

Paul DeSimone – I will do conservation planning at the same time. I will file with CONCOM soon for the wetlands flagging. I think it will be a couple of hundred square feet of wetland disturbance. It won't be much

MATT HAYES – Thanks very much

Hartney Acres II Definitive Plan Revision

Paul Yorkis, Patriot Real Estate
John Claffey, CLAFCO Builders/developer

Note – Alan DeToma recused himself as he is an abutter to the subdivision.

Paul Yorkis – We have Mylars for you to sign. We have the building permit from Bob Speroni for the walls, which we can give you.

Susy Affleck-Childs – We have two new members who are not familiar with this project. Could you please recap for us?

Paul Yorkis – There is an approved subdivision called Hartney Acres. (Since its approval) a decision was made to present an alternative approach to accommodate the needs of the 2 abutters (on Nobscott Street). So we don't have to build a stone retaining wall and instead have a landscaped area that needs to meet their approval. The plans that have been prepared by David Faist and Dan O'Driscoll reflect the lack of a retaining wall at the entrance.

Mark Louro – The wall is being removed from the “cut” section of Nobscott. The “fill” wall at the wetland crossing remains.

Paul Yorkis – The aesthetics of that wall have not changed, but the method of construction has.

ANDY RODENHISER – Who is the private agreement with?

Paul Yorkis – The Pedutos and Carosellis on Nobscott.

Mark Louro – So instead of walls, there will be sloping land.

John Claffey – At the “fill” section of the wall, we went with CastleRock for their system with stacked block up to grade.

MATT HAYES – Do you have any concern about the end treatment here?

Mark Louro – They actually had guard rail at one point. There will be a blunt end at the bridge wall.

Paul Yorkis – When we get to that point, we will deal with it then.

KARYL SPILLER-WALSH – Cast the return on the end if you don't do a guardrail.

Mark Louro – It would be better to bury that.

KARYL SPILLER-WALSH – What about landscaping on the grassy slopes?

John Claffey – That design should be done this week and we have to get that to them and get their sign off.

MATT HAYES – We want to see that plan and a sign off from them.

A motion was made by Andy Rodenhiser, seconded by Karyl Spiller-Walsh to approve revisions to sheets # 4, 6 and 11, dated May 3, 2005, of the Hartney Acres II Definitive Subdivision Plan. The motion passed unanimously.

NOTE – The Planning Board needs to sign these plan sheets and return the mylar to Paul Yorkis for recording.

Mark Louro – A complaint has been received about dust control on site. Please address that on the Nobscot side.

Informal Discussion – Possible Open Space Residential Development (OSRD) off of Candlewood Drive

John Claffey, prospective developer/applicant
Paul Yorkis, Patriot Real Estate
David Faist, Faist Engineering

Paul Yorkis – I represent John Claffey and CLAFCO builders, and am here tonight along with David Faist, civil engineer. What I would like to do this evening is to walk the Board thru this site, present some facts associated with the proposed project, and respond to any questions you may have. I have distributed a packet to you. The first page is a copy of assessor's map 1-4 and it shows the existing Candlewood Drive subdivision and the site under consideration - parcel 1-5A – 19 acres. That is the potential site. Candlewood Drive subdivision as approved by the Planning Board is not how it was actually built. The second egress from Candlewood to Farm Street was never constructed. It was done that way one because of an error on the part of the applicant and one error on the part of the then PB consulting engineer. Let me be clear, I am not referring to the current engineer. The Assessor's map shows what was approved, but not what was built. The second page shows how Candlewood Drive was actually built (shaded portion) and the relationship of the proposed project to Candlewood Drive. The third page is an aerial photograph. The fourth page is a preliminary concept plan. There are a couple of things I would like to point out. We are showing a lot of wetlands on this, but we know that it is not all wetlands. I would also like to point out that the owners of this property, the same family, owns property on Village Street and they do not desire to use that property for another access to this site. The owners are the Wasnewsky Family Trust. It is an 18.34 acre site. I have also prepared a fact sheet.

MATT HAYES – I have a question on land ownership. How does Marvin Development fit in?

Paul Yorkis – We propose the access to be a private road 24 feet wide, through this right of way stub off of Candlewood which is owned by Marvin (Vincent Manzelli). We would shift the road construction within the right of way toward the east (toward 14 Candlewood) to have more room between the road and the house to the west of the ROW stub (at 12 Candlwood.)

KARYL SPILLER-WALSH – Does the shift save the pine trees?

Sat Bir Khalsa, 12 Candlewood – One of those trees is already gone.

MATT HAYES – This is a very interesting plan.

Paul Yorkis – What we are looking for this evening? We are not seeking approval. We know we are the guinea pig under the new OSRD. We would like to schedule a site visit. We are looking for some guidance on the number of units. Some of the garages are side loaded. These will not be your cookie cutter dwellings. It will be all condos. The radius of the cul de sac circle meets the requirements for emergency vehicles. We have taken this as far as we can go without getting some guidance from you.

MATT HAYES – Do you have an architect yet?

Paul Yorkis – Not yet. It is premature at this point. These are not all going to be white with black shutters or all the same. The floor plans may be similar. The facades will be attractive and different yet complimentary.

Mike Newman, 9 Candlewood Drive – Any estimate on house prices?

Paul Yorkis – I can't answer that yet. It depends on the Planning Board's requirements. There is a big unknown right now is the number of units. We have to do a lot of engineering to have the drainage system work. All of that ends up being part of a formula for John to use to consider size of the units.

MATT HAYES – What is the road length?

Paul Yorkis – We don't want to get into an argument on dead end lengths, etc. under this bylaw.

MATT HAYES – Where I was going with that is to ask if you could determine the ownership of the access way between this site and the end of Island Road and find out if there could be egress there.

Mark Louro – Is Candlewood an accepted street?

Paul Yorkis – It is not.

Mark Louro – Can the board approve a plan that requires access over a private way?

Paul Yorkis – This new road will be owned by Mr. Claffey and then by the condo association.

MATT HAYES – Did you state earlier that you would be doing some work on Candlewood?

Mark Louro – When would you be doing that work?

KARYL SPILLER-WALSH – What seems to be the big issue is the number of units and the traffic that will be funneled thru the Candlewood subdivision. They will never have the other through street out to Farm Street.

Paul Yorkis – The property owner's preference is not to create another access thru to Village Street.

KARYL SPILLER-WALSH – This is going to have a huge impact on the Candlewood neighborhood.

Paul Yorkis – Right now there is no cut thru from Candlewood out to Village Street. The owners do not want to do that but they do want to convey the property. The site works at 20 units.

MATT HAYES – I have no desire to see a road come thru the open space to Village Street. It would certainly ruin the open space.

KARYL SPILLER-WALSH – As a creative beginning to this project and considering where there are pluses and difficulties, I think it is an excellent idea. I think the site calls for something like this. Something is going to be developed there. This is an appropriate concept for the site. What I see as difficult is the number of units. I do have a very big concern about Candlewood and its egress to Farm Street. I feel that the numbers are very high and I would probably like to see some singles mixed in.

Paul Yorkis – We can't do it. It is economically impossible.

CHAN ROGERS - What portion of land is being developed?

Paul Yorkis – The total parcel is 18.34 acres. The developable part is 4.5 acres.

CHAN ROGERS – What will you do with the balance?

Paul Yorkis – It will be open space. We would want input from the Planning Board as to whether it should be owned by the condo association (or the town). We would want the walking paths to be open to the public.

Mark Louro – What is status of your discussions with Dave D'Amico (DPS Director)?

Paul Yorkis – Susy provided us with documentation on what needs to be done at Candlewood based on old punchlists. Dave's staff looked at it and said if we did all that, it would be OK. I would be happy to ask Dave D'Amico to do a letter for you. We met with Susy soon after the town meeting approved this bylaw to chat about the project. She asked us to not contact other boards at this time.

Mark Louro – Are there any current sight distance issues where Candlewood meets Farm Road?

Paul Yorkis – It is our belief that the occupants of these dwellings will not necessarily be occupied by large families. These will be 3 bedroom units. The indications we are getting is that people are downsizing. There are people who live in Medway now and want to stay here but want something a bit smaller.

ANDY RODENHISER - Within the regs, what is the formula we use?

MATT HAYES – If they had to provide 20 acres of open space, 10 acres would have to be uplands.

Paul Yorkis – If, at some point in time, you need us to thoroughly flag the site, we can do that.

David Faist – A plan was done in January 2005 where the wetlands were flagged by Paul Robinson.

Paul Yorkis – Several years ago I was involved with the sale of this land.

MATT HAYES – What size units?

John Claffey – About 2,000 sq. ft per unit.

MATT HAYES – The issues as I see them are the length of the roadway. Also, the fact that there is only one actual access out to Farm Street from Candlewood.

Richard Sousa, 14 Candlewood – The work that needs to be done to get Candlewood accepted is what?

Paul Yorkis – The catch basins need to be cleaned and corrected. There are some issues with the sidewalk and curbing. The detention pond needs to be dredged out. If the Board were to approve this proposal, we would expect they would require us to get Candlewood into shape to be accepted.

ANDY RODENHISER – Wouldn't another issue be the matter of the second outlet?

Paul Yorkis – There was an agreement on Candlewood with the Planning Board to not build the second access.

CHAN ROGERS – This board is not obligated to accept any prior agreement.

Tom Anderson, 16 Candlewood – With the regs you are going under, the open space would be available to the public so the traffic would come thru our street.

Paul Yorkis – The open space will be used most frequently by the residents of Island Road and Candlewood.

Mark Louro – The board has to be confident that they can approve a plan that is not accessed from a public way. Legally, you may not be able to do so.

Paul Yorkis – The issue is whether there is “access” to a road that is shown on a duly approved plan.

Mark Louro – The town needs to be comfortable with that.

MATT HAYES – Susy, we need to do a letter to Town Counsel on this.

KARYL SPILLER-WALSH – I have more concern about access to Farm Street.

Sat Bir Khalsa, 12 Candlewood – I have real concerns about the number of units. This is not in keeping with the nature of the neighborhood. It would be strange to have condos stuck back in there. My real concern is the traffic and I am sure my neighbors would confirm that. Isn't there a road from the treatment plant out to Village Street?

Paul Yorkis – Yes, there is a privately owned driveway (off of Village Street) to the Charles River Pollution Control facility, but it does not connect to this parcel.

Resident ?? - You mentioned that less than 20 units is not economically feasible?

Paul Yorkis – 20 units works. Less than that, then Mr. Claffey and the current property owners will have to reconsider.

John Claffey – The owner of Candlewood Drive (Vincent Manzelli) doesn't care what happens there, as long as the roadway work is done and he can get out it.

John Claffey – It will be cheaper for me to fix that road than it would be for the Town.

Paul Yorkis – The cost of taking the Candlewood bond is probably more than the bond balance.

Paul Yorkis – The last item on our fact sheet refers to a private agreement between the applicant and the owner of Candlewood is to handle the issues that VHB has identified, to the satisfaction of the Medway DPS.

ANDY RODENHISER – Will the owner of Candlewood turn over the roadway completely to Mr. Claffey?

Paul Yorkis – When a private agreement is in place, based on an approval of this project, Candlewood will be repaired to become a public way. If I were sitting in your seat, I would have one of the conditions of approval be to have this be done.

Paul Yorkis – We will do the work, prepare the as-builts, and do the punch list to DPS' satisfaction.

KARYL SPILLER-WALSH – That doesn't solve the access issues.

ANDY RODENHISER – We also have to address the bonding issue and possible legal fees. It looks like a great project. I believe the residents will benefit from this but these things can blow up in your face.

Paul Yorkis – I think the Board expects an applicant to use candor when they appear before you and let you know what they are trying to do. There are certain financial issues we are not able to disclose to you. As it relates to the street, we know work needs to be done. We know there is a scope of work outlined by VHB. We have met with DPS. We are as aware as any applicant can be on the process involved. We are confident we can address these issues. We need to know if this proposal is workable. Is it reasonable? We need guidance and direction from you, we have proposed 20 units.

CHAN ROGERS – What legal pitfalls do you see Andy?

Paul Yorkis – We will use the punch list.

CHAN ROGERS – They have agreed to bring it up to a condition to allow it to be accepted.

John Claffey – Also, part of the agreement with Mr. Manzelli is use rights over Candlewood Drive.

Gino Carlucci – The agreement to access and have rights to use Candlewood should be in place at the time of application.

Paul Yorkis – One of the attorneys can provide that.

Mark Louro – Will CLAFCO own Candlewood?

John Claffey – I will own the stub (50 ft. ROW between 12 and 14 Candlewood.)

Paul Yorkis – The current owner will not touch Candlewood to finish it up. We have tried to look at the project, the context, the neighborhood, and believe perspective is fair and reasonable considering all the parameters.

MATT HAYES – Does the board feel that this is a workable plan and want to give them some direction?

KARYL SPILLER-WALSH – The fact that we have spent an hour on this, I believe we all feel there is a tremendous amount of validity to what you are trying to do. It is going in a good direction. This time shows a good faith on behalf of the Board that we are interested in working with you on this project.

CHAN ROGERS – I second that but I don't think the impediments that Andy mentioned are really problems.

ANDY RODENHISER – The only real issue is access over Candlewood.

Paul Yorkis – I would expect that your approvals would allow for public access to the open space.

ANDY RODENHISER – This is in the spirit of what we are trying to do with open space, so these neighbors don't have bulldozers clear cutting the entire area.

CHAN ROGERS This is a tremendous example of what can be done so you don't have to spread out houses.

MATT HAYES - So I take it that the board is generally positive.

KARYL SPILLER-WALSH - I am not happy with the numbers.

MATT HAYES – I will want to see a traffic study.

CHAN ROGERS – I second Karyl's position that we should move ahead with the approval of a concept.

Paul Yorkis – We need guidance. Is 20 units an acceptable number that we should use in a traffic study? We need to know that for trip generation numbers. If we use the number 20 for a traffic study, I will call it a preliminary traffic study, and take all of Candlewood and add to it 20 condo units, is that the direction we are getting?

ALAN DETOMA – Another concern I have is the legal aspect of Candlewood. There was some earlier discussion as to whether the legal road is what is on the plan vs. the actual as built.

Paul Yorkis – This board routinely recommends the acceptance of roads from station A to B. It would be my position that if the road is brought up to standards, you would recommend acceptance of that portion that was built.

Mark Louro – Was the Candlewood plan ever formally modified to reflect the non-build status of the second access to Farm Street?

Paul Yorkis – Everyone understood that that portion of Candlewood wouldn't happen. It would have been a negative for everybody to have it constructed. People sought a way to move forward.

Paul Yorkis – Regarding the issue of what gets deeded to the town, Susy now requires that deeds get prepared. That would be what would be one of the early on details. The undeveloped strip could be deeded to the Town. That is a solvable issue.

CHAN ROGERS – We should do a motion of support.

Susy Affleck-Childs – I would advise you to not take any vote. This is an informal discussion with no abutter notice.

Paul Yorkis – I hear your concern is whether 20 units work in terms of traffic.

John Claffey - So we do a traffic study, then what?

Paul Yorkis – We would do the application for a special permit and bring in a traffic analysis at that time.

KARYL SPILLER-WALSH – Included in this traffic study should be some discussions with the neighbors.

MATT HAYES – I don't think that is input for the traffic study, but for the public hearing.

Paul Yorkis – I would like to thank the abutters for your comments.

NOTE – Send Tom Anderson (tom.anderson@fmr.com) the OSRD bylaw.

Consideration of Site Plan Modification – 159 Main Street/Paul Yorkis

MATT HAYES – Before we begin, the site plan bylaw was changed by town meeting (June 6, 2005) but it has not yet been approved by Attorney General's office. However, I believe we should go forward as if it is working. That would mean we can approve a site plan modification.

Paul Yorkis – My biggest priority is to get the steps installed as soon as possible. I really need to try to get this done. I have the material.

MATT HAYES – As context, we are considering a site plan modification. This project was previously approved. The Zoning Enforcement Officer determined that the additional work constituted a minor site plan modification.

CHAN ROGERS – What part is new?

Mark Louro – A newly graveled driveway, the turnaround, and the proposed steps.

Paul Yorkis – I am happy to do nothing until the AG comments are in.

Paul Yorkis – Let me provide some more background to your new members. To correctly build the paved parking area in compliance with ADA and AAB rules and regs, I needed to install a ramp on the east side of the building and install a level parking area. We did both of those. As a result of that, the slope on the back portion became very severe for drainage and it was impractical. It created a blockage to the garage. So now there is a retaining wall, and the slope is not as severe and then it is level, and a turnaround area that was basically eroding is now graveled so that you can now drive the vehicle in around the building. You do a 6-7 point turn and unload things at the garage and then come back out. The slope is still too steep to walk on comfortably between the garage and the house so we propose to build a steps with old granite curbing. To reduce some of the overland flow, we now have the downspouts piped under the driveway and out to the back yard. There is no erosion anymore.

ANDY RODENHISER – What kind of slope is there from the top of the gravel turnound to the base?

Paul Yorkis – It is graveled now. At the back of it, we put a lip to stop the sheeting action that was going down the hill.

ANDY RODENHISER – How steep is it off the back?

Paul Yorkis – That is not a parking area, it is only a turnaround.

ALAN DETOMA – And you can't drive off of this.

A motion was made by Chan Rogers, seconded by Andy Rodenhiser to approve the minor modification to the site plan for 159 Main Street, as depicted on the sheet titled Sketch Changes 6/29/05 by Paul Yorkis and the application for Site Plan Modification dated June 29, 2005. The motion passed unanimously.

Susy Affleck-Childs – We do need to write up something for the Board's signature and for filing purposes.

Paul Yorkis – Do I need to wait for that?

MATT HAYES – You may go ahead and begin work.

OTHER BUSINESS

Set Plan Review Fee for Pine Meadow II Definitive Subdivision Plan

A motion was made Andy Rodenhiser, seconded by Alan DeToma, to approve the plan review fee of \$3,295 for VHB's services for the Pine Meadow II Definitive Subdivision Plan. The motion passed. Matt Hayes recuse.

A motion was made by Andy Rodenhiser, seconded by Alan DeToma to approve the plan review fee of \$450 for PGC's services for the Pine Meadow II Definitive Subdivision Plan. The motion passed.

Construction Observation – Mark Louro

Country View Estates – As you requested, I prepared a master punch list. There are 50 items plus all the work for Phase II on Stable Way per the plan.

Susy Affleck-Childs – How do we want to handle this? I can forward to Greg Whelan. A few neighbors asked for the list.

Mark Louro – I will forward it to Bill Canessi, Greg's contractor. I want to make sure that he understands the scope.

Hartney Acres II – They have started installing the drainage. They are working their way from the cul de sac at the top of Blueberry Hill toward Nobscott.

ALAN DETOMA – They are starting work very early, at 6 am. What does the zoning say about that?

NOTE - Mark Louro leaves at 11:20 pm

Smart Growth Technical Assistance Grants – FY 06

Gino Carlucci – These funds are available to assist towns. One of the higher priorities is to implement recommendations of the EO 418 Community Development Plans. The idea is to go forth with a zoning overlay district for C1 and C2 and also to look at some Low Impact Development (LID) stuff. There is an interesting twist. The state also has these Commonwealth Capital applications. For all other grants, the higher your Commonwealth Capital score, the better. But with this grant program, the lower the score is better because its purpose is to help towns improve. So it would involve a 2 step process to prepare the Smart Growth grant and to prepare the Commonwealth Capital application. It is not a big deal. That would just involve tweaking the existing Commonwealth Capital application we did back in May. Some grant applications are very involved and complicated. I am 90% sure this is not too involved. I could come up with an estimate of how much time it would take to put this together and a rough assessment of our chances.

MATT HAYES – Wasn't there a workshop on this recently?

Gino Carlucci – Yes, it was yesterday. They mostly covered the Commonwealth Capital program. I think that the two items we are looking at are exactly in line with what they are looking for. And our Commonwealth Capital score was in the range of 54-58 out of 140. That isn't as bad as it sounds. It was slightly below average although it is going to go up because of the approval of the new OSRD and stormwater bylaws at town meeting.

Susy Affleck-Childs – How many hours do you think, 15?

Gino Carlucci – I don't think it would be that much.

A motion was made by Andy Rodenhiser, seconded by Alan DeToma to authorize Gino Carlucci to spend up to 15 hours to prepare the Smart Growth Technical Assistance grant application and Commonwealth Capital update. The motion passed unanimously.

MATT HAYES – Gino, I would like you to get back to me this week with a more specific estimate.

Gino Carlucci – Will do.

Committee Reports

ANDY RODENHISER – On the permit streamlining project, I will continue to talk to people and build a consensus. I would really like to get somebody out here from the state to talk to the town about this program

MATT HAYES – I would like Susy to work with Andy Rodenhiser on a date to have them come out.

Summer Meeting Schedule

Susy Affleck-Childs – Due to vacation schedules, I would like to request that we change the August 23rd meeting to August 30th.

ALAN DETOMA - I am away on both those dates.

OK for everybody else.

Invoices

PGC Associates for \$927.50 for FY 05 consulting services. Motion by Alan DeToma, seconded by Andy Rodenhiser to authorize payment of \$927.50 to PGC Associates. The motion passed unanimously.

PGC Associates – \$192.50 for plan review services. Motion by Andy Rodenhiser, seconded by Alan DeToma to authorize payment of \$192.50 to PGC Associates. The motion passed

WB Mason – \$77.71 for FY 06 office supplies. Motion by Andy Rodenhiser, seconded by Alan DeToma to authorize payment of \$77.51 to W.B. Mason. The motion passed unanimously.

VHB, Inc. – \$463.09 for FY 06 Contracted Services. Motion by Alan DeToma, seconded by Chan Rogers to authorize payment of \$463.09 to VHB, Inc. The motion passed. Matt Hayes, recuse.

VHB, Inc. - \$1,879.12 for construction observation services. Motion by Alan DeToma, seconded by Karyl Spiller-Walsh to authorize payment of \$1,879.12 to VHB, Inc. The motion passed. Matt Hayes, recuse.

Chapter 61A Land Sale - Briggs property on Adams Street

Susy Affleck-Childs – The Planning Board received official notification that Mr. Briggs intends to sell his property. The Town has 120 days to match the offer. This is the project that Jim

Wieler has been working on with Mr. Briggs. The idea is for the Town to buy this property, with CPC funds, then lease it back to Mr. Briggs so he can farm it. Then Mr. Briggs will put some conservation restrictions on some adjacent property. Normally, the BOS would refer this to the Community Preservation Committee for review and recommendation.

BOS – Sign Bylaw Enforcement

MATT HAYES – The BOS discussed this last night. They have directed Bob Speroni to come up with a plan of action. I went to the BOS to discuss a complaint system. Susy had done a draft letter for their consideration and she had drafted a complaint form to notify the BOS or Bob of an alleged violation. So, Bob is in the process of drafting a response to the BOS on how to handle these matters.

ANDY RODENHISER – They were also talking about not renewing business licenses on an annual basis if he signage does not comply.

MATT HAYES – Right now, we are looking at a friendly kind of warning system.

Sick Leave - Susy Affleck-Childs

Susy Affleck-Childs – My knee surgery is scheduled for September 29th. I have mentioned it to Kent Scott and he has asked the PB to prepare some notes and options on staffing support while I am gone.

A motion was made by Alan DeToma, seconded by Andy Rodenhiser to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 11:55 p.m.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Karyl Spiller-Walsh
Cranston (Chan) Rogers, P.E.*

**Minutes
July 26, 2005 Planning Board Meeting**

PRESENT: Matthew Hayes
Karyl Spiller-Walsh
Alan DeToma
Chan Rogers

ABSENT WITH NOTICE: Andy Rodenhiser

ALSO PRESENT: Gino Carlucci, PGC Associates
Mark Louro, VHB, Inc.
Susy Affleck-Childs, Planning Board Assistant.

The meeting was called to order at 7:33 p.m.

CITIZEN COMMENTS

James Brickner, 24 Summer Hill Road - I live here in town. At town meeting, there was an item that was not passed re: contractor's yard. The way it was written, it seemed kind of heavy handed to anybody that drove a 6-wheel truck. It was very difficult to discern between how it would be applied to someone who was farming and who was contracting. The goal is to clean up those who have untidy yards. The way it was written, it would get me. I drive a 6-wheel truck. I use it for work, drive it to the dump and take my kid to school. We did a stand up vote that night and it was only about 4-5 votes shy of passing. That would be a hardship on me and on some small contractors would have gotten hit by a pretty big hammer. It seems like this would discourage small business. For a guy like me, I pay an excise tax on my vehicles and trailers. It is a lot of money to find a place to rent to keep my stuff.

MATT HAYES – That definitely needs some more work. I thought a 6-wheel truck was to be allowed.

James Brickner – There are some guys who live in my neighborhood who have 6-wheel truck to haul snowmobiles.

ALAN DETOMA – What type of vehicle do you have?

James Brickner – A dual wheel truck like to pull campers and boats. If the aim was to go after contractors with piles of loam and stuff, that is one thing.

MATT HAYES – The idea was to not allow people to run a contracting business out of their residence.

James Brickner – I want to play devil’s advocate. How different is it for me to drive a vehicle for work with my tools and go back and forth to my home than it is for somebody else who goes out and their laptop computer on the seat in their car. Somebody is going to take you to task on that. If there is a way to refine it and work on in, I would be happy to chat and volunteer to talk to people, but the way it was written would be pretty tough for a small guy like me and even other folks who are first responders with snow plows.

MATT HAYES – If and when this bylaw comes back for discussion, there would be another public hearing and even before that we would welcome some input. We wouldn’t go back into this lightly.

KARYL SPILLER-WALSH – Maybe he could be notified when there is a rewrite.

Susy Affleck-Childs – I will find him!

James Brickner - I don’t want to be just the greasy wheel. I understand there is a goal.

MATT HAYES – You have a different perspective than some of the folks that wrote the article.

James Brickner - The other question is why was written to only cover certain parts of town?

MATT HAYES – It was in the agricultural/residential districts only. Those are the only 2 residential designations we have in town.

ALAN DETOMA - Technically, people aren’t supposed to be running a business out of their home at all.

MATT HAYES – Thank you.

PUBLIC HEARING – PINE MEADOW II DEFINITIVE SUBDIVISION PLAN

Matthew Barnett – Applicant

Paul DeSimone – DeSimone & Associates

A motion was made by Alan DeToma, seconded by Karyl Spiller-Walsh to waiver reading of the public hearing notice. The motion passed unanimously.

Paul DeSimone – We are now at 7 lots, reduced from the original 8. The detention basin hasn’t changed. We are asking for a couple of new waivers. Based on our last conversation, we reduced the width of Lantern Lane to 20 feet and put a hammerhead in instead of a paved cul de sac at its end. We will work with Mr. Turi (8 Fisher Street) on landscaping. We are going to let him access the subdivision road for his home. At first he didn’t want to, but now he seems to want to. We will make it available to him.

Matt Barnett – I believe he wants both accesses – Fisher Street and the new street.

Mark Louro – I want you to put a template on that hammerhead design within the Lantern Lane cul de sac.

Paul DeSimone – In the approval, maybe you could put in the decision that the Turi property will have to be accessed from Pine Meadow Road.

Mark Louro – How can the Planning Board require them to make Mr. Turi use the new street?

Paul DeSimone – We also kept the pavement in the natural line of the road and put the island in the cul de sac at the end of Pine Meadow.

MATT HAYES – Is the width of the road Pine Meadow is 26 feet all the way?

Paul DeSimone – Yes, with Lantern Lane to 20 feet. We looked at reducing the width of Pine Meadow after Lantern to 20 feet, but couldn't make it work.

Mark Louro – Could you put a ramp at the hammerhead? ADA doesn't allow a ramp using the driveway.

Paul DeSimone – Could we lose the granite curbing on the intersection of Pine Meadow and Lantern Lane?

MATT HAYES – I think that would be OK.

Mark Louro – Yes.

Paul DeSimone – So our waivers are going to be: slope on main road coming in to be 1.08% grade instead of 1.0; twenty foot pavement on Lantern Lane; hammerhead at end of Lantern Lane; no granite curbing on roundings; and a waiver on having to allow a landscaped island in a 100 ft. diameter cul de sac (vs. a 120 foot diameter one.)

Paul DeSimone – I haven't had a chance to thru VHB's letter.

KARYL SPILLER-WALSH – What about possibility of leaving existing trees in the island?

Paul DeSimone – We will survey and will try to save anything we can.

MATT HAYES – Any comments from Gino?

Gino Carlucci – One thing I noted is that there are driveway locations within 14 feet of catch basins on lots 1 and 2. You will need a waiver on that too or move them.

MATT HAYES – Let's leave as they are and handle with a waiver.

Paul DeSimone – On the island, do you have to have a landscaped plan stamped by a landscape architect?

Mark Louro – That would change if there were some natural trees in that area that could be retained.

Paul DeSimone – When we start construction, we can stake it out and see what is there. What about a scenic road public hearing? We will have to lose one tree for the road construction

Susy Affleck-Childs – I would like to combine it with the continuation of this public hearing, probably on August 30th.

Susy Affleck-Childs – Your sister lives at 8 Fisher Street. Could the access to that lot be changed from Fisher Street to the new road?

MATT HAYES – She might do it later.

A review letter dated 7-26-05 from Safety Officer Jeff Watson was read into the record. It is attached and made a part of these minutes.

Paul DeSimone – The Certificate should allow for Turi and Gervais to come in off the new street.

Mark Louro – Is there a way to adjust Mr. Turi's Fisher Street driveway further south of the new roadway if he decides to not access Pine Meadow Road?

ALAN DETOMA – Doesn't it seem that this is an imposition on Mr. Turi to make him spend money to move his driveway?

Mark Louro – Can you talk to him and ask him and offer him one option or the other?

Paul DeSimone – We will work with him however we can.

Mark Louro – Even if the access to his property remains on Fisher Street, it needs to be moved further away the new subdivision road.

Mark Louro – I will review the new drainage calcs, which I received this week.

Paul DeSimone – Then give me your list of comments and I will revise the plans and calcs.

Mark Louro – I will try to get him something by the end of next week (August 5, 2005).

The public hearing was continued to August 30 at 7:35 pm at which time the Scenic Road public hearing will also be conducted.

Paul DeSimone – I will come down and get the paperwork for the scenic road application.

NOTE – There were no citizen comments on this project.

Construction Update on Birch Hill

Ellen Rosenfeld

Mark Louro –They have pretty much installed all the stuff to accommodate the water problems. Yesterday, they paved the binder. The slope has been restabilized. The swale was put in. The subdrain was video taped, but I don't have a copy yet. I prepared a bond reduction to \$39,456 and have further revised it to \$35,856, so that brings it pretty close to the minimum of \$35,000 bond until street acceptance.

Ellen Rosenfeld – So I will get the extra \$15,000 back that I gave you recently? Can I get the second lot release?

MATT HAYES – Mark, what is your recommendation?

Mark Louro – The binder is in place and the drainage system is functioning. I was out there last week and have been inspecting the gravel. It has been dry and stable. I was not available to inspect the paving yesterday morning but the highway department went out and I did stop by today on my way here. I have seen it now and I am satisfied.

A motion made by Alan DeToma, seconded by Karyl Spiller-Walsh to reduce the subdivision bond for Birch Hill to \$35,856. The motion passed unanimously.

A motion was made by Alan DeToma, seconded by Karyl Spiller-Walsh to approve the Release of Covenant for Lot 16A. The motion passed unanimously.

Mark Louro – Also, they did not video the trunk line of the drainage system but I did verify that it was cleaned out. They cleaned it out twice during the past 2 weeks.

Ellen Rosenfeld – Do you want a copy of that videotape? I will bring it down to Town Hall.

MATT HAYES – Yes. But we would like to have the trunk line videoed. It is in the bond.

Ellen Rosenfeld – I have a revised form for the Release of Covenant for Lot 16A. Also a corrected one for Lot 17A that you signed a while ago.

NOTE - Board members signed the revised Release of Covenant for Lot 16A, to be notarized by Susy Affleck-Childs.

Site Plan Modification for 133 Main Street

Dick Steinhoff, property owner

Dick Steinhoff – Last October when the Board of Selectmen approved the site plan, it included scored or stamped concrete. In the buffer area (between Main Street and our parking lot. I would like to change this to cobblestones. Because the strips are narrow, there is no way that stamped concrete will hold up over time. I went out and got some quotes. We are looking at about \$8,000 to make the entrance to the parking lot rough. This parking lot has been around 30 years. Would this be a real problem if we don't do this at all? How does this really benefit the Town of Medway? I would like you to consider deleting paragraph B2 and B3 from the site plan that the Board of Selectmen approved last October, concerning the rough surface for the buffer area. If you can't do that, then please change the wording to cobblestone, as cement is not going to do the job.

I discussed this with Bob Speroni and I have a letter from Bob saying it is a minor change to go to cobblestone. I have submitted a request to you to modify our site plan. You have 3 sketches. Page 1 shows the parking lot with the two buildings and the location of the rough surfaced buffer areas. Page 2 shows the original drawing. Page 3 shows the detail on how the strips would look in front of the parking lot.

ALAN DETOMA – What was the cost differential for the stamped concrete vs. cobblestone?

Dick Steinhoff – Not much. But you have to understand that I am talking to the people who gave me the quotes and their reactions were outright laughter, to looks of amazement, to the question of who hates you at Town Hall?”

MATT HAYES – Nobody hates you.

Mark Louro – Let’s remember that the Planning Board originally recommended a planted landscaped buffer area on either side of a 24 foot wide driveway. That was changed by the Board of Selectmen with their approval.

Dick Steinhoff – Dr. Barry testified at that BOS meeting and said he felt the landscaping would be a safety hazard. During that winter on that down slope on Main Street, even I have had to hit my breaks carefully. I have gone all the way down to the furniture place next to me before I could stop. So, B2 is totally out of the question. Then the question is whether it is worth \$8,000 to put in cobblestone strips in front of the parking lot. My opinion is clear. I just think there are a lot of things I can do with eight grand. I am more than happy to paint and stripe it. It just doesn’t seem to make any sense to spend that kind of money to rough up the surface.

MATT HAYES – Had we discussed only striping to delineate the driveway and these buffer areas>

ALAN DETOMA – No. We had discussed striping inside the parking lot itself.

Dick Steinhoff – If you take this front page drawing on page 1, I can bring that striping all the way down. It is just a matter of reducing the focal point of the driveway toward the center. I can do that with paint.

ALAN DETOMA – My recollection is that this whole thing came about because there was a new tenant going in at 133 Main Street that will result in increased traffic to the site. The site is currently lacking at meeting our standards and we wanted to try to bring it up closer to par. We explored everything such as landscaped areas. We discussed drainage concerns about puddling in the corner if the area was curbed. We acquiesced on curbing and looked at alternative solutions and came up with stamped concrete.

Mark Louro – The big concern is that there are cars parked on either side of the lot and we want to channel traffic to the middle.

Dick Steinhoff – Putting a rough surface is not going to stop people.

Mark Louro – But neither will paint. That is why the Planning Board recommended the landscaped buffers.

ALAN DETOMA – I don't know if we have the authority to go back to the landscaped areas.

MATT HAYES – I know we had a lot of discussion on this previously. I think we should stay with the final design as approved by the BOS.

KARYL SPILLER-WALSH – I concur.

ALAN DETOMA – I have to agree that the cobblestone won't do much but I think we have exhausted our options. Cobblestone is a minimal solution. The real solution is an actual obstacle and we stumbled there because we couldn't make the drainage work. That is not to say that you couldn't up with some sort of decorative fence that would allow drainage to go under it.

CHAN ROGERS – Where is the cobblestone going to be used?

MATT HAYES – At either side of the entrance to the parking lot.

Dick Steinhoff – Also, I would like to do this next year and so request an extension.

MATT HAYES – This modification will not go back to the BOS. With the change in the zoning by-law, it is within our authority now to approve site plans and modifications.

Gino Carlucci – I had just two quick comments. I am not sure of the usefulness of the strip of sidewalk between the cobblestones. I would suggest you just do a single strip of cobblestone. A little stretch of sidewalk that doesn't line up doesn't make a lot of sense. I also wonder if the work is within the right of way.

ALAN DETOMA – I do remember a lot of discussion, I would hate to go back on that.

Dick Steinhoff – As a minimum, I need it changed to cobblestone.

ALAN DETOMA – We have reopened the box here and should reconsider the whole solution.

KARYL SPILLER-WALSH – I don't think so. I believe we need to honor the BOS decision but just consider the change in material he has requested.

Dick Steinhoff – You know, we have to have 32 spaces per the ZBA decision from 1988. And now you want to reduce it to 30 spaces.

ALAN DETOMA – Do you want to go there and look at the whole parking lot and do a whole analysis?

Dick Steinhoff - If I could understand the sense of doing it and I could see some benefit, then I would do it.

Mark Louro – The reason the landscaped island went in to the left was to consolidate the entrance.

ALAN DETOMA – I agree that cobblestone is ridiculous, does not solve the problem and may cost more money. I think we should go back to the original idea with cape cod berm left and

right, with a low landscaping design, not to exceed 3 feet high, and then allow a break in the berm to allow parking lot stormwater runoff to flow out to the street.

Dick Steinhoff – Because we put an occupant in on the first floor, the town is making us deal with all this.

CHAN ROGERS – I don't see what the cobblestone does.

Dick Steinhoff - The landscaped areas, in our opinion, are a safety hazard. That is what Dr. Barry argued so strongly against and the BOS agreed with him.

ALAN DETOMA – How are the landscaped areas a safety hazard?

Dick Steinhoff - In the summer it is not but in the icy winter, it would be a problem.

ALAN DETOMA – With all due respect, in winter conditions, you have to drive carefully. I don't think it is a valid argument.

Dick Steinhoff – Dr. Barry made this point and the BOS agreed with him and the BOS determined that a scored/stamped concrete could be done in lieu of landscaped area. We are proposing to do paragraph B3 and do it on both sides of the driveway. That way, we have all the concerns addressed.

MATT HAYES – So what would the board like to do?

Dick Steinhoff – I am willing to do what I first proposed.

ALAN DETOMA – I think he is throwing money at a problem. I think the BOS was trying to do them a favor by changing from landscaped areas to scored/stamped concrete but they put him in a position of costing him more money.

Dick Steinhoff – I would rather have you vote on the cobblestone yes or no. But I would also like to recommend that the actual construction be done in the summer 2006.

A motion was made by Karyl Spiller Walsh, seconded by Chan Rogers to approve a minor modification to the site plan for 133 Main Street to allow use of cobblestone material to be used in constructing the buffer strips, as indicated on pages 1 and 3 of the May 2005 plans and to extend the deadline for construction to September 30, 2006. The motion was unanimously approved.

NOTE - Susy will write up something and file it with the Town Clerk and Building Inspector.

INFORMAL DISCUSSION – Marian Community ARCPUD – Preliminary Design for Flood Control

Rich Coppa, Marian Community
John Spink Spink, CONECO Engineers

John Spink –We were sitting in front of the CONCOM recently, talking about the roadway for the 180-200 feet in front of Chicken Brook. It is currently located in the 100-year flood plain to

a depth of 9-12 inches. Chicken Brook is a set of cascading pools that come from 5 miles to the north. We have a pool that is held by this cart path at 220 feet elevation. Below the cart path, the pool is at 219 feet. This is a big long weir during the 100-year flood. We originally came in and discussed how it gets wet every 10-20 years. We talked to the Fire Chief and he doesn't really care. CONCOM got uncomfortable that drainage would pollute Chicken Brook. A comment was to do a bridge across it and another idea was a Low Impact Development strategy. We talked about narrowing the roads and making it a one-way bridge. The current cart path bridge across the brook is a 14' by 14' slab across timber beams. We were going to come in and take the slab off the bridge and replace it with a big deal bridge and walkway. And so the consensus at that point was that it would be kind of good if the road didn't flood. We don't want the pollutants to go into the river. The thought is to narrow the bridge to a one lane and narrowing the road to 22 feet. We have come up with a design and we are trying to maintain the flood dynamics. We are going to go to the north side of the road and install a granite curb that matches the height of the road now and that sticks up out of the ground about 9-12 inches. The water would come over that and go into a ditch with 3-foot tubes under the road and out the other side past the sidewalk flowing out. Then we take the road and put the road on top of the tubes and raise it up about 1.5 feet with a guardrail on both sides of it and then a 5-foot walkway.

Mark Louro – What are tubes made of?

John Spink – ADS plastic pipe with a smooth interior wall. It is either that or reinforced concrete. We haven't gone to the manufacturer yet.

Mark Louro – How close would the pipes be?

John Spink – I have 120 feet and I need to put in 27 tubes. Each is 36 inches. We also have to put sewer and utilities through that area. It would essentially be a dam that is maintained like a curb with a channeled spillway under the road. These tubes may not get wet for 15 years.

CHAN ROGERS – It is like a culvert.

KARYL SPILLER-WALSH – I like the concept. It is a great idea.

ALAN DETOMA – I think the concept is intriguing.

Mark Louro - It might be easier and more cost effective to actually build something.

John Spink – I will reconstruct the bridge to handle the car load.

John Spink – If I just put culverts in I change the flood characteristics upstream and downstream.

KARYL SPILLER-WALSH –Are you dredging down below the basin of the river to put in these pipes?

John Spink – No. The road will end up at 21 feet. The curbing will end up at about 19 feet. The tubes will be down about 2 feet below the road, which is about 1.5 feet above dry season.

CHAN ROGERS – What is the normal level of the water?

John Spink – 16 to 16.5 feet. It floods 4 feet on top of that.

John Spink – The invert of the tubes will be at like 17 feet.

John Spink – I am here to put this concept before you to see if you think it is viable. I would like to go down to a 22-foot roadway except for the 16-foot width for the short bridge (less than 30 feet length).

MATT HAYES – Will this be the only access to the residential area?

John Spink – At the end, we will end up with 80-100 units on about 25 acres (of a total of 100 acres).

CHAN ROGERS – This road that crosses this brook is the main access?

KARYL SPILLER-WALSH – I have a problem with a one-lane bridge for that purpose.

MATT HAYES – I am more comfortable that you have taken the 100-year flood off the top of the road.

John Spink – What about a 22 foot wide roadway instead of 24 feet? So, the question is what is the board's the current thinking?

Mark Louro – What is the alignment?

John Spink – Pretty straight with longer curves, and it doesn't double back on itself.

CHAN ROGERS – How many units?

John Spink – 80 +.

MATT HAYES – The recent changes to the zoning bylaw allows the board to permit one-way roads in an ARCPUD.

Mark Louro – This road has to be two lanes except for the bridge. I would think 18 feet would be workable.

John Spink – A truck is 8 feet wide and a car is between 5.5 to 7 feet wide. If you want us to do 18 feet on a one-way street then we might as well go all the way.

Mark Louro – They want to do a double barrel coming in off of Summer Street and then those two one-way roads

Mark Louro – With a boulevard, how much median area?

John Spink – From 0 to 40 feet.

Mark Louro – A fire truck can always go in the other way.

John Spink – We are looking at only 250 feet of boulevard.

Mark Louro –The number of units being looked at is 80+.

CHAN ROGERS – I would think you would want to keep the road at 24 feet for that many units.

Rich Coppa – So you are not in favor of a one-lane bridge. Why?

KARYL SPILLER-WALSH - That would be horrible.

Mark Louro – What is the benefit of a 16-foot bridge?

John Spink - We won't impinge on wetlands on either side, and money of course.

Mark Louro – But we are talking 3 feet on each side.

Rich Coppa – I want to save some money on the bridge by having it be narrower to make up for the expense of the flood plain mitigation.

Mark Louro – What is the cost difference in 16 feet vs. 22 feet? What is the sacrifice for public safety?

John Spink – \$20,000 to \$25,000

MATT HAYES – It really is a public safety issue.

Rich Coppa – Who rules on that? The fire chief, the police chief, the planning board?

MATT HAYES – It is all of our jobs.

John Spink – Let's talk about this minimal impact stuff. Is that something you are pursuing?

MATT HAYES – It is part of Medway's new stormwater bylaw but we haven't incorporated it into our rules and regs yet.

KARYL SPILLER-WALSH - What are you proposing with your development that is using LID techniques?

MATT HAYES – Are you considering any LID technology?

John Spink – Pavers and/or gravel roadways. Stone parking areas. Basically, we are not making large swath cuts into the woods. And, I guess the main focus is that we have about 1/3 of the paving.

Rich Coppa – We are leaving a 300-year forest. We are close to an agreement with Claybrook on the sewer system, so we won't have to do septic.

John Spink – How does a one-lane bridge relate to low impact?

ALAN DETOMA – I don't think it does.

John Spink – Well, our really low priced solution to the crossing of the river is to come in through Kimberly Road. We rejected that because everybody would be up in arms. They also didn't want through traffic from Summer Street thru to Kimberly. So, we are back trying to get across this causeway as the main access road.

KARYL SPILLER-WALSH – I just consider it part of the inherent nature of the land you are working with.

CHAN ROGERS – You are actually proposing a culvert bridge.

John Spink – All right.

CHAN ROGERS – It would be stretching it to allow it to be one-way to be the access to 80 units.

Rich Coppa – We have asked for a meeting with the Development Review Coordinating Council to discuss these issues.

Susy Affleck-Childs – I have passed their request up to the Town Administrator/Board of Selectmen's office.

KARYL SPILLER-WALSH – I think we have given you some honest feedback tonight.

NOTE – The Board took a brief break at 9:50 pm.

MATT HAYES – As there is no one here to comment, I will delay for a bit the public hearing on the AUOD Rules and Regs

Construction Observation

Mark Louro – There are some additional reports to hand out to you now. These are inspection reports that were written since your board packet was done last Friday.

Country View Estates – I met with Bill Canessi (contractor) and Greg Whelan (developer) on 7-20 to go thru the punch list that VHB had prepared that was distributed to the PB at the last meeting. We went through it to clarify things more than anything. The trees near Summer Street have been taken down, but not yet taken away. We talked about the drainage issue at the drop inlet near the back of sidewalk near Summer Street. We decided to have large stone riprap installed around the throat. It is difficult to get a grate in there. So, they will have large stones to keep kids from getting in. They will clean out the drainage structure, stabilize the slopes, and add riprap. There was a list of things that needed to be fixed such as pavement around the catch basins and the concrete around the frames needs to be completed. That was scheduled for this week, but I haven't received an inspection call on that. There will be some pavement repairs at 5-6 catch basins this week. They will pave the sidewalks and roadway by the end of August. I did ask for a schedule for work on detention pond at end of subdivision but haven't received that yet. As far as the smaller items like cleaning out drainage structures, etc., Bill Canessi works on that on the weekend with his crew from Hartney Acres. I am not sure he has been out there yet. The curb at Stable Way is being replaced; the materials have been delivered to the site. Greg said it was the contractor doing Stable Way. They haven't actually done anything as of last week. The repair is supposed to be this week. Greg reiterated his commitment to get things done

by August 31, in particular Stable Way. He claims he has spoken to some other contractors. Braza is doing paving of road and sidewalks by August 31, 2005

Irene Streifer, 37 Broad Acres Farm Road – He is now 3-4 weeks behind schedule. He said he had planned to be out there on July 11.

Mark Louro – The pavement repair fell thru and now he has another contractor lined up to do the work.

Irene Streifer – He has problems with contractors but he is really moving on his house. I haven't seen a whole lot being done.

MATT HAYES – We will do everything we can to hold him to the August 31 date.

Hartney Acres II - The ponds are shaped and the wetlands replication is underway. It is graded and is protected by sedimentation barrier. Most of the pipe and roadway structure is in. The sewer line is in at parcel A.

Ishmael Coffee Estates – They have been working on concrete wheelchair ramps.

Evergreen Meadow – They are starting to cut in the road. It is very sandy out there. They started bringing in some material. They need to raise the grade about 1 foot. It is all staked out. The silt fence and some hay bales are in.

Grapevine Estates – I adjusted the bond. Everything is pretty well done. There are a couple of areas where berm is damaged and they need to fix that. A lot of loam and seed is done and the grass is vegetated. The berm seems to be holding up well. They still need to do the street trees and landscaped island.

Grapevine Estates Bond Reduction

A motion was made by Alan DeToma, seconded by Karyl Spiller-Walsh to reduce the bond for Grapevine Estates to \$54,036 per VHB's recommendation. The motion passed unanimously.

Discussion on Sidewalk Revolving Fund

Susy Affleck-Childs – The payments in lieu of sidewalk construction for Grapevine and Ishmael Coffee Estates are due August 31, 2005. I will be sending letters to those developers reminding them that the payments are due.

Hopping Brook Estates – Payment in Lieu of Sidewalk Construction Estimate

Mark Louro - I calculated this based 172 feet of frontage along West Street and assumed West Street to be a secondary roadway with cement sidewalks and full granite curbing. The total would be \$13,075.20.

NOTE - Susy will forward the estimate to Paul Zonghi, the applicant.

Discussion - Smart Growth Technical Assistance Grant

Draft #2 - 7-25-05

Gino Carlucci – This grant application proposes to do 3 major activities:

1. Mixed use town center overlay district for the C1 and C2 areas – Several tasks involved with that including public participation and outreach element; and then drafting the bylaw itself; and creating a visual image to cover both sides.
2. Low Impact Development Rules and Regulations - Evaluate our various rules and regs to determine where things are inconsistent and draft language to revise or add.
3. Affordable Housing Bylaw – This would involve a legal review of an inclusionary zoning bylaw that the AHSG is working on.

Of course there would be reporting requirements with quarterly and final reports to the state.

Budget - \$30,000 from the state with \$4,500 as local match. The funds would have to be spent by June 30, 2006.

The application is due August 16, 2005. It can come from the Planning Board but the contract has to be executed by the BOS. It might not hurt to have a letter of support from the BOS

The application is about 90% done. The intro ties this to the master plan and the EO 418 Community Development Plan. I think I want to tie the tasks to the 10 sustainable development principles. I also want to reference specific recommendations from the master plan.

The other step is the Commonwealth Capital application that also has to be sent in at the same time. That has to be done online and just add a few new sections. I will be in touch with Suzanne Kennedy (news Town Administrator) on that.

NOTE – It was agreed that the Planning Board would vote at the August 9th meeting to submit the final grant application.

Susy Affleck-Childs – How does the funding work? Does it come all in or do you have to pay and get reimbursed?

Gino Carlucci – My guess is that you could get an advance and draw down from that.

Development Handbook Status

Gino Carlucci - I need to finalize the cover. I have taken some photos.

Susy Affleck-Childs – I need to do some final edits. I got Microsoft OFFICE Publisher installed today. I also need to compile the support letters. We have one from the IDC and are expecting letters from the Medway Business Council and the Board of Selectmen.

PUBLIC HEARING – Adaptive Use Overlay District (AUOD) Rules and Regulations
(10:35 pm)

Discussion of July 9, 2005 DRAFT

A motion was made by Alan DeToma, seconded by Karyl Spiller-Walsh to waive the reading of the public hearing notice. The motion passed unanimously.

A motion was made by Alan DeToma, seconded by Chan Rogers to waive reading the draft AUOD Rules and Regulations. The motion passed unanimously.

KARYL SPILLER-WALSH – I have a comment about the title page of these Rules and Regs. We need to redesign it to make it easier to read. They all look alike.

MATT HAYES – Susy and I sat down and went over this and have revised it a bit.

It was agreed, at the bottom of page 2, to require an engineer's involvement when there is 1,000 sq. ft. or more of impervious surface area.

KARYL SPILLER-WALSH – The purpose section should be about the bylaw. This purpose section is about the regs.

Susy Affleck-Childs – This purpose section should be about the regs. The purpose section of the AUOD is included in the bylaw itself.

KARYL SPILLER-WALSH - Everything here is about renovation and new construction. We should allow for demolition.

Susy Affleck-Childs – That is an issue of amending the bylaw. You can't do it within the rules and regs.

MATT HAYES – There are a few numbering corrections we need to make. Any comments from the audience?

NOTE – No one from the general public attended the public hearing.

A motion was made by Alan DeToma and seconded by Karyl Spiller-Walsh to close the public hearing. The motion passed unanimously.

A motion was made by Karyl Spiller-Walsh, seconded by Alan DeToma to adopt the July 9, 2005 draft AUOD Rules and Regulations with the changes made tonight. The motion passed unanimously.

FY 06 Budget Allocations

ALAN DETOMA - I am good with Susy's numbers in her July 21, 2005 recommendation. We need to keep her on full time.

The following FY 06 Budget Allocations were agreed to.

Salaries	\$ 43,950.40
Consulting Services (PGC Associates)	\$ 3,877.60
Copying/Printing	\$ 300.00

Contracted Services (VHB, Inc.)	\$ 6,000.00
Mapping	\$ 750.00
Office Supplies	\$ 500.00
Books/Resource Materials	\$ 100.00
In-State Travel	\$ 100.00
Dues/Subscriptions/Training	\$ 300.00
Office Equipment	\$ 500.00

The total is \$56,478

Other Business

MATT HAYES – There is a CPC Meeting on August 1 regarding the Briggs land on Adams Street and their 61A application to the town.

Rolling Hills Preliminary Subdivision Plan – Certificate of Action

Draft – July 20, 2005

The Board reviewed the draft certificate of action. It was decided to revise condition #4 to indicate that 15' selective cutting zones would be shown around the property perimeter. For condition #5, it should be changed to note that a landscaped island will be required if the roadway ends in a cul de sac. In condition #6, VHB is preparing a construction estimate, not specifications.

A motion was made by Alan DeToma, seconded by Karyl Spiller-Walsh, to approve the Rolling Hills Preliminary Subdivision Plan Certificate of Action as amended. The motion passed unanimously.

Site Plan Modification for 159 Main Street – Certificate of Site Plan Modification

Draft – July 20, 2005

The draft was reviewed. The date of approval should be changed to July 12th.

The Board signed the Certificate of Approval for Site Plan Modification.

Discussion – Proposed Changes to Planning Board Fee and Bond Schedule

Draft 7-21-05

The Board reviewed the draft revisions recommended by Susy Affleck-Childs

A motion was made by Alan DeToma, seconded by Karyl Spiller-Walsh to adopt the revised Fee and Bond Schedule dated July 21, 2005. The motion passed unanimously.

Lot Release – Lot 11A – Cedar Farms Road

Susy Affleck-Childs – We received a request from an attorney representing the seller for this lot. Apparently there was never a lot release required at past transactions and there is no record of one being recorded.

Note – The Board signed a Release of Covenant for Lot 11A on Cedar Farms Road.

Resignation of Alan DeToma

MATT HAYES – Thanks for your service to the board.

ALAN DETOMA – It was a decision I had to make with my responsibilities at my new job and to my family.

KARYL SPILLER-WALSH - We will miss you.

Invoices

VHB 6/1/05 Invoice for \$172.50 for plan review services (Ishmael Coffee Estates). Motion by Karyl Spiller-Walsh, seconded by Chan Rogers to approve. The motion passed. Matt Hayes recuse.

VHB Invoices (3/10/05, 4/7/05, 5/5/05, and 6/1/05) for \$3,772.78 for plan review services (Wingate Farm). Motion by Alan DeToma, seconded by Chan Rogers. Approved. Matt Hayes and Karyl Spiller-Walsh recuse.

A motion was made by Alan DeToma, seconded by Chan Rogers to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 11:20 p.m.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

*Matthew J. Hayes, P.E., Chairman
Andy Rodenhiser, Vice-Chairman
Karyl Spiller-Walsh
Cranston (Chan) Rogers, P.E.*

**Minutes
Medway Planning Board Meeting
August 9, 2005**

PRESENT: Matt Hayes, Chan Rogers, Andy Rodenhiser and Karyl Spiller-Walsh (7:40 p.m.)

ALSO PRESENT: Susy Affleck-Childs, Planning Board Assistant; Mark Louro, VHB, Inc.; Gino Carlucci, PGC Associates. Also, Scott Ployer, candidate for Planning Board vacancy.

The meeting was called to order at 7:30 pm

Citizen Comments – None

Public Hearing Continuation – Hopping Brook Estates

MATT HAYES – We need to wait for a few minutes to begin the public hearing until our other member, Karyl Spiller-Walsh, arrives.

Construction Observation - Mark Louro

Country View – They are paving the sidewalk on Stable Way and have replaced curbing at that intersection. They plan to pave the top course and berm on Stable way on August 17th. It is moving along well. The small things have not been done but they expect those will start up pretty soon. Work on the detention pond at 37 Broad Acres Farm Road is stopped due to litigation (Streifer vs. Greg Whelan).

ANDY RODENHISER –Is everything in writing? Are we making progress with them?

Mark Louro – The detention pond (as actually constructed) on the Streifer's property is undersized compared to the approved plan.

Mark Louro – They are really working a lot on Stable Way and on Broad Acres Farm Road. The litigation will change direction on the pond work.

Hartney Acres 2 – They haven't done anything in a week or two on drainage. They are waiting for stormceptors to come in. The ponds are shaped and 80% of the drainage system is in. The outlet structures are installed in 2 of the 3 ponds.

Evergreen Meadow – They are almost up to subgrade. They need a little more fill for the cul de sac. They will start putting in drainage in a week or two.

CHAN ROGERS – What is this about a lawsuit? Is this the project off Summer Street where we had some neighbors in a few weeks ago?

ANDY RODENHISER – They are suing the developer, not the Town.

SMART GROWTH TECHNICAL ASSISTANCE GRANT

Gino Carlucci - If you reviewed the recent draft, the only major change is that I added a section on how the proposal addresses the State's sustainable development principles. The other half of this application is the Commonwealth Capital application which is due sometime in September. A cover letter has to go with the application and committing the matching funds.

MATT HAYES – How much is our commitment?

Gino Carlucci - \$5,100

MATT HAYES – I would like Susy to draft a cover letter and we will finalize this week.

ANDY RODENHISER – Is there any mechanism within the grant proposal to offer training on what is changing so as we adopt these, we can offer something?

Gino Carlucci – No. There is a public hearing as part of this but maybe we could get the state to sponsor a workshop on a regional basis.

ANDY RODENHISER – If we implement some of these rule changes (regarding low impact development), we need to let the developers and engineers know what they are and how to do it.

Gino Carlucci – The state has all the LID info on its web site and there was the workshop that you, Susy, Chan and I went to. I am sure there will be more of those.

ANDY RODENHISER – I believe we get points toward other grant applications if we start using LID techniques.

A motion was made by Andy Rodenhiser and seconded by Karyl Spiller-Walsh to submit a proposal for a Smart Growth Technical Assistance grant to the Executive Office of Environmental Affairs (EOEA). The motion passed unanimously.

Public Hearing Continuation – Hopping Brook Estates

KARYL SPILLER-WALSH – recuse

Tony Dellorco, VEO Associates
Paul Zonghi, Applicant

Tony Dellorco – We made a couple of changes to the filing we did originally. You asked for an alignment plan for the pavement, which we did. We also did a sight distance analysis plan and we addressed the issues you had given us before. Steve Poole had sent you a letter addressing each of the items and we are waiting for VHB's response to that.

Mark Louro – The submittal was made on August 2 with revised plans and drainage calcs and on August 3, we received their response to our comments. We expect to be done with our review by the end of this week.

Tony Dellorco – Gino Carlucci had concerns about providing access to the abutter's property at 37 West Street.

Paul Zonghi – We would want to receive some sort of compensation for some of the road costs. I do think that 1/3 of the roadway costs would be reasonable.

Tony Dellorco – Paul is not opposed to providing them rights to the road as long as they compensate him.

Gino Carlucci – I would like to comment on my comment. Regarding the initial plan, I misunderstood the turnaround stub to be a future extension. But the whole length of the street abuts their land (37 West Street) and they could access it anywhere along there.

MATT HAYES – Just remove the reserve strip.

Paul Zonghi – We would create an easement now but I can't do it at a later date.

ANDY RODENHISER – I spoke with Eric Frey who owns that land and he would like the ability to split off one lot.

MATT HAYES – Does he understand that it will be a private way?

Tony Dellorco – Our concern is that with an added lot, it would require the road to be upgraded.

Mark Louro – What you have now suits the subdivision. If someone else wants to access that right of way and makes whatever deals with the property owners, the upgrade would be his responsibility.

ANDY RODENHISER – How are roads taxed?

Susy Affleck-Childs – I don't now if there is a separate tax classification for a private road. How will the road be owned?

Paul Zonghi – An association will own it. They would have to approve allowing access to anybody.

Tony Dellorco – It would have to come back to the Planning Board.

Mark Louro – If they were to accommodate the expansion now, it would probably have to be upgraded to a "local road" vs. a private way.

Tony Dellorco – The only other issue I have is regarding the trees. I need a detail.

Gino Carlucci – Speaking of trees, there weren't any trees proposed along Lot 1.

Paul Zonghi – With my agreement with Barbara Ashman, I will put something along there, perhaps an evergreen row or a fence or both to shield her house from the road. Excuse me. I stand corrected. My agreement is to put something between her house and the new lot behind her.

Tony Dellorco - So we can add a tree on lot 1 and we will show the screening.

NOTE – Tony distributed the sight analysis done by VEO Associates.

Paul Zonghi – I have a couple of questions on the Sidewalk Fund. I think we should be exempt from that as its creation was approved after we applied. The estimate you provided is not what it would cost a private contractor to do this. I could put the sidewalk in for less than that. That is just my opinion as a builder and a Medway taxpayer. I think it is awfully expensive. It is very unlikely that there will ever be a sidewalk built on West Street.

ANDY RODENHISER – What is the basis for the cost of the sidewalk?

Mark Louro – It is based on the Town's cost for vertical granite curbing, sidewalk and handicap ramps for that particular road classification.

MATT HAYES – Town meeting simply set up the mechanism to create the revolving fund into which payments in lieu of sidewalk construction could be placed.

Paul Zonghi – Now it has become more expensive to put the sidewalk in. I never thought it would be such a difference between the Town's cost and our cost. This appears to be an estimate the town would use on a job it would contract for.

MATT HAYES – That is the point of the fund. It is your option to put in the sidewalk.

ANDY RODENHISER – What is more reasonable to the town? To have a stretch of sidewalk that doesn't go anywhere or to get a lesser amount?

MATT HAYES – We will continue to discuss this further and vote on it in the findings.

MATT HAYES - Any public comments?

The public hearing was continued to September 13 at 7:35 pm.

NOTE – Karyl Spiller-Walsh returns to meeting.

Public Hearing – River Bend Village ARCPUD

Eric Alexander, Associate Member joined the meeting.

A motion was made by Eric Alexander, seconded by Andy Rodenhiser, to waive the reading of the public hearing notice. The motion was approved unanimously.

John Spink – First an administrative question. What is your current composition?

MATT HAYES – We currently have 4 permanent members and 1 associate member. We have a vacancy and our prospective member is here.

NOTE – The applicant consulted with his team.

Rich Cornetta – We are prepared to proceed at this time. I am attorney Richard Cornetta representing Abbott in their petition before you this evening. I would like to introduce the members of our team.

James McCauliffe - principal of Abbott

Bob Durant - principal of Abbott

Mark Duchesne - principal of Abbot with a focus on construction

Gary Gardner – Shesky and Associates, consulting architect

John Spink – Coneco Engineering

Rich Cornetta - This is application for a special permit for an Adult Retirement Community Planned Unit Development. The site in question is called River Bend, a 58 acre site off of Village Street in your AR2 zone. We do not have any drainage calcs at this time. Based on previous dialogue, the understanding was that we would submit with a focus on the special permit and then supplement our filing with the drainage information at a later date.

James McCauliffe - Good evening. I am one of the owners of Abbott Real Estate. I have been in real estate development for 30 something years and with Abbott since 1996. We have developed a number of fairly significant projects near commuter rail stations and MBTA stations in Quincy and Norwood. We are finishing a project in Medford and building 300 apartments in Franklin now. We have raised significant money to invest in +55 projects. We have one under construction in Mansfield near the Tweeter Center and are now building 123 homes in Pine Hills in Plymouth. The grand opening will be in October. We have a number of other projects that we are working on and we would like to be here in Medway. I want you to know that we are a developer of substance. We have money behind us. We will build a quality project. We take care with preserving as much open space as we can. We try to achieve a village feel. When we decided to explore this type of development this spring, we had a number of focus groups we held here in the area. We broke people up into 3 age groups and held 3-4 sessions in Medway for several hours each. I can get into it in greater detail if you like. With this type of development, you are really trying to create a social atmosphere with maintenance free living, open floor plan, master bedroom on first floor, lots of walking trails, exercise room, etc. Having a new house with new appliances is a big plus. Turning to the development at hand, the river is an extremely important part of the project, an amenity to take advantage of. We plan 115 homes – 85 town homes and 30 flats in one 3-story building. We are looking at \$290,000 for 1 BR flat and a townhouse would be in the low \$400,000. We have met a number of times informally with the Planning Board and the Design Review Committee. We can point out 8-10 changes we have made to the site plan and design based on those conversations.

Gary Gardner, Shesky Architects – We were asked to look at this development on the basis of creating a really nice place to live. Our goal all along is to create a village feel. We want to

preserve the open space. Those two themes were foremost in our minds. We did have kind of a jump start. There was another plan presented to the Planning Board prior to this one. We piggybacked on that plan and that roadway design. It respected the open spaces and preserved key site features. The site is bounded by Village Street on the north and the Charles River on the south. The site is west of the Charles River neighborhood. It is a 59.5 acre site. What we were impressed with is the richness of the natural features of the site – the river, open meadows, natural topography, old growth trees, vernal pool in center. These are all features we want to protect and preserve. That is in everybody's best interest. John will talk about the trail system that is proposed. The way the site was laid out was to try to take advantage of the resources. We kept the prior roadway design. Coming off of Village Street is a one-way roadway that is 14 feet wide. At the front of site on Village Street is a dilapidated house. We would replace that with a house size structure that would become a club house for the development for mail with a few parking spaces and also a large room for family get togethers, meetings. There is a separate exit driveway that is also 14 feet wide. We want to keep the appearance on Village Street very low key. About 150 feet in is the first triplex building, one of three. The triplex is basically 3 capes that are attached side by side. Further into the site the road becomes two way at 22 to 24 feet and becomes a village center with additional triplexes and duplexes and then down at the southern end of the site we have one 3 story building with 30 flats. These are all condos, no rentals at all. Even the apartment/flats are condos. That building will have an elevator. There is the pond at the end of the site which will remain and there is a canoe access point where community can come in and park down here. The roadway continues around with more duplexes and triplexes and then connects back out to the club house area and then exits out to Village Street. There is also a walnut grove area is being preserved that will be cleaned up a bit. There is a sewer easement owned by another town that runs thru the property.

John Spink – Only 24 acres are disturbed.

Christine Kershanan - How do they access the canoe launch? Thru the development?

MATT HAYES – We will take questions from the audience after their presentation.

Gary Gardner – I would like to go thru each type of building and show the relationship of the buildings to each other. The 3 story building is 38 feet to the peak of the roof. The capes are 26 feet to the peak of their roof. We want to break up the triplexes so they don't look so uniform working with suggestions from DRC and input from others. We want to make them feel like individual homes with the use of different siding colors, roof colors, jogging the buildings. We have put plantings between the driveways with landscaping in the front to divide them. All this goes to reinforce the village concept we are striving to achieve. It becomes a walking neighborhood. There are front porches on the homes. It is a very flat site amendable to walking or take to the trails in the woods.

The homes themselves, the duplexes are each 41 feet across, stepped back from each other. There are gable dormers above the garage with front entrance porch. You pull your car into the 2 car garage. The kitchen, dining and living rooms are an open floor plan with lots of light and windows, and high pitched ceilings. A fireplace divides the living and dining space. The intent is to put the living spaces on the first floor along with a laundry, half bath, and master bedroom and bath. The rears of the homes all have gorgeous views. The master bedroom and the living room share a patio. There are no basements here at all. The second floor is set up with a loft area and a second bedroom with a big closet and a full bathroom and a storage space above the garage. That space could be improved/finished as another bedroom or a hobby room. The

triplex layout is three of those homes put together. The one in the center is different with shed dormers and a farmers porch. There were some comments from DRC to get in some stone. That is expensive, we could offer it as an option. The center unit will have stone columns out front. It will have the same amenities but the kitchen has a cathedral ceiling. The exterior materials we want to use are low maintenance so it would be vinyl siding and trim so condo fees won't be high. All windows are double hung. Basically, we are using residential materials.

For the big building, we spent a lot of time working with DRC on this. The comments we heard loud and clear were that they don't want to see a big long building. There needs to be some liveliness. We can make it feel like a reflection of the smaller buildings. It will have an underground garage with 37 parking spaces underneath. So each unit gets at least one parking space. There is one elevator in the middle of the building or people can walk in the front door. Each floor is fully used. There is a bay window in all the units. There are four 2 bedroom units on each floor and six 1 bedroom units. The 1 bedroom/1 bath units are 740 sq. ft. On each floor level there are roughly 10 units per floor. It varies because on the first floor there is a common room just for the folks in this building for family get togethers, card games, birthday parties etc. On the upper floor levels, they are essentially the same but the common room area is an outside deck. We want to make the building feel like a collection of smaller buildings. The DRC wanted to see some detail and differences in the rooflines so we got rid of the long flat roof. We couldn't go up but we brought it down and added peaks. We would like to change the roof color and siding color to have some variety. You can see the bay windows. The third floor units will have high windows. What I hope to do is to just give you a flavor of what is being proposed here in terms of the architecture. It is a village of 115 homes.

Jim McCauliffe – In terms of the site plan, we will retain ownership of the 59 acres and are willing to find some way to agree that the open space land will never be developed.

Jim McCauliffe – I would like to review for you the economic benefits to the town. There are approximately \$200,000 that will go to the Town for building and permit fees. There is the senior center contribution of \$150,000 when we receive our first building permit and another \$50,000 when we get our 75th building permit. In terms of the ongoing impact, if we have 115 homes here and you average out all the homes, the annual taxes per home are about \$5,600 a year. All this with no school age kids in this development.

John Spink, Coneco Engineering – We have been working this project for 6 years. I would like to provide some history for those who are new to this project. It started out as a 42 lot, single family subdivision. We looked at the old cluster bylaw and then looked at the ARCPUD option approximately 2.5 to 3 years ago. After talking with the Town, we came up with basically this layout we have here. We have gone thru all the process and had a draft ARCPUD special permit about a year ago. Then we ran out of voting members and the Einis family was looking to step in and do the architecture and find a developer. Now that Abbott has come in, they have gone thru the design and architecture. This plan now opens up the site considerably. Their process results in a nicer site that is quite a bit more open. The inclusion of the apartment building opens it up some more and responds to a market segment for singles which I had not realized was there. Compared to the original drawings and layout we have changed basically 2 things. One is that we dropped the site 4-5 feet because we are not creating basements for the duplexes and triplexes. We are following the existing topography so there will be almost no material coming and going to form the site. Before we were going to bring in lots of material. Now we are building on a slab. In terms of the administrative process we had gone thru previously, we have a few geometry and technical waivers we will need to do but the general process is that we

have the uses, we meet all the parameters of the bylaw. At this juncture, we have quite a few open items that we need to go back down through and we need to solve them. We know there are new members on the board and we need to go through that process with everybody.

MATT HAYES – I think the board really needs some time to review the old draft permit.

John Spink – Another change we have been wrestling with is that we are going to have the big U of open space land around the development. At this juncture, Abbott would prefer to own it and allow for its use by the public and they are willing to do that under the condo system. I think that will be useful to you at the end. We have the trail system that we had before. We are duplicating the trails and making them flat. They will be dirt trails but level and flat enough for handicap access.

NOTE – This should be discussed with the Disabilities Commission.

John Spink – In terms of the roads, we started out at 22 feet, then went to 24 feet. We understand that you are starting to look at low impact design options. Now we have cape cod berm collecting water in manholes like a traditional subdivision. Other than that, we have not changed the design or concept of the site except for more open space.

MATT HAYES – Thank you for coming back. We were eager to have this project return. It was the first proposed ARCPUD for Medway and now it seems like you have the team together to finish it up.

ANDY RODENHISER – This is a nice job. It looks real good and sounds very promising for the Town. Some of my questions you may have addressed in the past. Are there any on-site maintenance buildings?

Jim McCauliffe – No, but the club house will probably have some space for maintenance.

ANDY RODENHISER – Will the management office be in that building?

Jim McCauliffe – Yes, along with the mailboxes for the units.

ANDY RODENHISER – Will that be staffed?

Jim McCauliffe – I am not sure if it will be around the clock. That will depend on the condo association. Initially, we will have a management company in there and a maintenance person on staff. It will be professionally managed.

ANDY RODENHISER – On the roads, since the public is going to have access to these roads, what is the arrangement for the type of construction? Aren't ARCPUD roads private?

Mark Louro – Yes, the roads will be private.

John Spink – Basically, we are going to follow the town standard for construction. The only question is the width.

ANDY RODENHISER – I am seeing different levels of details in these drawings between actual photographs vs. sketches. I want to see it with a nice New England feel. Will the roof breaks shown here be more pronounced?

Gary Gardner – Yes.

ANDY RODENHISER – None of the drawings depict vents or chimneys. What will they actually look like? Candy canes?

Gary Gardner – We are sensitive to that. We will want to get them to come out the back of the roofs. The furnaces could be done concentric ?????????????? ANDY . . help me here!!

ANDY RODENHISER – Is it likely you will have chimneys with siding?

Gary Gardner – Aluminum, but it could be less jarring.

ANDY RODENHISER - Are these going to have basements?

John Spink – None now. We did originally, but not now. Storage problem is solved by putting it upstairs.

ANDY RODENHISER – Do you plan any exterior lighting for streets or common areas?

John Spink – There will be a full set of lighting down the street and we will give you a lighting plan. We had originally done a 6 foot post every third driveway. We originally made a commentary that we didn't want it on all the time but to have a timer system.

ANDY RODENHISER – My thought would be to have it on a common circuit so that everybody gets the benefit of it throughout the development.

ANDY RODENHISER – In your focus groups, was there any desire for high efficiency energy?

Jim McCauliffe – Yes, higher energy efficient gas burners were desired.

ANDY RODENHISER – There is a LEEDS project where there are dollars for energy efficient developments.

Jim McCauliffe – We did that at our rental project in Cambridge but it is more difficult with for sale developments.

Gary Gardner - In the Plymouth project, we are scoring high.

ANDY RODENHISER – You had mentioned that most of your projects are located near transportation. This doesn't have that. Is there anything you can recommend to Medway that you would have liked to have seen here considering what you are building?

Jim McCauliffe – The one point that comes to mind is that when you look at the total parking spaces, we are now over 4 parking spaces per unit. Every town home has 2 garage spaces plus 2 spaces in the driveway. The large building has 37 spaces underground. I would ask that you not require us to have 2 spaces per each unit for the large building.

ANDY RODENHISER – Missy Dzikczek, with a project like this, what impact will there be on the senior center?

Missy Dzikczek – Some of the residents will age in place there. They might move from the town house to the apartments. Hopefully some will come to the senior center. Transportation will be an issue too. Initially, they will be healthy people when they come in.

Jim McCauliffe – Let's work on that together to figure something out.

ANDY RODENHISER – So maybe a bus pick up area or we could talk about a shuttle of some sort.

ERIC ALEXANDER – With the trail system, what type of surface?

John Spink – We have gone thru this discussion. We can get to most of the trail system without any grade problems. We can keep most of the handicap standards. The material becomes a problem but we come to find out that there is an ability to have a smooth dirt path. Where it is hard, we will make it flat and even. Where we go into the wetlands area, we end up with a stone dust trail that is sided with steel coving and stays in place and works nicely.

ERIC ALEXANDER – If the entire trail system can be (handicap) accessible, that will be wonderful.

ERIC ALEXANDER – I have brought it up before and I am not trying to beat you over the head with this, but I would strongly request that you give a good hard look at this and see if there is a way to get an affordability component in here. There is going to be some demand generated by this development and by the Town for affordable units. It would be outstanding if you could find a way to do this. Otherwise, I do want to say I am very pleased with your proposal.

Missy Dzikczek – I agree.

CHAN ROGERS – Would you just review the number of units again?

Jim McCauliffe – In the 30 unit building, there are 1 and 2 bedroom units. The 1 bedroom is 750-800 sq. ft in size and the 2 bedroom units will have 2 bedrooms with a kitchen, 2 full baths and a living room and dining room area for a total of 1100 sq. ft.

Gary Gardner – We have 9 one bedroom and 21 two bedroom units in the large building.

Jim McCauliffe – The rest of the units are town homes with 1800 to 1900 sq. ft.

Gary Gardner – 69 homes in the triplexes and 16 units in duplexes for a total of 85 town homes.

CHAN ROGERS - Do you have a rendering showing the 30 unit structure? It is more like a dormitory than a high rise.

CHAN ROGERS – What kind of space are you providing for visitor parking?

Jim McCauliffe – If someone visits a town home, there are 2 parking spaces in the driveway of each unit.

Gary Gardner – We didn't want to create parking lots throughout the development. We wanted to keep it as conventional as possible. We have clustered parking out front by the club house. The 30 unit building has guest parking area out front for about 15-20 spaces.

ERIC ALEXANDER – A point of clarification . . . the site plan that you have there and the one included with the submission is a bit different.

John Spink – We moved the large building a bit and buried it into the hill.

Gary Gardner – We wanted to get the guest parking in front of the building near the front door where people will want to use it. That way we can preserve the open space behind the building.

CHAN ROGERS – To what extent will the club house provide space for activities?

Jim McCauliffe – That is easily imaginable – billiards, card tables.

CHAN ROGERS – How does the age restriction work?

Jim McCauliffe – At least one person on the deed has to be 55 years of age and older.

KARYL SPILLER-WALSH – Well, we did have in fact a lot of going back and forth between the applicant and the DRC. We were in fact very receptive to the idea of having the triplexes and even the 3-story building because of what it could do for the site. Some things haven't been quite explored fully that wouldn't cost anymore. There has been a lot of back and forth but we feel there is more back than forth. All our suggestions were not included. You say you could add a little stone and it will be OK. But it is not enough. You have created many triplex units. Each is its own cookie cutter. There isn't any real change in design. We would like to see several architectural options for the triplex units. They brought in a model to us. It was very nice but we suggested we would like to see more 90 degree angles, less garages facing the street, roof lines that had variation in their height rather than long horizontal roof lines. They all meet one similar height. We would like to see different heights of rooflines, more of a village feel and less manufactured. When you look at their two point perspective drawings, keep in mind that these are the most flattering visuals that are going to happen. This is a very maximized image of how it will look. The one problem is you are going to loosen up the land, but now the responsibility is on the architects and developers to make it much better than what we see. If anybody has taken a drive on Route 126 in Bellingham, there are 3 story buildings that repeat themselves. I think there are examples of places that do 3 story buildings with much more architectural character than this. So far they have done a little bit – changed the color of the roofs and created some bump outs, but nothing has really changed the horizontal character that we are going to see. This kind of building saves money for them. They need to integrate it better. They have gone this far and we have seen this building 3-4 times. I think that this could still make a large transition from this very mundane building to something much, much better. They aren't really showing you the full picture. These are going to be done everywhere, we need to improve these buildings. They aren't wrong, but it needs more effort to make them more interesting. They need to go many steps further.

MATT HAYES – Could you tell us with the rendering of the triplex, where is that taken from on the site?

Gary Gardner – The previous plan had quads, triplexes, duplexes and singles. We don't have any quads. We have just one 3 story building. By going to the triplexes, there is more space between the homes. We have increased it to at least 25 feet between structures. We heard your concerns about perceived density and addressed that.

MATT HAYES – I would like to reiterate Karyl's comments on the roof lines on the triplexes. It does seem monolithic. I would like to see if you could change the triplexes roof lines.

Gary Gardner – You are looking at it 2 dimensionally. They do step several feet between ridge lines. In reality, you never see a 2 dimensional plan head on.

KARYL SPILLER-WALSH – What is the limitation on actually raising the roof line? What is the possibility of raising or dropping them?

Jim McCauliffe – We will explore it.

MATT HAYES – I had a question, are there sidewalks planned?

John Spink – Sidewalks are on one side or the other of the road all the way through. There is a sidewalk out the front door to a sidewalk or across the street to a sidewalk.

MATT HAYES – Are they ADA compliant?

John Spink – You have to keep the grades flat.

MATT HAYES – We had suggested running the cape cod berm right thru the driveways.

MATT HAYES – Could you please describe the river access?

John Spink – There is a stone parking area with 15 spaces. It will have to be moved northerly a bit. And then there are paths from the parking area down to a canoe launch place. We are going to put down 4 pilings with a 20' by 12' deck and a beam going out with a 3-4 foot step down to the water level. Whether CONCOM will let us do that, we will see.

KARYL SPILLER-WALSH – Isn't there another accompanying parking lot?

John Spink – We had one a little further west in an earlier version of the plan.

KARYL SPILLER-WALSH – We should at some point discuss the proposed 14 foot road to give them some guidance.

MATT HAYES – I think your entry and exit ways should be 18 feet wide.

John Spink – How about a 14 foot paved with 2 feet of gravel of either side. The Fire Chief has said 16 feet is acceptable. 18 feet is too wide and encourages speeding.

CHAN ROGERS – What kind of restriction will be placed on public access?

Jim McCauliffe – People are going to have to be able to come in to walk the trails. It will not be a gated community.

KARYL SPILLER-WALSH – What would happen in the gravel strips?

Mark Louro – In the winter, they will only plow to the edge of the berm.

Mark Louro – Let's look at 18' paved. If a car breaks down, there will be room. It is a kind of standard minimum.

ANDY RODENHISER – I spoke to the Fire Chief and he is going to give us some direction. He wants 18 feet.

Mark Louro – Then 24 feet is reasonable for the interior roads.

Mark Louro – Some of the side streets are shown at 18 feet, you might want to look at 24 feet instead.

Mark Louro - You do have some disturbance in the 200 foot river front area. Have you done the alternative analysis?

John Spink – I understand all that. We are well under the 10%.

Mark Louro – I am very concerned, near the club house and apartment building, the parking spaces are backing out onto the main road. This is especially bad at the club house so near to Village Street. It looks like they are backing out onto the access road,. A better solution is to take it off the access road.

John Spink – We have taken it off the street and put it into the parking bay.

Mark Louro – Did you look at some garages on the sides. That would separate the driveways.

Jim McCauliffe – We give up open space if you do that.

John Spink – I think you can do it in 4 places.

Mark Louro – Is there any on street parking?

John Spink – No.

Mark Louro – Are you going to go with infiltration system for drainage?

John Spink – Probably stone pits with some form of piping for volume and then infiltration.

Mark Louro – What are you getting for rates?

John Spink – Not so good, 35-40 minute range.

Mark Louro – How are you dealing with roof runoff? Will you tie it to the roadway drainage system? You have a lot of roofs.

John Spink – I believe I have to catch a substantial amount of it to meet the 100 year. Yes, quite a bit will go into the system. The sewer will tie into the easement.

Gino Carlucci – My comments boil down to how you meet the zoning requirements. You have not presented that so far so that still needs to come forward.

John Spink – We will give you all the data you require per the zoning bylaw. Every time we went through an iteration, it is a \$4,000 bill for printing.

Mark Louro – On one of the previous plans you had a bridge.

John Spink – We have gone to low culverts, elliptical, 24' by 30'.

Mark Louro – Any walls?

John Spink – Almost none. The wetlands crossings will slope out. No retaining walls are needed.

MATT HAYES – I will open this up to comments and ask for town officials first.

Joe Dziczek, Selectman – You will retain as much water on the property vs. into the river?

John Spink – We will do what CONCOM wants us to do. The flow that now exits will be less than in the future

Joe Dziczek – It would be nice to see some recharge. Will there be any municipal expenses for trail maintenance?

Jim McCauliffe – That will come under the condominium association.

Joe Dziczek – How will you handle dumpsters & trash?

John Spink – What we had come to is a private trash pick up for individual units.

Joe Dziczek – With snow removal, will you retain it on the property?

John Spink - We will have retention areas.

Joe Dziczek – I would like to support the affordable housing aspect. Even if there is a way of helping the developers put in a few more market rate units to offset the affordable housing, it would be good. Is there some way you can add on a few more units to get some affordable ones in there?

Mary O'Leary – Vice Chairman of the Housing Authority and member of the Affordable Housing Committee. \$290,000 for a one bedroom unit is not affordable for our people. I was interested in the focus group that you mentioned. What were their opinions and what cross section of people did you interview.

Jim McCauliffe – We had 3 sessions for the Medway area. We hired a market research group to conduct the sessions using professional methodology. We made sure they were age qualified. It

was an hour and a half session. We talked about things in general like what type of housing are you looking for in the future. I can show you those findings if you like. There was a lot of qualitative stuff that we got from the focus groups. What we gleaned was that people want maintenance free living, open floor plan, first floor master bedroom, a patio or enclosed porch, and even a small garden spot. People are looking to downsize.

Mary O'Leary – Were price levels discussed? Price is the first thing with the seniors I talk to. I would like to talk about the over 55 requirement. One person has to be over 55. What about children? Will they be allowed in this complex?

Jim McCauliffe – You have the zoning law. It usually says that one person has to be +55. We will write the condo bylaws as being fairly flexible.

Mary O'Leary – You mentioned all the other places you have built. How is your occupancy rate?

Jim McCauliffe – We have been doing apartments for rent. Cambridge is 96% occupied and Mansfield has sold out.

Mary O'Leary – Regarding affordability, if somehow you could have some units, even though you are giving some money for the senior center, it would be very beneficial to the town and for the elderly people in our community, it would be great.

John Ehrmanntraut, 18 Charles River Road/Open Space Committee – My question is we were at 90 units before and all of a sudden it is 115 units. That is kind of ludicrous.

Jim McCauliffe– We could build 176 units here per the bylaw. We have approximately 78% open space here. We are way under the number of homes we could put on that site. Legally, we only have to do 45% open space.

John Ehrmanntraut – A lot of that you have to keep like that. How did it go from 90 to 115 units?

John Spink – We went back and forth.

Edward Reardon, 203 Village Street – I built 25 homes right next to this project in Charles River Park. My great grandfather owned the land you are going to be building on. I question the supply of water that is necessary for this development. Right now, the state has put sanctions on the Town of Medway. This project is going to adversely effect the water situation. Based on my own calculations, I figure the Town will have to build a new well if they come in. I don't see it any other way. Where are you taking the water from?

John Spink – It comes in from Village Street and we will tit it to the backside of Charles River Road to provide them with a better system.

Ed Reardon – There is a 6 inch line coming down Charles River Road. On Mohawk Street, there is an 8 inch line and there are problems there. Also, I am concerned with so many cars going out onto Village Street. Village Street is in such terrible repair. One side is a sunken trench and on the side, you have to watch out walking on the sidewalks.

MATT HAYES – One of the conditions of the draft special permit was a requirement to improve the sidewalks on Village Street.

Ed Reardon – Will it be a public or private road? Who is going to do the snow plowing in this project?

Jim McCauliffe – The condo association will handle it. We will be responsible for maintenance and snowplowing.

Jim ????? – Do you already have permission to tie into Mohawk Street? What do you intend to do?

John Spink – It will come from Mohawk through the woods. Everywhere there is a road there will be a water line and then a connection to Mohawk.

MATT HAYES – What is the size for your proposed water line?

John Spink – I think 10 inches.

Ed Reardon – Are you going to be drawing water pressure from Charles River Park?

John Spink – We will probably be providing them with some additional water power. It will improve their flow and pressure.

ERIC ALEXANDER – I would like to remind folks that there are ways to subsidize the cost of the affordable units.

Flo Carucci, 2 Sun Valley Drive - You talked about the water table. What are you doing about drainage underneath the slab. That is a lot of pressure. How are you going to take care of the water?

John Spink – It will not puddle up in the yard or slabs. There is a 4 foot frost wall that goes around each house. The ground water is anywhere from 15 inches to 8 feet. It will not cause water to flow into the slabs. We will slope the water to go into the wetlands or into the streets.

ERIC ALEXANDER – There is a connection with the abutting Charles River neighborhood. Have you discussed anything with the neighbors on more connections with the neighborhood for trails. If the desire is there by the neighbors, I would want to support more connections between the neighborhood and River Bend Village.

Mark Louro – Where is flood plain line?

John Spink – We should not be in the flood plain so we don't need a special permit or flood insurance.

KARYL SPILLER-WALSH – What happened to the emergency access road?

John Spink – That concept was before we double looped it back out to Village Street. The neighbors did not want vehicular traffic going thru the Charles River neighborhood.

MATT HAYES – We have two letters to read.

Eric Alexander read a letter from Dan and Kathleen Hooper. It is attached and made a part of these minutes.

Andy Rodenhiser read a letter from the Design Review Committee. It is attached and made a part of these minutes.

Susy Affleck-Childs – I expect we will need a scenic road public hearing.

John Spink – We will file an application with you to do so. There are some trees in the right of way. And then the question is what do you want to do along the street? There is granite curbing along some of the frontage. The house has a huge foundation of granite. We will have quite a bit of disturbance of stone wall out on the site as well. So what do you want to do?

KARYL SPILLER-WALSH – The building at the entrance. Is it visible from the street?

John Spink – The existing house is behind trees. Those trees aren't going to be cut. It will be back a bit further than the existing house.

KARYL SPILLER-WALSH – We do want to encourage the use of some nicer materials. Maybe some elements from the existing granite could be incorporated into the front of the building.

Jim McCauliffe – We will take a look at it.

MATT HAYES – The Board needs to review the previous draft special permit. This public hearing will be continued.

Susy Affleck-Childs – I would like to get some communication from Mrs. Einis that the funds remaining in the River Run plan review account can be used for this project.

The public hearing was continued to August 30th at 8:15 pm.

NOTE – The Board took a short break at 10:30 pm. Eric Alexander departed.

CONSTRUCTION OBSERVATION

Mark Louro – There was a complaint from someone on Lovering Street who doesn't believe that the Forest Edge drainage is not working properly. He claims he has water on his property. Forest Edge has a detention pond and outlet structure.

Mark Louro – The old regs that this was designed and approved under required that the flow rate be maintained but not the volume .

Mark Louro – There isn't a lot of money in the Forest Edge Construction Observation account to investigate this. This is the extension of Field Road subdivision (Redgate 1).

ANDY RODENHISER – If somebody is taking pictures and sending them to us, we need to deal with it.

KARYL SPILLER-WALSH – It seems the Town of Medway has some interest in knowing about this.

CHAN ROGERS – The first step is to assign Mark Louro to research this.

Mark Louro – I can talk to Dave D’Amico to see if he will look at this. I will do whatever you want me to do.

MATT HAYES – Susy, please talk to Dave D’Amico tomorrow to chat about this with Mark Louro.

Note – Mark Louro departs at 11 pm.

River Bend ARCPUD Plan Review Fees

A motion was made by Andy Rodenhiser and seconded by Chan Rogers to approve the PGC estimate of \$1,087.50 for plan review services. The motion passed unanimously.

A motion was made by Andy Rodenhiser, seconded by Karyl Spiller-Walsh to approve the VHB estimate of \$900 for plan review services. The motion passed. Matt Hayes recuse.

ANR Plan for Coffee and Ellis Streets

Susy Affleck-Childs – Ralph Costello dropped this off yesterday. As the next PB meeting is August 30th, you either need to deal with it tonight, hold a special meeting or have it be approved by default.

MATTHEW HAYES – Let’s deal with it tonight.

Gino Carlucci – I have looked it over. It takes the Coffee and Ellis Street frontages and makes 10 lots and leaves some land in the back to be subdivided later. It does not provide for a correct radius for the access road for the future subdivision plan. But it does show the correct frontage. Technically it meets the requirements on the ANR plan. I notice there is no graphic scale. I believe Ellis Street may be a scenic road. Apparently, it is a totally undeveloped piece of land. The ANR plan does not show any site features. It is not noted whether the property is 61A or B. But other than those details, it meets the requirements for 10 ANR lots.

MATT HAYES – So we have no reason to deny. This was delivered to us yesterday.

CHAN ROGERS – I say we go ahead and sign it. There is nothing we can do about it.

A motion was made by Chan Rogers, seconded by Andy Rodenhiser to endorse the ANR Plan of Land for property at the northeast corner of Coffee and Ellis Streets, owned by Edward Fontanella. The plan was prepared for Ralph Costello/Cedar Trail Trust by GLM Engineering Consultants and dated August 2, 2005.

INVOICES

PGC Associates - \$806.25 for consulting services. Motion by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Unanimously approved.

PGC Associates - \$881.25 for plan review services. Motion by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Unanimously approved.

PGC Associates - \$ 297.50 for plan review services. Motion by Karyl Spiller-Walsh, seconded by Andy Rodenhiser. Unanimously approved.

VHB, Inc – \$4,946.92 for construction observation services. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers. Approved. Matt Hayes recuse.

VHB, Inc. - \$546.56 for plan review services. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers. Approved. Matt Hayes recuse.

VHB, Inc. - \$1,262.62 for plan review services. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers. Approved. Matt Hayes recuse.

VHB, Inc. - \$3,213.15 for plan review services. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers. Approved. Matt Hayes recuse.

VHB, Inc. - \$3,094.74 for construction observation services. Motion by Chan Rogers, seconded by Karyl Spiller-Walsh. Approved. Matt Hayes recuse.

Handouts

Sign memo to Suzanne

2. CPC letter re: Briggs 61A property.
3. Resume of Scott Ployer, candidate for Planning Board vacancy

OTHER BUSINESS

NOTE – Susy Affleck-Childs briefed the board on the request from Cumberland Farms for the Planning Board to exempt them from limited site plan review for the construction of a new façade for the building on Main Street.

A motion was made by Andy Rodenhiser, seconded by Karyl Spiller-Walsh to not exempt the proposed façade construction for the Cumberland Farms building on Main Street from limited site plan review. The motion passed unanimously.

MINUTES

It was decided to hold over review of minutes to the next meeting.

A motion was made by Karyl Spiller-Walsh, seconded by Andy Rodenhiser, to adjourn the meeting. The motion was approved unanimously.

The meeting was adjourned at 11:35 p.m.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant

August 30, 2005

BOARD MEMBERS PRESENT: Matt Hayes, Karyl Spiller-Walsh, Andy Rodenhiser, and Chan Rogers. Associate Member Eric Alexander arrived at 8:16 p.m.

ALSO PRESENT: Mark Louro and Paul Carter of VHB, Inc., Gino Carlucci, PGC Associates and Susan Affleck-Childs, Planning Board Assistant.

The meeting was called to order at 7:42 pm

CITIZEN COMMENTS – None

Public Hearing Continuation – Pine Meadow II Subdivision

Susy Affleck-Childs – The applicant has asked for a continuation.

The public hearing was continued to 9:45 pm on 9/13/05.

MATT HAYES – As we have some time until our next appointment, we can deal with some of our other business items.

Set Plan Review Fee for Franklin Creek Definitive Subdivision Plan

A motion was made by Andy Rodenhiser, seconded by Chan Rogers, to approve the plan review estimate of \$450 by PGC Associates. The motion was unanimously approved.

A motion was made by Andy Rodenhiser, seconded by Karyl Spiller-Walsh, to approve the plan review estimate of \$3,238 by VHB, Inc. The motion was approved. Matt Hayes recuse.

Construction Observation – Mark Louro, VHB.

Evergreen Meadow – They installed a lot of drainage this week. It is 75% complete. I was out there today. They should be done with the drainage before the next meeting. The detention basins are rough graded and staked.

Susy Affleck-Childs – Taniel Bedrosian called today and has asked for the Board to set the bond and authorize lot releases. I have scheduled that for the 9/27/05 meeting.

ANDY RODENHISER – There is a fence out there. Is that on our plans?

Mark Louro – No. As I understand it, the abutter (to the west – David Iarussi) did some filling in and I heard they plan to build a garage. Taniel decided to put up the fence there to separate his stuff from their work. But the Conservation Commission is investigating because it is a wetlands area.

Susy Affleck-Childs – I saw the agenda for an upcoming CONCOM meeting and they are having both David Iarussi and Taniel Bedrosian come in to discuss.

ANDY RODENHISER – I was up at the Hartney Acres area. The soils were all washing out from the site onto Nobscott Road. There was gray silt going into the catch basins. I talked to Dave D'Amico about it. The Town's new stormwater management bylaw hasn't been approved yet by the AG's office so he can't enforce it.

Mark Louro – I can make them put in some hay bales.

MATT HAYES – But is there a stormwater prevention plan?

Mark Louro – The subdivision regs in effect for Evergreen don't require that.

Gino Carlucci – I believe that the bylaw is in effect. There is a slight risk of enforcing it while AG's office is reviewing it.

ANDY RODENHISER – The accumulation of grit should be cleaned in the catch basins. They should get a warning and it should be cleaned up.

Mark Louro – I will contact the contractor tomorrow. It is certainly within the Board's scope to have its engineer follow up on this concern.

Mark Louro – Also on Hartney Acres, they are starting to construct the wetlands crossing. The box culverts are not in. They still have not been delivered. 90% of drainage system is in. Some of the block has been delivered.

Country View Estates – I met with Greg Whelan tonight before the meeting. On Stable Way, the sidewalk, roadway top and berm is in place. There will be some repairs done over next 2 weeks from storm damage. They put in a lot of loam to back up the berm. They have not done the long list of punch items for Broad Acres Farm Road. Greg said Vinny (Boczanowski) will be out. I asked about the status of the detention pond for 37 Broad Acres Farm Road. The engineer he contracted with to do the design (FAIST Engineering) has not yet completed the redesign. David was on vacation. Overall, there is more progress in past month than in the past 1½ years. I did not prepare a punch list for Stable Way. There are lots of little details on Broad Acres Farm Road that have to be dealt with. The dead trees of concern were cut down.

Susy Affleck-Childs – Irene Streifer (37 Broad Acres Farm Road) called. She asked if Greg had requested any bond reduction and also asked if he had submitted any engineering for the

redesign of the detention pond on her property. I told her that he had not requested any bond reduction. I spoke with Mark Louro this morning and nothing has been submitted on the redesign of the pond.

ANDY RODENHISER – What is the status of our deadline with them?

Mark Louro – I did discuss the schedule with Greg. He intends to seek street acceptance at the fall town meeting if he is able to. His contractor will be out there over the next two weeks. He had been promised that work would be done by August 30th. They are moving forward and doing the work.

MATT HAYES – I mentioned to Greg today that Town Counsel would have a problem with us releasing bond money with the pending lawsuit by the Streifers against Greg. He felt that was an extra incentive for him to resolve the lawsuit with the Streifers.

NOTE – Copy the PB letter to Greg with the August and November deadlines.

Susy Affleck-Childs – We may want to ask him to come in to give the board an update.

CHAN ROGERS – Claiming the bond will take up some time.

ANDY RODENHISER – We need to hold these folks accountable. It is good faith on our end to do our job

It was decided to ask Greg Whelan to attend the September 13 meeting at 7:15 pm.

Mark Louro – Nothing else is progressing. I haven't heard much from Grapevine.

ANDY RODENHISER – Anything on that sign and whether it is in the public way?

Mark Louro – I have a verbal indication from the property owner on the corner that the sign is not in the public way but on private property.

ANDY RODENHISER – We should make sure that Paul Carter, the new VHB engineer working on the Medway contract, is aware of this matter.

Mark Louro – The sign location will show up on the as-built plan.

Planning Board Staffing

Susy Affleck-Childs – We have been informed by the Town Administrator that any funding for a part time person will need to come from within the FY 06 Planning Board budget. There are no other resources available. I would recommend reallocating \$1800 from Contracted Services to a new Part-Time Employee line item to cover the expense of hiring Stacey Wetstein for 10 hours a week for 9 weeks at \$20/hour.

CHAN ROGERS – I have reviewed her resume and she has excellent credentials.

A motion was made by Chan Rogers, seconded by Andy Rodenhiser to reallocate the FY 06 budget by moving \$1,800 from Contracted Services to Part-Time Salaries. The motion was unanimously approved.

Susy Affleck-Childs – You are going to have to decide how you want to allocate Stacey’s time. She can work Mondays and Wednesdays and Tuesday nights. Her schedule will impact how board packets are completed.

KARYL SPILLER-WALSH – We have a couple of people at the DRC who do a pretty good job at minutes. Maybe one of them would come in. I will call them – Katie Tortorello and Julie Fallon – to see if they are interested.

River Bend Village ARCPUD - Public Hearing Continuation

NOTE – Associate Member Eric Alexander joins the meeting at 8:16 pm.

MATT HAYES – This is a continuation of the public hearing for the River Bend ARCPUD special permit. I would like to note for the record that Abbott Real Estate Development is a client of my employer. Having discovered this, I have decided to recuse myself from discussions and voting regarding the application on the special permit and the definitive subdivision plan. If the Board wishes, I will be glad to remain as chair to run the public hearing but I will not vote.

KARYL SPILLER-WALSH – Yes.

ANDY RODENHISER – Yes.

CHAN ROGERS – Yes

Rich Cornetta – The applicant has no objection if Mr. Hayes continues to run the public hearing.

Mark Louro – I must disclose that Abbott Real Estate Development is an existing client of VHB. We have discussed in-house whether VHB reviewing the plan is a problem, and we are not concerned, but it is the board’s decision. We are working with Abbott on another project in another town, nothing related to this application.

CHAN ROGERS – I don’t have a problem with VHB reviewing these plans. VHB is one of the largest engineering firms in Mass and they practice nationwide. I don’t think there is any problem.

ANDY RODENHISER - I agree.

Rich Cornetta – The applicant has no reservations to VHB continuing as the Town’s engineering consultant.

Rich Cornetta – Good evening. I am attorney Richard Cornetta representing Abbott Real Estate in their application for an ARCPUD special permit. We are here on a continuation for the public

hearing. During the last public hearing, we gave a rather lengthy overview of the proposal. There was some discussion at the end of the meeting regarding the possibility for the applicant to introduce some affordable units to those proposed. As a point of brief history, I understand that some of the current members were not involved in the earlier ARCPUD proposal for this site. As it was represented to me, I understand that a draft permit had been prepared during the prior negotiations. A key topic was the number of units. This was a serious concern of the predecessor board. The ARCPUD bylaw would allow a maximum of 176 units. There was some give and take which ended at 115 units. The predecessor applicant proposed a mitigation of \$200,000 to be paid to the senior center. Now enters Abbott who had reviewed the project as originally proposed and it did not contain any affordable units. And now there is the prospect of adding some affordable units to the proposal. We went back amongst our team and tried to formulate a rational plan that we would propose to you this evening. We would propose a modification to the larger building and introduce 13 affordable units to the equation. But to add the 13 affordable units and maintain the \$200,000 contribution to the senior center, we would also need to create 5-6 additional market rate units, all to be added to the flats building. So the total would become 133 or 134 total units whereby we could offer up 13 affordable units for the project. All the added units (affordable and market rate) would be in the new building. We would not create a 4th floor but a T off of the building to add the units. We believe it would not materially effect the open space area.

Gary Gardner, architect – What we are proposing is essentially the same site plan. We have pushed the building a little bit easterly and added a short wing on the north side and a longer wing on the south side. This creates a courtyard effect with a loop driveway. We did consider the most economical approach which was to add a 4th floor. But even though that made more sense economically, we understood that the community might have trouble with that and it wouldn't fit in with the rest of the community, so we settled on this shape. We feel it also satisfies some of the comments we had from the DRC previously. They had asked us to put some wings on it. So this gives us that opportunity. The building is 3 stories high. It has the additional parking required for the 13 additional affordable units. Because footprint is larger, there is more room down underneath in the basement garage. Plus there is room for 25 cars on grade. So we end up with 42 2-bedroom and 6 1-bedroom flats. We haven't developed the exterior further yet. We wanted to get your feedback before we get into that. It will have a courtyard feel in front but still lots of green space in front too. We will still maintain over 300 feet to the property line to the east with the abutters.

MATT HAYES – Did you say that the two adjacent two houses have moved (to make room for the larger building)?

Gary Gardner – No, the large building is 20 feet wider than the previous building but it is within the same grounds.

ANDY RODENHISER – We have some building elevations in our packet. What is this?

KARYL SPILLER-WALSH – This is a collection of 3 story residential buildings that the DRC found. These are some good examples of well designed multi-family structures.

KARYL SPILLER-WALSH – Where is the hill now with the larger building?

John Spink – It is in the basement. We are on the down slope again. We still have 6 feet of it.

ERIC ALEXANDER – I have a general comment. I am not opposed to solving this affordability challenge this way, but I will say that adding the units to me makes the design (of the larger building) absolutely critical. I wasn't displeased before, but I am going to be more sensitive to what the DRC would say with the size of the building increasing.

Jim McCauliffe – We will do that once we kind of have our arms around the affordability issue. We were kind of guessing, based on your comments, that adding height would be an issue. Maybe we could get your thoughts first on that matter. The simplest approach was to give you a 10% of total formula.

ERIC ALEXANDER – Let me clarify too, as I was the primary pusher. It is not my intent to improve on our subsidized housing inventory on the back of one developer. This is a fairly significant size development and I didn't want to see us losing ground.

Jim McCauliffe – Abbott is coming to the table and we are trying to do is be somewhat of a good citizen with a win-win. We are not coming to you with a plan to withdraw the senior citizen funding that was previously committed.

ERIC ALEXANDER – That is understood. I appreciate the direction you are moving in. But let me say again, whether I can embrace this solution will be very dependent on the final design of the building.

KARYL SPILLER-WALSH – some of the original wording is that we wanted to include affordable. This adds more units literally and figuratively on top of what we had. When the applicant first came to the DRC we discussed the characteristic of the architecture. We were looking for a better quality architectural statement, something more interesting. This is a very important project to the Town. I don't think we are balking at the idea of numbers. We are interested in the design. How are you going to do it? What quality and integrity will be added? If it is more of the same of what you have already shown us, then we will have trouble with it, but if it takes on some better character, that is a different story.

Jim McCauliffe – I hear what you are saying. But I want to say that there are 2 issues to solve here. We know we aren't getting out of here and we understand that you have to be happy with the design. But we can't finish the design until you tell us what you want to do with the affordable housing units. WE need that guidance.

ANDY RODENHISER – Is this an attempt to isolate the affordable units?

Jim McCauliffe - The affordable units would be dispersed throughout the flats building. Hopefully, the final special permit decision would specify which units are to be affordable.

CHAN ROGERS – Can you give us a preliminary schedule of your advancement of the complete project?

Jim McCauliffe – What do you mean?

CHAN ROGERS – Your statement is the basic concept, but you are not going to get into the details of design.

Jim McCauliffe - I have to know whether I am adding 18 units to the building or 0. Once I know that, I can work on the design.

CHAN ROGERS – So you want approval of the basic layout?

Jim McCauliffe – I was assuming when we come to some resolution on the affordable units, we would then come back to you with more details on the architecture, but we need to know how many units we are working with.

ANDY RODENHISER – The 5 additional market rate units would go into the flats building as well?

Jim McCauliffe – Yes.

ANDY RODENHISER – Karyl, is it your opinion that the change in the shape creates good opportunities?

KARYL SPILLER-WALSH – Yes, or else it could be more of the same.

ANDY RODENHISER – Would it be more efficient if they approached design review knowing a number of units?

KARYL SPILLER-WALSH – We haven't really seen any results of more details.

ERIC ALEXANDER – We can talk about this some more but there are some neighbors in the audience.

MATT HAYES – Is there anyone in the audience that would like to speak?

Dan Hooper, 6 Naumkeag Drive – I apologize for coming in late but I am not feeling like I have a full sense of the changes. It seems like they are proposing an additional 18 units over and above the 115. When I was last here, it was discussed having the bigger building more centralized. Back in a previous iteration of the site plan, I want to say it was 122 units with some affordable. That was somewhat of an agreement going back 2 years. We agreed down to 115 units and now we are going up to 133 units. I am concerned about unit count. The effect on Village Street is always a concern for the neighborhood. More units is more burden on Village Street. This seems excessive. I would like to know how it is configured. Being pushed down to the deepest point in the development doesn't seem to make the most sense to me.

MATT HAYES – Is there anyone else who would like to speak? Hearing no one else, does the board wish to accept the unit number they have proposed?

ANDY RODENHISER – What do you think of Mr. Hooper's comments?

John Spink – The reason the building is where it is is because it is 4 stories high. We have sunk it into the ground. In that area of the site, we can sink it down without getting into groundwater problems. The only other place you can do it is up at the northwest corner of the site and that makes it more visible from Village Street. It becomes difficult to put it anywhere else on the site without it looking larger.

Jim McCauliffe – Regarding unit numbers, when we came into the project, it was our understanding that there would be 115 units with contribution to the senior center. We ran our numbers and it works, it is not a home run, but it works. If you wanted us to include affordable units within the 115, we would have to say goodbye. We have not considered withdrawing the contribution to the senior center. Based on the couple of meetings we have had, I understand your desire to have an affordable component. That is what we have come up with and we get some market rate units to offset the affordable ones.

KARYL SPILLER-WALSH – The more detailed, the more cultivated the designs become, the more expensive the units will be to build. What is your thinking about what is going to pay for the affordable units?

ERIC ALEXANDER – Have you factored in the additional cost that aesthetics would bring to the spreadsheet?

Jim McCauliffe – If we can get some guidance from the PB, then we would want to take that next step.

ERIC ALEXANDER – I am not opposed to the additional 18 units if that gets it to have some affordable ones.

Jim McCauliffe – That is part of the constant tug that you have to do when you want to build a project. You have to make sure that under the skin, it is built soundly. Then you put the skin on top. For the town homes we are trying to sell for \$410 to \$450,000, one of our options is to have somebody customize it. We are willing to look at that. You haven't physically given us this stuff yet. We are here saying here is an interesting solution and we would want to sit down with you.

KARYL SPILLER-WALSH – We are very interested in talking with you. There is nothing worse than big and bad. We want to see it well resolved and something more inline with what we want to see.

ANDY RODENHISER – All the units around there will be more attractive and marketable if they have something good to look at.

Jim McCauliffe – We are with you 100%.

ANDY RODENHISER – I would echo Eric’s sentiments as well.

CHAN ROGERS – I look at it as a 2 step process. I am in favor of the math of the units. We can’t ask for affordable units without getting something in the mix. I am ready to accept the number and have the aesthetics come later.

KARYL SPILLER-WALSH – I would prefer to wait and see but I am not negative about the numbers.

ERIC ALEXANDER – We need to give them a building footprint to work from.

Rich Cornetta – So I believe I hear a consensus that we are looking at a 3 story building over a 4 story one. And the numbers seem to work

ANDY RODENHISER – Yes.

Rich Cornetta – I think in good faith we can now move forward.

Jim McCauliffe – I would like to sit down soon with the DRC and brainstorm and get some fresh ideas.

Susy Affleck-Childs – I will set that up with the DRC.

ANDY RODENHISER – I gave them the set of building elevations from JSA.

MATTHEW HAYES – We have several letters.

Andy Rodenhiser read a memo dated 8/16/05 to Susy Affleck-Childs from Mark Flaherty, Medway Water/Sewer. It is attached and made a part of these minutes.

Andy Rodenhiser read a letter from Paul and Kathleen Hickey, 3 Naragansett Street, Medway. It is attached and made a part of these minutes.

John Spink – In response to their letter, the water connection will be 6 inches and will go down the street and across to the flats building. The rest of the loop will be an 8 or 10 inch line. The water main will be in a trench with dams along the trench. The only thing we are doing within 300 feet of the back side will have no impact on their drainage. There is not a lot we can even offer to help over there.

Jim McCauliffe – We will respond in writing to this comment.

John Spink – We have an ARCPUD process and a subdivision process. We would be asking for waivers to discuss them under the special permit.

MATT HAYES – Gino, would that be part of the special permit?

Gino Carlucci – There might be some particular waivers that would have to come in under the subdivision but you could do it as an informal discussion during the special permit.

MATT HAYES – We will run the public hearings concurrently.

John Spink – I would like to get going for some discussion. I will put it in writing this week - road widths, road material, drainage, etc.

KARYL SPILLER-WALSH – I think it would be helpful.

The public hearing was continued to 7:35 pm on September 27, 2005

Pine Ridge Estates OSRD Public Hearing

MATT HAYES – Welcome everybody. This is the public hearing on the proposed Pine Ridge open space residential development. We will begin by having the applicant give an overview of the project. The Board will comment or ask questions. I will then open it to the public for comments and questions and then the Board or the applicant may be able to address some of those questions. Before we begin, we need to set some review fees.

A motion was made by Karyl Spiller-Walsh, seconded by Eric Alexander to approve the \$975 plan review fee for PGC Associates. The motion passed unanimously.

A motion was made by Chan Rogers, seconded by Eric Alexander, to approve the \$1250 plan review fee for VHB, Inc. The motion passed. Matt Hayes recuse.

A motion was made by Chan Rogers, seconded by Eric Alexander to waive the reading of the public hearing notice. The motion passed unanimously.

Motion to waive the reading of the public hearing notice – chan, ERIC ALEXANDER – all yes

Paul Yorkis – I would like introduce the folks who are here this evening who will be making a presentation.

John Claffey - applicant

David Faist – engineer

Dan O’Driscoll – surveyor

Michael Radner – landscape architect

Jennifer Connelly – traffic engineer

Paul Yorkis – The first thing I want to share with the Board is that the original application was named Pine Ridge Estates. After some thought, we have changed the name to the Village at Pine Ridge. It is my understanding that what we are going thru is a 2 step process. Tonight begins the special permit. When/if that is approved, then the applicant would go ahead with a definitive subdivision plan. From the plan that was distributed to the Planning Board and was available at the Town Clerk and Planning Board offices, we have made some revisions based on some

comments directly received and others that we have learned about. A question was raised as to where the mailboxes were going to be located. We have decided on a centralized mailbox location. We have a revised plan to show you (dated 8/22/05). A question raised on signage. In addition to signage within the actual development, we have added two caution blind person signs and two 25 mph speed signs. A comment was made during the review process by PGC Associates that the width of Candlewood Drive was not labeled. That is now shown. The development is to be served by Town sewer and water. There are no cuts or fills greater than 8 feet and no slopes greater than 25% .

We understand a number of citizens have communicated with the Planning Board and expressed their concerns about safety. When we met informally with the Planning Board, you asked us to do a traffic analysis. We contracted with Connelly Associates and Jennifer Connelly can go thru that now.

Jennifer Connelly – I am a registered professional engineer and a professional traffic operations engineer. We conducted this analysis during July. counted traffic 6-9 am and 4-6 pm – we found that the peak hour was 7:15 to 8:15 am and 5-6 pm – we looked at whether July was indicative – we went out 5 years into the future – we looked at background growth in the area – we assumed a growth rate of .5% per year. We took a look at what this project – expected to generate 120 trips a day (60 in and 60 out) – during peak times, 10 trips – for any sort of townhouse development (.5 trips per unit) in the highest hour – levels of service are A and B with range of delay of 7-14 seconds – we looked at sight lines – on candlewood, the sight lines are adequate from the new roadway – small tree on one lot – we looked at exiting out onto farm street – distance is adequate for 35mph road – access to and from the site is safe – we did receive a letter from VHB who had reviewed our study – they concur that the development will have minimal impact on the intersections we studied

Paul – along the same lines of safety, the PB at our informal meeting requested that the applicant consider using the walkway between Island and Candlewood as a means of emergency access – we were asked to discuss this possibility with the Fire chief – Mr Claffey and I met with Wayne at the site and I believe you have a copy of his letter – with addition of 7 foot gravel on each side of the walkway, that would be a satisfactory emergency access. In addition, because of the neighbors concerns as expressed in the letters, I specifically asked the chief, whether during the most recent storm which caused a lot of damage throughout the town, whether that storm resulted in an inability of the fire department or ambulances to reach those who were in need during or immediately following the microburst – I asked if I could quote him – he said, in certain instances, they had to figure out different routes, but there was no degradation in response during that time. I am sure he would provide a letter – the second means of egress, the fire chief has indicated in his letter that it would be satisfactory in his judgement – beneficial to the residents of candlewood and island

Paul – Jeff Watson has reviewed this plan ANDY RODENHISER has a letter from Jim, his suggestions that if the special permit is approved that the signs would conform to the DPS requirement so- OK with us

Paul – question on where trash would be handled from the development – a request has been forwarded to the Medway BOH – they will meet next month – Bill Fisher sees no reason why they would not permit curbside pick up for the development – we will share their response with the PB

Paul – a question was raised by your planning consultant whether we had followed the 4 step process and plans for the buffer zone

Michael RADner – Radner design- registered LA – the developer had asked me to take a look at adding some landscape screening on either side of the roadway – plan dated August 30 – line of staggered evergreens and shrubs – variety of colors and sizes and heights – 10 feet to 25-30 feet height at maturity – width of 6-8 to 25-20 feet – intent is to provide a visual screen on either side of the road – we want to keep them within the ROW so we can be responsible to maintain – very little room for berming – we would be happy to work with the direct abutters to enhance this – this is a starting point for the discussion

Paul – I would like to spend a few minutes on the dwelling design – we met with DRC and made a presentation to them – in the second page of tonight's handout – this is a concept – the bylaw calls for at least half of the units to have side load garages – we have proposed a cluster of 4 units and we show the 2 end units of each cluster – none of the floor plans before you show first floor master bedrooms – if we get the special permit then the conditioning we would start interacting with the architect – each of the buildings has a different – intentional staggering – DRC asked if it could be more pronounced than it is or even angle – we are aware that the floor plans don't show the staggering as we want to have it

Paul – in terms of the exterior detail, I am passing around the front elevation from what is available from this firm – there are certain details like window boxes, brick façade – with the exception of the copper roof that is shown, it is our intention to build that kind of dwelling – what we need to do, when we secure the special permit, we will go to the architect and get a 4 unit plan and reflect changes – we are happy to return to the DRC to finalize plans after the special permit – you have received a letter from the DRC which was favorable in terms of the design but asked to see final product.

Paul – address drainage in Candlewood – the project that is being proposed has a separate and distinct drainage system – from the comments that VHB has shared regarding Candlewood to the PB, before Candlewood would be accepted, the sumps at the catch basins would have to be cleaned out and detention pond would have to be returned to the original plan grading – we understand that and the applicant in his communication with the PB – has indicated that he will do what is necessary for candlewood to be accepted – the pine ridge drainage system is not related to candlewood – when it gets to the definitive stage will have its drainage system reviewed just like any other project –

Paul – one of the requirements of the special permit is to have approval of delineated wetlands from CONCOM – they have met and done a site walk and as a result of that they have asked us to further evaluate an additional area – that is in process, in September, they will review that – they were very comfortable with- and were not disputing anything

Paul – overall improvements to candlewood – you have received an email from Dave Damico, DPS re: the VHB comments on punch list for Candlewood are acceptable to him – what is not in there and was referenced at the informal, the applicant will also meet with the Disabilities Commission on site to make sure that the curb cuts, etc. will be acceptable to them –

Paul – we would be happy to respond to any questions the PB may have

MATT HAYES – the emergency access from Island Road – would that be gated?

Paul – it will be signed. Chief Vinton has proposed specific signs – we made no assumptions if you are in agreement with what the chief has proposed, we will add it – no gate would be installed because then a wheelchair could not use the pathway – signs saying emergency access only

MATT HAYES – 25 mph signs, would you consider putting one closer to Farm Street

Paul – we have no objection to moving them to wherever he wants them or to do more if he

MATT HAYES – landscaping at the entrance to the development, have you checked headlights and where the lights would go – would buffer trees block any of that

Michael radner – that is the intention of the buffer strip to plant it densely enough – we need some setback for sight distance – we don't want to bring them out too close to the road – would there be some consideration to working with the butters to possibly plant on their property

Paul – yes

John – nodded yes

KARYL SPILLER-WALSH – also across the street – there are 2 houses that would be directly opposite – if they are interested, they should have some input

Paul – the concern about planting is that there is sufficient room for snowplowing and planting that will survive salt and sand – there may not be enough room in the layout – the degree to which the applicant has any right to go onto private property

Mark Louro – the DPS would not want to see any plantings in the ROW or anything would have to be done on private property and would be subject to agreement with the property owner

KARYL SPILLER-WALSH – I think that could happen

Paul – there is a difference between suggesting and requiring – requiring is a concern of the applicant

MATT HAYES – can you show us where the CONCOM had a concern on additional wetlands

John – showed it – we are not quite sure if what they saw is even on our property

KARYL SPILLER-WALSH – it seems we are facing this catch 22 situation – need for a special permit and the conflict of us granting the special permit when there are outstanding concerns – the first being the tightness of the plan that stems from the fact there is an irregularity between what the footprint is shown on the plan and the actual architectural drawings - also concern that it won't fit

Paul – we don't know how much water will be displaced until we have the special permit and can start doing the design for the definitive plan – that is the whole 2 step process

KARYL SPILLER-WALSH – I see it that the developer creates a plan that works for me and then I say yes, here is your permit

Paul – what is illogical

KARYL SPILLER-WALSH – what is being proposed on the plan doesn't match what is being shown on the architectural

Paul – the PB has the authority to indicate what the footprints of the building are; the applicant needs some guidance from the PB on this; what has been proposed is this configuration, at the DRC, people thought it was OK but with some slightly different angles and we are OK with that – if the PB approves 6,000 sq. foot footprint, then we have to work within that – we felt that we owed the PB some representation of what this will look like – we feel that plans from Frank Betz are good ones – been used for single family home in Medway and been well received – we are trying to do the best job and we are happy to get feedback – we understand this is not a one night process – there are going to be questions raised and suggestions made – trying out

KARYL SPILLER-WALSH – I would like to see what the real footprint

John – I think the way we left it with the DRC, if we were granted the special permit, we would come back to you – to go out now and get a full set of plans done now doesn't make sense – we are trying to show elevations but to go out with a full set of plans doesn't make sense because we haven't been granted anything yet

KARYL SPILLER-WALSH – if there was one quad unit on this property there would be no issue, where you have 5 quad buildings, the plan is very tight, and I think the plan seems to fit comfortably as is, but not knowing if the detention pond works, etc – but what you are proposing in real footprints is not

Paul – I am a little confused – the August 19th letter from the DRC says that the changes should be made prior to or as a condition of – this plan shows 50% of the units with side load garages – the angling of units within a quad is not shown on here; the square footage limitation would indicate how things would have to be changed – we indicated to the DRC we said we would like

to put some first floor masters and so the footprints may have to be changed and the shape – we are willing to work with the PB but the expenditure of funds for a theoretical plan gets very costly- we want to get guidance and direction and once we have that we would be happy to move forward

ERIC ALEXANDER – I want to get more specific –perhaps I can rephrase Karyl’s concern – the footprints as presented conceptually are roughly 120 linear feet – the quads as you have shown are about 193 feet and that simply cannot fit – it is hard for me to understand conceptually how you will fit this all in and make it work – without going to the expense of getting full sets of plans done, I would propose to get a realistic conceptual site plan, underswtanidn that we are not to the subdiviosn plan, to get a conceptual site plan to get it more in line to match up

Paul – we can do that.

ANDY RODENHISER – on the 3-4 abutters on their back property line, has anything been considred as a buffer for them? There is no detail for the back properltyline here –

Paul – there is nothing proposed because we are leaving the natural vegetation there – we will not disturb that

ANDY RODENHISER – hav ethe neifhbors indicated that that is acceptable

Paul – we offered to meet with the residents and they were unable to meet with us

ANDY RODENHISER – would you be willing to consider some buffering there

Paul – it is pretty heavily

CHAN ROGERS – the natural vegetation is very thick and is far thicker than anything you could achieve

ANDY RODENHISER – concern about winter months

CHAN ROGERS – the abutters should offer some opinions on that MATT HAYES er

Paul – their attorney contacted us and asked if we could meet but it couldn’t be scheduled

ANDY RODENHISER – on your notes and comments, is this more in compliance with the bylaw –

Gino Carlucci – I think there is still information that hasn’t been addressed. For starters, I didn’t really comment on the landscaping of htepojrect – the bylaw requires a 4 step design process involving a landscape architect – I think that process has been inruitively followed but it has not been describvred or presented – need some documentation – there wasn’t a site context and analysis plan presented though some is shown on exiswtin gconditions plan – on open space

requirement of the bylaw, the bylaw says that 50% of the tract should be open space and that no more

The site is just over 50% wetlands and 50% of the site has to be open space – the amount of uplands in the open space has to be a minimum of 4.5 acres – that has to be shown

There are some design standards in the bylaw that could not be evaluated – the bylaw asked for design comparable to a preliminary plan –

ANDY RODENHISER – so, for us to grant the special permit, do we need to have that information – or do we do waivers

MATT HAYES – can that be provided

Paul – one of the key members of our team is not available tonight but these items can be easily added to the plan.

Mark Louro – because there is not a lot of technical info on the plan, we limited our review to the traffic study – minimal almost non-existent impact on level of service at the intersections – the intersections considered – farm and village; candlewood and farm;

MATT HAYES – will now open it up to the abutters with comments and questions – please state your name

Wendy Burr – sewer plant is noted on the map, how close is that to these buildings – what is the distance?

David Faust – we are showing that the sewer plant is the abutter – there is an aerial -

Wendy Burr 0 when you modify master, change the square footage

Paul – no

Wendy – the elevation drawings will you cut into this hill, you will need buffers underneath

David – we will have to add topography to the plan – this site toward the rear – there is steep hill which is why candlewood was never built up to farm street – we kept corner undeveloped – once we add topography- we do not intend for back yards to cut into the hill – we haven't gone to that level of detail –

Mark Louro – what is roughly the buffer from the Farm Street ROW

David – 100 to 200 feet

John Hickey representing Candlewood neighbors – residents have asked me to comment – 17 homes, originally designed was for 2 points of access but only one was built – seeks to add 20 other homes to be served by one point of access – primary concern is safety of their children – issue of density, and traffic – more homes, more cars, more trips – we did hear 120 more trips per traffic study – our clients are concerned about the traffic within candlewood – emergency access – concerns about use of emergency access use during the winter or when wet – there are 38 kids – 19 under the age of 10; one is severely handicapped – candlewood is 29 feet wide but width encourages speed – the applicant's fact sheet indicates – is there another way to develop this parcel with access to village street – we acknowledge that it is a long run- why should candlewood drive bear the full burden of this subdivision on the issue of open space – the parcel is 50% wet – the open space in the applicant's plan, is 70% wet – it won't really be very usable – if this board sees fit to allow the special permit the residents ask the PB to implement every feature possible to protect their children – lighting, perhaps right turn only out of development – all features to ensure privacy, screening, stone walls, to protect against headlights – protect the abutters in particular – from detention basins and parking – the clients are not against the open space subdivision concept – but not here on the outskirts of town and on top of another subdivision

Chris Damafoural – 11 candlewood – looked at 2 intersections coming out - I live at the sharpest turn – you are changing the characteristics of the neighborhood – these homes that you would be marketing too – not family oriented, 2 incomes, no children, faster cars – my kids have to cross the street to get to the sidewalks – I have a lot of concern about 20 units back there – high income, dual income families without kids – traffic going thru there – if there was a secondary access, then I would assume the traffic would be less

Second concern is emergency access – I had a tree fall in my yard – I would have been in serious trouble if a tree had fallen out on farm street

MATT HAYES – are there handicapped ramps on the existing sidewalks

David – we have not evaluated candlewood for that

Kahls, 12 Candlewood – I directly abut the site and the ROW - - my concern is really again is the density – the number of units backs here - I have 2 children – we are going to be experiencing from this development – cars will be turning right into our house – we are going to see everybody is going to go in front of our house – that is a safety concern – my mother in law is 91, she walks on candlewood – if the number of units is different than it is – I bought this, we were one of the first, I knew that the road stub was there, I knew it could be developed, I had no idea that 20 units could be back there. It is a question of design – this is a sense that there is something a little bit off – goals of bylaw . . . character, existing communities, etc, that is a problem for me - it really is a high density operation here, this village having all of its access to candlewood – I like the original bylaw, etc. – the only problem is that it is going to candlewood – if there was access to village or farm street it would fly thru – reduce the number of units, we wouldn't be concerned if there were 6 units and talking about mitigation measures and that would be it – the number of units is really a concern and that is a big issue for us

Bud Shorpsire, I am married to Joan Wasnewskey – I am hearing the NIMBY syndrome – I wrote a few notes that I need to read from – I married Joanie 55 years ago this week – we never complained when construction occurred all around us – read his letter –

Richard Sousa, 14 Candlewood – at the risk of sounding redundant, our biggest concern is safety – I am not sure that there is anyone in the room that 120 trips in and out of the neighborhood will keep my child safe – this development doesn't fit; it was put in place because of the sale of the property – the number of units is being done to make it work financially – easy solution, concept – I just don't think what it is all about – even though there has been a traffic study – I believe there will be a safety risk

Charles, 5 Island Road – I would agree with Wasnewskey's trust, - the town has changed a lot – part of what people want is to maintain the small town feel – signs at the end of the streets starting to diminish that whole feel – putting up signs to tell us not to park near the access road seems silly – if it is not going to be cared for, then why have it – who will maintain the access road? Second thing I would like to bring up, I am trying not to understand how the PB is maintaining an ongoing plan for the town of Medway where people can't wash their cars or water their lawns due to water limitations, the town cannot afford to do the basics – what is the ultimate plan for this town moving forward – this meeting seems to me to be indicative of the problem – how is the town going to cover the cost of additional services – fire, police, trash pick up, all these things together – I just don't understand where the planning is – putting 20 units in a small little space – this whole thing just doesn't seem to be well thought out

Mark Louro, 7 Island Road – I directly abut the sidewalk parcel – we moved in 12-13 years ago – the path and drainage is in that parcel – if it is going to be made into a road it needs to be reengineered – our only gripe is why to put the gravel down and signs up – it has worked as an emergency access all along – when we moved into Island, we bought on a cul de sac.

David Murphy, 8 Island Road – live on other side of footpath- 12 years ago, we built on a cul de sac – when Island Road was approved, Mr. Yorkis was on the PB – he is trying to change the character – the proposal for a secondary emergency access would be in effect a primary emergency access – every emergency response person would know that they could go that way – create an unsafe condition – the original design of Island Road and Candlewood has been successful – dozens of people use that footpath area – now we want to create a primary entrance to Candlewood for every emergency access vehicle in town – I would challenge the board to come up with another secondary emergency access

Petra Fallon, 13 Candlewood – I live on the shared corner – concern as I back out now – I have a 2 year old daughter – concern- she walks and plays on Candlewood as other kids do – we all suffer from the NIMBY syndrome – no one wants this – we suffer the most because all that traffic will be right on us – I agree with everyone who has spoken – it appears that everything is being crammed into this development – all of the features that need to be met are being bandaged in – my question to you is why has another access point been pursued, looked at, what are the reasons- we have asked Mr. Yorkis that question and we really didn't get a clear answer – at first the answer is that the seller of the land “preferred” not to have the access come off

village street – we understand and respect that - something is being crammed in and an alternative is not being looked at – why and will you please look at it.

MATT HAYES – mr. yorkis, could you comment on the alternative access

Paul – the plan before you is the plan submitted by the applicant

Jim, 18 candlewood drive – I have a few concerns – I have a very steep driveway- sheer luck that there has not been an accident at this corner – my son is blind, deaf and in a wheelchair – he has multiple medical issues – we have police and fire that park there – I can almost guarantee you that there will be an accident there - our property has one of the steepest driveways in the neighborhood- if this goes in, we will never be able to allow our children to play – concern about traffic study being done in July vs. September – a more realistic – concern about winter – this entire street becomes more narrow –you are going to see accidents – this is going to impact the safety of my children – I have not been invited to any meeting with Mr. Yorkis – I just wonder . . curious if sight lines were studied within the neighborhood –

Mike Newman, 9 candlewood – across from ROW – I will concur with my neighbors - 2 kids, somewhat steep driveway – god forbid a ball rolls down – accident – safety is our biggest issue – for my family and for my neighbors – I am disappointed that they brought up the NIMBT factor – we are OK with a development in that area, we feel 20 units is way too many, we expected it would be 4-5 and we are OK with that – we had parties when we were 2 income, no kids –

Tom Anderson, 16 candlewood drive – one question that everyone has been dancing around – when candlewood drive was built, 2 accesses were planned and

MATT HAYES – maximum length of a road with a dead end is 600' for a subdivision - this being an OSRD special permit, it is not necessarily a requirement

Tom Anderson – I have heard different members of the board make a comment, at some point in time, 2 access points for an OSRD may be required – seems like an immediate quick hit kind of development- better define your rules – if two are required for a subdivision for a certain sized, why not for an OSRD

MATT HAYES – under the special permit process, the PB has considerable discretion, as per density, we may require it to be reduced; as far as another access, there is no other access proposed, we could deny the plan based on the absence of that –

CHAN ROGERS – when I came on this position, I served 40 years ago on a pb – PB in Massachusetts don't do much planning, we don't really have the opportunity to do planning – we spend about 90% of our time doing – you cannot refuse the development of land because you don't like it – you can only act in accordance with the law – it is nice to say that you would like to say there will have to be 2 entrances – we can either accept it or reject it – the second entrance for candlewood would never have been built – it was unrealistic that that street would ever be built – none of us were on the board at that time – we cannot correct past errors

Rich sousa – on a subdiviosn, the maximum length for a dead end is 600 feet – why not for OSRD

MATT HAYES – 600 foot length is in our subdivisioin rules and regs- we can reject or deny a waiver – with a special permit, we have more discretion – there i

KARYL SPILLER-WALSH – by the nature of an OSRD there will be a density factor to cause the buildings to be localized in one area and to save open space – the benefits outweigh the problems

MATT HAYES – the board has to weigh that MATT HAYES er on a case by case basis –

XXXXXXXXXXXXXXXX – is there an impact analysis that each subdivision is done – if we are focusing in on one subdivision, how are all of us as taxpayers are effected?

MATT HAYES – a development impact statement is now a required component of a subdivision plan

ANDY RODENHISER – I did ask Mark Louro Flaherty about impact – he is not expecting this to be a major impact – the town is up against a state cap on the amount of water to withdraw and pump – we can buy water from other towns or pay a fine for using more water than what they are allowed – he evaluates whether it is cheaper to pay the fine or the cost to buy water

_____ - how od we mange

ERIC ALEXANDER – you are talking about a planning function – as a town we don't have the capacity to do so – we are not empowered to address those issues –

Mark Louro - all the town departments have a chance to review the plan

ANDY RODENHISER – we follow the 1999 master plan – that is our guide – knowing what the residents said – 67% response – you may remember it – the input the community gave is in the document and that is what you said – to try to preserve open space – this open space permit application is in that spirit of what the community said they wanted –

_____ - I don't think anybody expected

perhaps 5 million dollar homes could be built here vs. 20 \$500,000

ERIC ALEXANDER – I am sympathetic – the factof the MATT HAYES er is that something can happen on this land as can on any piece of property – we cant just say no because there is an impact on town services –

_____ - make the property value for less homes, but more value –

ERIC ALEXANDER – the ultimate purpose with the OSRD bylaw is not people in less space, it is the same amount of people in less space

_____ - that is not true in this particular project

MATT HAYES – the OSRD bylaw allows for a number of units for a certain piece of land – based on amount of uplands, and wetlands, and a simple formula to determine maximum number of units – for this parcel, the maximum number of units could be 23- they are proposing 20 – with an OSRD, we can reduce it – if they were to come in with a regular subdivision, we couldn't tweak the number of units

MATT HAYES – if they were to go in with a standard subdivision, it wouldn't eliminate access thru candlewood

Petra – you said earlier if the plan is legal you must accept it; I am trying to understand then, if there are concerns re: safety, what are you doing – will you tell them to revise it?

MATT HAYES – safety is always a concern in the design – if they came in with a standard residential subdivision, we would have less of an ability to say no to things, - if it came in following all our rules and regs, it would have to be approved – with a special permit, we have more leverage to work with developer to change things

Petra – I don't believe Mr. Yorkis has provided an adequate answer to my question

MATT HAYES – according to this plan, there is no access to village street

Petra – I don't have an answer that satisfied me

Mark Louro – they have to consider the plan put before them, we don't know whether or not it was considered – if the applicant owns the property, that is part of their thought process- they have the right to submit a

CHAN ROGERS – he only has control of the land he owns – we can't tell him to go do something to somebody else's plan –

David Murphy – the point of being a plan, the plan doesn't include a secondary emergency access road - I would ask that the plan exclude the gravel expansion of

Paul Yorkis – I would like to clarify something – it is not me who proposed that – the PB asked the applicant to explore that possibility – we, as the applicant, are obligated to explore that possibility – the PB will make a decision in its best judgment whether or not to include that component –

Nancy Neuman, 9 Candlewood – summary statement, you have before you a plan as it stands – based on all of our concerns, you as a pb can go back and look at this plan and deny it if you are not comfortable with it as shown

Susy – must draw direction from the bylaw itself –

MATT HAYES – this public hearing will be continued to 8:30 on September 27th – 4 weeks from tonight

We will have to do all the letters then

11:15 public hearing ends – ERIC ALEXANDER leaves

break to 11:20

ANR Plan for 10 Walker Street - now two lots

ANDY RODENHISER – I have to disclose that I have worked for George Pavlik, but I don't have any economic interest in the project before us –

Gino Carlucci has reviewed it – just needs a comment that approval does not constitute compliance with the zoning bylaw –

It is two lots with frontage on Walker Street, a public way, ½ acre zoning – lot shape factor is fine

CHAN ROGERS – question on Pearl Street

MATT HAYES – this came in as a 3 lot ANR before – the frontage for the 3rd lot was on Pearl Street and the board denied it – now reduced to 2 lots

Motion to endorse the ANR plan for 10 Walker – Chan, ANDY RODENHISER – all yes –

Tom – we are requesting a waiver of the filing fee as we feel it is a continuation of the previous plan;

KARYL SPILLER-WALSH - I would agree to that;

Motion by CHAN ROGERS to waive the filing fee, seconded by Karyl.

ANDY RODENHISER – I am concerned that we are broke and we need to recover our costs -

All in favor – Karyl, CHAN ROGERS

All opposed – ANDY RODENHISER and MATT HAYES

Susy – motion fails

\$250 to town of Medway – received a check - # 1581

Mark's departure

KARYL SPILLER-WALSH – you were really superb in people skills – very good with all the developers especially wehn they were horrible to you and us

Mark Louro – challenge in the begiinnng, I enjoued working here – interesting people – something I will take with me

KARYL SPILLER-WALSH – you moppoed up a lot of messes

ANDY RODENHISER – just met with you and enjoyed working with you

CHAN ROGERS – pleased that towns can hire somebody like you

Mark Louro – becoming more and more popular – quite a staff at VHB to back me up

Handouts

CPTC training schedule

Commonwealth Capital – Suzanne has authorized Gino Carlucci to update the application – will do it tomorrow –

Motion to adjourn – karyl, CHAN ROGERS – all yes

11:50 pm

September 13, 2005

Present: Matt, Chan, Andy, Karyl

Also Present: Paul Carter, Susy Affleck-Childs

Meeting was called to order at 7:25 p.m.

Matt – we had a scheduled early appointment –

Susy – comment that Greg was invited, reluctant to attend, asked him to send something

Andy – status

Paul – progress was occurring during previous 2 weeks – reflected in last construction observation report – no inspections in the past 2 weeks

Andy – has he settled the lawsuit

Andy – why wouldn't he attend

Susy – not appropriate to indicate in a meeting

Citizen Comments - none

Matt – we have stated we have not reduced

Matt – special town meeting on Thursday after Columbus Day to deal with 2B Oak Street (October 13); antoehr special townmeeting the end of October or early November to set tax rate;

Matt- introduced Stacey Wetstein who will be helping us out while Susy is on leave

Stacey – be a little patient with me, . . .

PH continuation – Hopping Brook Estates

Steve Poole

Tony Dellorco

Karyl – recuse . . .

Steve Poole submitted revised plans and updated drainage calcs

Steve – this plan and drainage calcs are in response to last VHB letter – I don't think there are an awful lot of changes to the plan to talk about – a couple of little notes and some changes on the calcs – we did respond to one of Mark's comments on level spreader area – we moved it – there was a concern on location of house and septic system and we moved it – those are the two changes – nothing else of consequence – a few changes on the calcs and the time frame of the hydropgraph to extend out to 30 hours – change in volume of flow – still comes out substantially less than predeveloped –

Matt – do you believe you have addressed all the comments

Paul Zonghi – wants to discuss waiver – at the last meeting, we had a discussion on the sidewalk fund – what are your thoughts on this? Are you using the same estimate? Has anyone paid into the fund

Susy – yes,

Paul – I was led to believe that those estimates were with blacktop

Matt – Or updated rules and regs have requirements for what goes into the various types of roadways. This does conform to our new standards which is what Mark was going by when he developed the estimate.

Andy – the concept of 172 feet of sidewalk that starts nowhere and goes nowhere; what if we were to recalculate this based on a different formula instead of a prevailing wage and provide an incentive to put money into the fund vs. building a sidewalk that really benefits nobody

Matt – that may be going one way when we really don't want to go – say there was a sidewalk that wasn't in good condition. We would want to require an applicant to upgrade to our current standards

Paul – one of the problems is that the town's cost is so much higher than the builder – the builder would choose to put in the sidewalk rather than – my cost would be 50% or less – I don't see any benefit to anyone else

Andy – could I build 175 feet of sidewalk somewhere else??

Chan – are sidewalks required

Matt – yes, our regs require it – in this instance, frontage along west street – developer has option to build or pay into a fund

Paul – you guys didn't set up a per foot price?

Matt – those other estimates were based on mass highway standards – bid averages – it may be high based on

Paul – when we started, this wasn't voted in yet.

Susy – all that was voted in was the creation of the fund

Andy – I am just curious, he raises a good point in the sense that he may end up constructing the sidewalk that nobody will benefit from – there are some other places in town – benefit for him to pay into that –

Paul – with town costs, you are working with prevailing wages – everything costs more – it is unfortunate but that is the way it is. the town is redoing sidewalks in hottop; I am not sure concrete is practical in New England – harder to replace than hottop –

Andy – is it possible for us to recalculate this based on a non prevailing wage – maybe based on private construction? Could we ask VHB to come up with an alternative estimate based on a private developer's cost?

Paul – if something isn't done, I think the town will lose the opportunity here to build up the fund.

Chan – I think it is too late to argue about sidewalks,

Matt – we haven't set the estimate yet –

Paul – we could come up with another estimate based on RS Means – regional

Andy – prevailing wage is a much higher amount than what a private developer

Chan – since all of these sidewalks are being built in the future, why don't we have a set price?

\
matt – depends on type of roadway this is on

chan – in some locations, concrete sidewalk is required and bituminous would be allowed elsewhere –

andy – in this case, there is no sidewalk there now, to

matt – applicant can either build the sidewalk or contribute the amount of money to the sidewalk fund to enable the town to build sidewalks elsewhere

andy – and the town would have to pay the prevailing wage – we have to decide whether the benefit is to the town to pay some sort of sum in or to build a sidewalk that doesn't go anywhere

paul – that is my preference –

susy – need to consider the already approved subdivisions and the ones that have already paid in.

paul – at these prices, I would choose to put the sidewalk in and I would see it as a waste of money

Matt –

Gino – were concrete sidewalks required under the old rules and regs? Wasn't this submitted under the old rules and regs? See what those regs required for this type of roadway and recalculate

Andy – I think granite curb exists along west street

Paul – I don't believe so – the island piece is cape cod berm – I am almost positive

Citizen – the roadway in front of mogel excavating is granite – the island is not

Paul – there is no curb from there up

Andy – it should be a granite curb as this is a secondary road

Chan – the island is not typical – it is a remnant for

Steve – gino has a good point, - base it under the old rules

Chan – the board should set aside some time to think about this -

Matt – let's redo the estimate again based on the old regs

Karyl – that still doesn't solve the problem

Andy – maybe the compromise is to come up with two figures and figure the difference

Matt – we will come up with a single estimate based on road standards from old regs but based on mass highway standards for construction

Andy – is it possible we could make this a line item for discussion at a future administrative meeting

Matt – we will revisit the situation . .

Eric Frey, 37 West Street – I was unable to attend the other meetings; I would like to be advised from the board on how or if I have accessibility to this road for possible subdivision of my property – there is a potential for 5 more lots – how many more can be put on the road before it can be upgraded – I was told I would be the last possible lot before the road would have to be upgraded –

Matt – currently proposed as a private way – I believe you would need access easement to be granted to you by the current owner or the future owners

Eric – is there any standards on how much they could charge

Eric – I would humbly grant that this board not grant any approval until I can determine if I can connect

Matt – this public hearing will remain open at least until October 11, 2005

Chan – we are not in a position to give you legal advice –

Paul – for the record, I told him, 1/3 of the road costs is what I would want

Tony – as far as the 4-5 lots coming off the road, I believe there is room for only 1 more lot off this road – feasible to cut out one more lot without extending the road

Eric – can the road be extended?

Steve – not without losing a lot- there is enough frontage on the common property line

Andy – if they were able to work out something on that lot. Would it remain a private way? Would they have to upgrade it

Paul – can the road have 3 lots without being upgraded

Matt – yes

Tony – would he come in as an ANR plan

Gino – if he has access to that road, he has to have rights to use the road.

Eric – I would have to come in front of the board for an ANR plan

Gino – much simpler process, no public hearing

Eric – and I wouldn't have to upgrade the road anymore

Matt – gino

Continue the hearing to October 11 to 8:30 pm.

Motion to extend the deadline to November 14, 2005 – andy, chan – all yes – no karyl

8:22 pm – Franklin Creek Def Subdivision plan

John Early
Tim Sheehan
Bill Halsing,

Andy – motion to waive reading of the public hearing - Chan – all yes

Bill Halsing – 18 Franklin Street – private way subdivision – 425 feet – and to preserve some trees and wetlands, we don't have pavement centered on the right of way – curve to minimize impact on wetlands – hammerhead to turn into the driveways at the end – 3 houses proposed – 4 catch basins – 2 in front of lot 1 to go into stormceptor the project will be serviced by town water and sewer at Franklin Street – we also propose infiltration systems for both houses to minimize runoff – we did come up with a slight increase in runoff because of topography – we have asked for a number of waivers that we discussed at the preliminary plan process – a couple of things in response – we need to ask for a waiver on vertical curbing on the roundings as it is a private way – we did not propose any new street trees as we are keeping about 12 existing trees near the right of way

Matt – we have a couple of review letters – one from VHB and one from PGC -

Paul Carter – one comment is that I understand there is an existing house – the existing septic should probably be shown even though it will be removed – it didn't appear to be any baseline data on the roadway – add that – list of waivers on the cover sheet – the proposed utilities in terms of gas, electric etc should be shown on the plan itself

Bill – or cross section

Paul – plan itself – on infiltrative drainage system – there should be a perk test to substantiate the infiltration rates

Bill – we can get that

Paul – the profile showed the size of the pipes but the size and material of the pipes should be shown on the plan and info such as slope is also helpful

Paul – I would note that street lights are not shown on the plan – board should discuss

Paul – regs require that first section of the street be 1% - you have asked for a waiver on that – waiver required for sidewalk

Paul – board may want to make a decision on fire alarm system – fire department?

Paul – there is a small increase shown in peak runoff rates – in terms of infiltration system – you might be able to address that by enlarging the infiltration system – with the volumes, the board requires that runoff volumes be required as well – also some backup info needed on the calcs

Apul – I believe the road requires reinforced concrete

Paul – the plans show an existing 15 inch culvert in front of the site – I think it would be important to understand the status, condition and function of that culvert, should also be labeled on the profile – the plan should show the moments

Bill – we can add them

Paul – erosion control barriers should be added for sedimentation and erosion control

Matt – do you have an order of conditions

Bill – filing is going to come next week

Chan – what is status of the 15 inch culvert

Bill – it is existing out there on the driveway – it starts on the lot above and goes through and carries water between two wetlands 0 - we will take another look at that – we were relying on someone else's survey –

Matt- there should be drainage easements

Karyl – where does it start and end ?

Bill – we are just bringing up the driveway to standards

Matt – this doesn't drain into

Karyl – the culvert is part of the existing stream – what happens to it when the road goes thru

Bill – hopefully, nothing-

Paul – my concern – does the water flow over the existing road there – is the new road going to change that – is that going to have any impact on adjacent properties – those type of things –

Bill – it will not be changed

Gino – the 12 large trees were mentioned – I couldn't tell which ones are going to be kept – no erosion and sedimentation control plans submitted – suggested that the driveway, once it splits, it could be narrowed – need some details on stone wall

Matt – we have a letter from the Medway Fire chief – attach and make a part of these minutes – needs more details on hammerhead measurements.

Susy – Wayne needs more details

Andy – you had mentioned that there were waivers that you are going to ask for – can we get a list of the waivers that are requested –

Andy – we will see a detail for the stone wall and erosion plan

Bill – stone wall is existing,

andy – there is a bylaw that is pending in front of the AG office – stormwater management – pay attention to what those requirements will be – there may be fines for things that aren't done –

karyl – on the topo grading – how much of the large trees 0 on the last lot – couple of magnificent trees – catalpa, are those going to remain

bill – will lose 28 inch pine; 48 in pine and 15 in maple – if we move it we would lose 2 trees elsewhere - I would rather lose the pines than anything else

matt – anyone in the audience who would

neil Epstein, 15 Franklin Street – that cistern system doesn't work – my driveway floods – the drainage that comes into that drain doesn't work – it flows over the road into my driveway – I am concerned about what is going to happen – anything

matt – that may be a town concern – the road should be crowded - the drainage calculations will be reviewed, there won't be any increase off of the site

jim byrnes – I own abutting property – could we have the 15 inch culvert inspected and upgraded if necessary, so there is no trouble in the future – I don't want it to collapse – upgraded to modern day specs

john – I would love to do that

chan – somebody has to worry about – there is no requirement that thing be maintained – what is its function

jim byrnes – it is mostly rain drain – from the whole neighborhood, the water meanders through the yards and it drains down that way – in the future – while they have got it open, make sure it is adequate and doesn't flood the back land

matt – has anybody noticed any overtopping

john – no

jim byrnes – it is adequate for what is there, but what about in the future

karyl – when I saw it last fall, the water has gone

bill –concom has detrmied it is not a perienceils stream – they approved the wetlqnd line a year ago

ph continuation – October 11 – plan revisions to vhb by 9-27-05; 9 pm

Marian ARCPUD/Subdivision

John Spink, CONECO Engineering
Rich Coppa, Marian Community
Bill Peria, Reimer and Braunstein - lawyer
Bill Drexel, civil engineer – prepared this plan here –

Bill Peria – thanks for having us here – as brief as possible – you are pretty familiar with what they are trying to do here – developing a property for members of their community to advance the spiritual development of the community – we have a public hearing coming up – a couple of aspects of the project – two main ones – drainage plan that we are working on and the roadway system

John – main access summer street – emergency access only from Kimberlee Drive – gated, keyed or breakaway – we have the little park created in the middle with some kind of traffic draw – we are proposing a 2 way street that goes part way in – and then a one way street all the way around to reduce paving, 26 feet at opening - 24 feet wide with a 22 foot wide travel lane to the statue – full flow of all flood waters, no increase in upstream or downstream pond – road is dry thorough 100 year storm – what we ant to do - . . we would like to do a one way street – 18 feet wide around the bit loop – we have taken away the dual way boulevard at the entry – the emergency road to kimberlee – 18 feet gravel –

Matt – I odnt have an issue with the one way – we rewrote the bylaw to allow for that

Karyl – what number of units

John – 77 at the moment

Karyl – what are the propotions of the open space

John – that hasn't changed any

Karyl – didn't it shift when you did the ANR lots

John – we may want to put 5-6-7 houses down here at the southern end and we may want to come in as a regular subdiviosn – folks who are under 55

Karyl – would that change the status of the emergency road

John – no we would do a little cul de sac –

John – each of the cul de sacs are two way – and the D road is two way

Matt – Paul, any concern

Paul – I think the key issue is the fire chief and whether emergency access works

Andy – I know the width of 18 feet is what he has said is OK

John – we will make the radiuses both ways –

Andy – is there a way for us to know where the open space is going to be –

John – we will give you that full breakdown of what is going to be set aside – you will get that formally submitted to you –

Andy – I remember some residents being here in other instances and the notion of a street coming thru here off of Kimberley was of concern

John – the emergency road is not completely part of the ARCPUD plan

Karyl – you are projecting that that is a possibility for a future small subdivision at the southeast corner – ACCESS??? Can of worms –

John – we do not foresee and do not intend to ever make it a through street – we are setting aside some land for possible future housing for under 55 members.

Karyl – how large an area

Rick – 9-12 acres

John – we are working with 109 acres both both sites

Matt – when you do calculate the open space, it cannot include the possible future regular subdivision –

John – arpuc site is approximately 50 acres

John – the whole place will be condoized

Karyl – I can't see them enforcing the one way travel pattern – assuming that people will go both ways . . . is the 18 feet really enough

Chan – who will police it

John – the community

Chan – you are satisfied tht that will work

Rich – I believe so

Chan – it will be a private way, not the town's concern – town will not have any responsibility – you will sign it with Residents Only?

Karyl – gated?

John – if there were problems

Susy – what is your reason for the 18 feet width

John – primiarly impact, money, and the drainage system – we are tryngi to do a different drainage conceptual for you guys – to go with a different

Paul – in practicality, you won't be able to put one way signs in front of each unit – one way is not as much or as safe an access as two way does –

Karyl – tha tis a lot of units coming and going –

Eric – would you consider some traffic calming measures – changes in road surface

John – we could consider that in some places

Karyl – they use speed bumps at New Seabury

Rich – sure, we could do that

Karyl – the question, are we comfortable with the fact that they will go two ways anyway?

Chan – what will the individual owner own?

John – interior of the studs –

Chan – nobody will own any land – it will all be owned by the associaoitn – to maintain it –

John – police and fire do not change

Chan – the only thing we have to worry about is whether the fire chief and police chief are satisfied that it is a safe – this whole concept is different

Matt - it is a very large private ways

Andy – the association will have to hire snowplows

Bill peria – this is a conception of the zoning bylaw – this is not anything unusual it is within your code

Chan – the concern of the board – where do our usual concerns end?? Certainly the fire department has to get equipment in there

John – police have to be able to get in there

Matt – this is similar to a subdivision under construction -

Chan – you are asking for a relaxation of the standards for the roads

Andy – in addressing your concerns

Bill peria – create a disincentive for people to go 2 ways - because of the nature of the community – there will be more of a tendency to conform

Chan – I consider that a decided plus – the peer pressure in your situation –

Rich – I am quite sure they will observe the one way

Andy – given the narrower pavement, doesn't this make a significant impact on your drainage calculations – and less pavement is what we are trying to encourage – this is a safety aspect??

Susy – need to get some input from police and fire chief

John – reduce roadway width after the statue – in some distinctive way – from that point on, single family residential country –

Karyl – signage

John – I will make it end up as a turn around and then new road is an offshoot

Eric – logical place to do a transitional surface

Karyl – has there been any conversation about including 9-12 acres near Idlebrook – to include that as part of the open space

John – NO, not yet –

Andy – any cooperative discussions with the Trail Committee about trail access

John – we are committed to connecting to the trail up north – we will keep what is there

Karyl – in our conversations in the past – what were the decisions on trail conditions need to be –

John – we had come to the conclusion – hard dirt, graded, flat, with acceptable grades and runs – and then left

Karyl – does that fit ADA standards?

John – it doesn't appear to have to – there seems to be discussion on it and I haven't looked at it since then – it doesn't come under the real requirements

Andy – Jim Wieler has looked at the standards – only for the buildings and the egress leading up to them –

Matt – back to the roadway – you want to know if we will allow an 18 foot roadway – I think we would want a better idea of what the police and fire would feel

Rich – fire chief has provided some comments

John – we are suggesting that

Karyl – I am OK with the 18 feet – I can't foresee horse trailers thru this neighborhood

Andy – we should respect the police and fire

Bill Peria – we will solicit input from them directly –

Matt – we will specifically ask them to attend the public hearing to give that input

Drainage . . .

Bill . . engineer – we were conscious about preserving wooded areas, we want to minimize runoff and that is why we went with 18 foot pavement – I have looked at the grading – low points to accumulate runoff from the street – paved waterway – paved channel and come into a forebay with water quality treatment over rip rap and then go into another forebay and out to a smaller pipe and then into the wetlands – we use for 2 reasons – detention so there is 0 net flow and volume and second to get sediments out and it would be maintained by the association – water would be cleaned up while it goes across country

Matt – individual small detention ponds

Bill – rather than catch in catch basins, keep a more rural aspect of this – would blend in with the grassed area of the laws, 0 it would be maintained and mowed – it wouldn't take on the aspect of the engineering look of a traditional detention pond – some pictures of how they could look like

SEEKONK – one of the first time they used this method – this became a better aspect to the drainage to the subdivision – keep rural aspects much as possible – the town is very happy with it – it is working very well – this looks like the lawn and it blends in with the rest of the houses

Karyl – to create these, were trees removed?

Bill – that area of this site was an open pasture – in area where trees were, we were able to save the trees –

Bill – these low points (on the Marian site) I was trying to locate them so they would not accumulate a lot of runoff – pipes across the driveway

Matt – you would keep all the water in the gutters until it gets to the forebay – check dams along the swale to treat for water quality

Matt – are you planning on crowding the road in the middle?

Bill – we will have to have a few pipes underneath – ultimately

John – treat outflow as though it was a catch basin ..

Bill – there will be a culvert periodically – I try to keep the road to existing grade as much as possible – minimal cuts and fills will help with the drainage system

Karyl – when we say some of the low impact presentations – they use a lot of these swales – they also landscaped their detention swales according to water loving plants and trees – these should become stones and rip rap – they should become water gardens – disguised as to their intention

Bill – in this case here, the swale is grassed and the object was to make it look like it was always there – if you are going to require plants in these, if they are not maintained then the sedimentation builds up

Karyl – residents need to partake in the maintenance – that is a part of the tradeoff – when you are allowed to do this kind of system, visually it is an addition to your neighborhood – but there is some maintenance

Andy – there is some concern, in that the fear that the swale or the drainage apparatus will be filled in inadvertently by a homeowner – that may not be a problem here because of the association –

Bill – with this being a grass swale, it becomes part of the lawn –

Andy – will you provide a hydraulic connection under driveways

Bill – if needed, yes –

Matt – he wants to keep all the waer in the gutter – very little piping

Karyl – these rip rap areas are an eyesore . . they need to be embellished or covered –

Bill = one other aspect to the drainge design is for each unit, I have an infiltrator unit to take roof runoff and discharge underground – just the roof runoff – that much less runoff to get to the streets –

Matt – irrigation on site

Rick -= no

Bill – that is pretty much how we wanted to approach the drainge issue – aesthetics, cutting down less trees, keep more rural character of the site, having a series of smaller detention ponds, rather than a ocuple of larger ones

Eric – I agree with karyl on the riprap – on the flip side, it is an advantage cause you can keep a lot of the natural vegetation

Andy – I like the idea that the aer is going back into the ground

Karyl – this would be a good experiment – this is on your dime, we would like to see it working on

Bill – from the aesthetic – the neighborhood is going ot want ot

Matt – landscape architecture required with ARCPUD??

John – you require a landsape plan

Karyl – we have seen things that can become a very positive plan

Bill – if you have any ideas

Andy – I just ame ack from Illinois – samemethod in suburban

Matt – I expect you will get plenty of comments from the DRC

Gino – I think it looks very interesting

Paul -0 my main concern is the adequately deal with the stormwater so you don't have flooding particularly if you are gong to use a gutter to convey water vs. a pipe – why type of storm are you designing toward – the swale system so it has adequate capacity for removal and detention – this type of drainage system can have a lot of advantages but it does take up space –

Bill – I want to minimize as much as possible the logitucial ditches along the side of the roads – our inention is to minimize that

Paul – related to spoace requirement -0 in more open drainage system s- concern with frequency of driveway culverts –

Rich – we did show the concept ot the concom and they were favorable –

Bill – we did talk a little bit about the bridge, to prevent overflow – we do have to appear before the ZBA to get a special permit to work in the floodplain –

Andy – personally, I am glad you came up with a solution on this –

Bill – we are meeting with the abutters privately –

Stuff will be submitted in 2 weeks

William P Drexel – Northwest Engineering Services

PH continuation – Pine Meadow

Extend to November 30, 2005 – motion by andy, karyl – all yes

Continue to 9:45 pm on October 11 – plans have to be submitted to VHB by September 27th –

Construction Observation – Paul Carter

Evergreen – quite a bit of work on the drainage, most of the inspection reports cover fdrainge – good progress – detention basins

Susy – taniel has asked to have the bond set

Grapevine – paving, sidewalk, some paving for sewer work – they finished Oakland –

Matt- is there stripong

Paul – not yet . .

Paul – also out to hartney acres – they are putting in the double box culvert and some mechanically stabilized walls and we met out there with the building inspector – he was looking at interface between the walls and culverts – contractor will be doing some sketches – they had to do some testing – he will submit some info to the building inspector on that –

Andy – on Evergreen Meadow, it looks like they constantly needed to be reminded about mortaring the joints – is that a typical problem – seems like shortcutting or laziness?? In the field, when you make those inspections, are you allowed to say it is not acceptable? Or is it just advisory? Can you require better quality throughout

Matt – if they backfill the drainline before it is inspected, they can make them dig it up

Andy – it seems it was a theme, - mortar the joints –

Paul – we make a point of looking for it – it is something they have to take care of before we will accept it – better to do it early on –

Matt – they are supposed to call vhb 48 hours in advance

Paul – mostly Jack will be doing the inspections for the short run

Other Business

Gino – Commonwealth Capital Applications

Andy – should we make Stacey aware of it? In case there is any timely response needed

Andy – I copoleted my meetings with some of the propertyowners along route 109 – with Dan – everybody seems very willing to participate in zoning changes, or . . . they want the growth – they are encouraged by receptiveness of the notion to develop some of the commercial and industrial properties – cassidies, I think there bigget concern is knowing what the market it and what it will bear – there is a women Bonnie Sullivan from Mass Development, I am tring to put togher with them – I also went to statehouse to testimfyon 43D proposal – it is now part of another bill – technical assistance money to come to the town to do 180 day permitting for a targeted project – the bill exists now, it just doesn't have a component to aid the town – if we decide to try to do permitting in 180 days window –

Matt – permitting an applicant with a design –

Andy - can you imagine doing Charter Realty in 180 days?

Matt – did you meet with mr. finklestein

Andy – yes, also diversified properties, ellen rosenfeld (industrial park) and perella representing the industrial park – I spoke with the assessors about working with IDC to make zoning changes at the Oak Groves – do a taking to pull those together to put into one larger industrial parcel – some more work needs to be done

Packets for Gino and Paul on River Bend Subdivision and Marian ARCPUD

Consideration of Minutes

Matt – I was all set with April through July 12 – I have given you my comments on those

Andy = motion to accept april 26, june 28 and July 12 – seconded by Karyl – any discussion – all in favor – yes - approved

July 26 – a few comments from Matt – motion to approve Karyl, seconded by chan, all yes – no Andy

August 9 – HOLD

August 30 – forthcoming

*****8

Bills

PGC – consulting services 337.50 – karyl, andy – all yes

PGC – plan review – 1143.75 – karyl, andy – all yes

PGC – plan review – 131.25 – karyl, andy – all yes

VHB – plan review – 3975.48 – karyl, chan, - all yes – matt recuse

VHB – construction observation – 3087.21 – chan, karyl – all yes - matt recuse

Karyl – departs at 10:50 pm

Handouts

1. Medway Business Council first meeting of the year – September 26th – Andy will attend
2. ZBA agenda

VHB Change in Staffing

1. letter from VHB – we should send a note to all our active developers – about change in staffing
2. Andy – will meet with Paul DeSimone, senior to smooth way

GET jack lydon's resume

Motion to accept design for stone wall – evergreen meadow – dry fit – old finish, as represented
September 6 – reuse existing stone - . . . andy, seconded by chan – all yes

Motion to reverse our previous vote – transfer back \$1800 from parttime salaries to contracted services

Motion to adjourn – chan, andy – all yes

Adjourned at 11:05 pm

Candlewood – Concerns

1. one way traffic pattern
2. will expanding the pathway between island and candlewood require an order of conditions?

December 13, 2005 – Medway Planning Board

PRESENT: Karyl Spiller-Walsh, Matthew Hayes, Andy Rodenhiser, Chan Rogers (7:40 p.m.)
Eric Alexander

ALSO PRESENT: Paul Carter, Susy Affleck-Childs, Gino Carlucci

Open meeting at 7:32 p.m.

Citizen comments –

Karyl Spiller-Walsh – as a member of the DRC, I would like to commend the Youngs on Holliston Street for the lovely holiday display – candles, - opposite Lovering St – very nice

Other Business

149 Main ST – AUOD Special Permit

PR estimates from PGC – motion by andy, seconded by eric, to approve – all AYE

PR estimate from VHB – motion eric, karyl – all yes, matt abstain

PH Continuation – River Bend Village ARCPUD Special Permit and Subdivision

Present: Richard Cornetta
John Spink
Jim McAuliffe

Matt – for the record I will be abstaining from the vote but I will continue to facilitate the public hearing

Rich cornetta – introduce jim and john – public hearing continuation on arcpud an dsuidvion 0
it has been several weeks since the last time we have come before you with some substantive comment s- we waqnt to bring you up to speed and address what we perceive to be an important issue we have confronted as we seek comment and dialogue – since our last meeting with you, there are some wetland resource areas –no surprise – we have begun our env review – we have met with concom and a number of issue we have discussed and developed brought us to meet with mass dept of env protection- wht I have submitted to you is a plan from September with 133 units that we last discussed. Since then, a number of environ =concerns face us – the proximity to the charles river 200 foot buffer area – some of our buildings at the entry area were within that area; because of these meetings, we have made an election to alter the site plan and to reduce the number of units – look now to page 2 – now looking at 125 units – we have eliminated 2 triplex units and 1 duplex unit. We are doing this to not only appease some of the concerns raised with infringement in buffer area. But there is also an area – black walnut grove – that is a unique feature on the site – we want to do whatever to preserve that area. When we were at 133 units, we were looking to do 13 units as affordable. (previously 115 units, no affordable). With the reduction in the total number of units and a desire to meet many different goals, we would be now proposing to do 10 affordable out of the 125. So, we are looking to seek your comments on

this – we don't want to trample the affordable idea. We are here to answer any questions you may have. Given the close proximity to the last meeting, we have not yet refined the plans for your consultant's review.

Matt – any comments

Eric – this is a lot to digest on the fly. I wish I could offer something more helpful. We thought we are proceeding in a certain direction and now it has changed, through no fault of yours. This is a lot to digest and comment on

Andy – my gut is that I am disappointed that the 10% is not being achieved. With this level of density, 10% should be doable.

Rich – although I understand your initial reaction, the important point is that originally when this project was being discussed, 115 unit count was in the draft permit and there was no affordable component, it wasn't until we got involved with abbott that the affordability – we ask that you consider this from the developer's perspective that they came to the table with the 115 unit count – it wasn't until august that the affordability issue came up. We agreed that it would be fair to do affordable, but we needed to create more units. We simply want to revisit our august discussions – we understand the 10% number is important. But we are making a good faith effort. 10 units is not a bad faith proposal in light of there being no affordable before. Really, the extra 10 units which are the affordable units.

John – at the 133 units, there were to be 13 affordables.

Chan – the reason to eliminate the two buildings up front?

John – river buffer area and concern about vernal pools (CONCOM) - the state was more interested in the river buffer area – we got some of the road out of the 100 foot vernal pool zone. – the developer has made an economic

Jim – the walnut grove which we think is a great amenity as does the concom – we could encroach on that – we could force that issue – concom has asked us not to – even though legally we could – we have taken 2 ½ bulidngs out of the buffer.

Karyl – It seems as though originally with the prior applicant, we had looked at 149 units with 10 affordable. Good thinking about the walnut grove.

Eric – you have approached us in all good faith and I have appreciated that. I guess if I am going to give up 3 affordable units, I want to be certain you are going to preserve the walnut grove.

Jim – yes. With plan #2, the only piece of the plan that encroaches in the 200 foot river buffer area is part of the road. We are going to meet with the charles river watershed folks tomorrow. If they won't budge, then we will need to move into the walnut grove area.

Karyl – we have always discussed the walnut grove as part of the open space area.

Jim – now, with that 200 foot buffer not encroached on, that open field remains.

Matt – you are meeting with the Charles River Watershed, do they have any statutory authority?

Jim – no, but they could appeal the Concom's decision

Jim – we don't expect that you, in a couple of minutes, come to any conclusions –

Chan – who could they appeal to

John – they could appeal the notice of intent to the Concom to the courts to move it out of the riverfront – we want to avoid that conflict

Matt – any comments from abutters, audience?

Jim – besides passing this information along- we are lowering to 125 units, 10 affordable, maintain the 200,000 to the senior center.

Eric – my level of comfort has increased a bit, because we are going to preserve an environmental feature –

Karyl – I feel comfortable with the plan that they proposed.

Eric – there was some concern about increasing the density to 133, this slight reduction I am getting more comfortable with it.

Chan – I would add my approval on that basis, and the fact that there are other agencies interested with their concerns.

Andy – I think it is important to be fair and consistent.

John – we have eliminated the second connection between the – I can get the roadway down to 18 feet for a roadway link – one way - spurs off the loop would be 2 way

Chan – parking controls on the loop street

John – correct, no parking should be on the street

Jim – management company, signage

Jim – I think DEP will be OK on the small parking area near the river for the canoe launch

Jim – our progress, looking forward, what we are looking to do is to finish up our notice of intent and file with Concom and see them in late January – 2-3 meetings with them.

Jim – I would rather err on the side of having a wider road down there –

Paul – you want it to be as simple and as clear as possible

John – aiming to have a full set of drawings by the end of December. – the whole package with drainage calcs,

Karylo – what about architecture

Jim – early January, we need to do a whole sample board

DRC meeting – for early January - FIND A DATE

Motion to continue the public hearing to January 24 at 7:35 pm

Motion to accept the request to extend the deadline for action on the subdiviosn plan to March 1, 2006. all yes –

PH Continuation – Betania II ARCPUD and Def Subd Plan

Richard Coppa
Bill ? Perria

Bill – we need your feedback to the zoning board on construction in the flood plain and then open space – I suggest we do the bridge evaluation first

Matt – OK to do bridge first

Bill – bridge – raise road out of the flood plain – john’s design – given to the us by the zba which needs to give us a special permit – they must seek comments from zba, boh and concom – we are cnouraging everyone to get comments – we are meeting with the zba on January 18, the 45 days will have expired by then.

John – the zba’s special permit decision –

Bill – the zba has jurisdiction over construction in a flood plain – zba must grant a special permit; the finding is that the construction is suitable and not negative to the flood plain district – from the questions they asked.

John – there is an existiing cart path road across the flood plain and chicken brook with an existing culvert. The bridge is 14 feet square – 3.5 feet deep. The road runs over that at an elevation from 220 to 218.65 – flood plain goes over the top of the existing cart path – existing condition. Chicken brook goes quite a long waqys to the north but does not flow in a straight path. Cascading set of pools on the way down. Flows over the road to 16 inches in the middle –

we had talked to you about allowing for this and having the road overtopped by flooding and you weren't happy with it – the fire chief and police felt OK – you asked us to come up with another solution which I have done. The solution is to go from the cart path upstream 15-17 feet and place a new granite curbing that is at exact current elevation of ridge path of the road with new culverts – 22 foot road on top of the culverts with guard rails and walls on the side. Asphalt concrete wall.

Paul – what do you mean

John – asphalt with a heavier gravel component

Karyl- how permanent is that, wont it crumble

Matt – why wouldn't you make it cement concrete?

John – we might do that.

Paul – sounds like you will need a wall if you want to keep out of the floodplain

John – the zba will be looking to the PB on the

Paul – you will need to submit hydraulics – how do you know this concept will work without – why all the multiple openings, why not a larger opening – multiple openings may not be the best for the flood plain

Andy – before we make any recommendation to the zba I would want to see it technically reviewed

Chan - I would like to approve the general concept

Karyl – the multiple openings is to keep the roadway lower and not have to raise it

Chan – if you put a real bridge in, it would be wider- I think the solution is OK but you haven't resolved what kind of headwall you will have

Matt – technical details need to be reviewed.

Paul – why are you putting a curb or weir in the wetlands. You can design it to maintain the flood elevations, but you do have to do the detailed design to resolve it. Have you submitted this to the CONCOM formally?

John – no

Matt – do they have an issue with the proposed circular pipes?

Andy – has drc seen the bridge

Karyl – if this is visible and the bridge starts to involve walls, then the drc will be concerned about the surface materials of the bridge

John – the bridge itself has a concrete parapet wall – that will come to the DRC with a surface proposal

Eric – if all we are doing is approving a concept,

Andy - what is the date on that plan?

Paul – September 28th

Andy – if ZBA approves this and then it comes back

Eric – I share the confusion and concern that this hasn't been flushed out more.

Andy – this was the very first issue we discussed, if this is now an issue with the zba, it should be in a more finished state going to them.

Bill – it is not an issue for them, simply procedural

Eric – there is a more important consideration to us. – we have an obligation to the town and to you guys, to sign off on this concept – I want to be reasonably assured that it is going to work.

Bill peria – the question is what are you really approving

Chan – originally you came in with a plan that we expressed concern about that and we told you that. Now, for the first time, we are saying we have come up with an alternative approach.

Bill – what I am trying to ask is – in order for you to respond to the ZBA, what would you need to feel

Eric – some reasonable assurance that we are not going to be putting ourselves in the same position as before – I want this bridge to work.

Andy – we have detention basins that were built in town that were approved but then constructed differently than what was approved.

Bill - no one is trying to ask you send a letter to the zba that you approve this – what do you need

Chan – this is a giant step that you have raised the bridge, and that is great – but what is it going to look like when you get thorough with it – materials

Eric – and is it going to work? To be frank, what it will take to make comfortable is whatever it will take to make Paul/VHB happy.

Bill - john, is that something we can follow up on.

John – the ZBA has a full set of different criteria they are working on, specifically, they need to give us some form of response on the concept and/or the placing of the structure in the flood plain. The question is – do you want to sit down and have a joint meeting with them?

Paul – you need to submit this information for PB, concom –

Andy – I have a feeling it is not going to work, because you haven't given us the info.

John – we have another problem. The ZBA has the oversight of the building of the bridge in the floodplain per their special permit.

Paul – the ZBA wants to know that what you are doing in the flood plain is correct – you need to give us the data

John – The ZBA needs you to tell them what they need to consider

Chan – a culvert is a means to get over a watercourse

Gino – I am looking at the section of the zoning bylaw that applies to this – ZBA cannot act on this without a PB comments or 45 days. – it seems as though they need to be able to determine that the structure is not subject to flooding

Matt – if we were to issue a letter to the zba it would have too many caveats.

Bill Peria – zba will deny it or continue it until they have comments from you

Matt – we will respond to the ZBA within the 45 days and that will have a bunch of caveats in it.

Rich Coppa – that would be January 5th –

What is needed? - Full design and full hydraulic calcs

Gino – our comment is that we have asked for additional information = then it is up to the ZBA

Matt – the letter will state our concerns and what we need from you to be able to issue a recommendation – SUSY, please draft something for our 12-20-05 mtg.

Open Space Component

Bill – we tried to do a couple of things with these plans –

John – arpad is 58 acres; 32 acres open space/62% of the arpad land; we meet all the bylaw requirements – all the criteria are met with lots to spare

John – we have looked at lot 3 (south of arcpud land) – 31 acres total – 26.7 to be open space (86%); Marian community wants to retain approximately 2 acres as a garden area for the community; 16 foot emergency access road (ecoblock)

Bill – draft conservation restriction meets the arcpud requirements – this is a very standard document and we just tailor it to the particular site. It runs to the town through the conservation commission.

Matt – did they meet the open space

Gino – yes, they did – with the first plan –

Bill – lot 3 was not part of the original open space proposal

Susy – what is the area in lot 3 that is not to have open space restrictions

Bill – room for 7 single family homes for a future OSRD for Marian folks who do not meet +55 restrictions.

Gino – you may want to think about implications of restricting most of lot 3 in term of meeting future OSRD open space requirements.

Eric – one of the concerns we have had is about lot 3 – you are going to have to have access that is not restricted to the possible osrd parcel.

Andy – the lot 3 part might never materialize - and it is not technically part of the arcpud –

Bill – this draft document, we agree to restrict all that part of lot 3 and we will do that now in conjunction with the arcpud restrictions

Judy Sousa, Kimberly drive – I want to be assured that the access for the potential 7 homes is going to be thru the marian site.

John – yes

Matt – that would be an emergency access only –

Eric – it would be restricted by the town,

Matt – have you spoken with the fire chief and safety officer about gating it –

Rich – yes, gates, similar to back of the high school gate

Actual ARCPUD count is 77 –

Eric – we haven't talked about lot mitigation

Karyl – I would prefer that there be no proposal for a future subdivision for lot 3 and that all of it should be brought into the arcupud as open space – I would like to see that area brought back into the arcupud

Rich – then how could we accommodate members who are not 55 years old

John – you can't

Karyl – we had earlier discussions about more open space in the lot 3 area – a portion of that has now been sold off for ANR lots – the hope that all of that would be open space is now null and void;

Matt – When the original discussions came in for the ANRs, were they to go all the way back to Chicken Brook

Karyl – no

Bill – arcupud provisions are very clear for open space and we have met all those standards

Karyl – but this is a concern I have

John – anr lots (12 acres)

Matt – what are your next steps

John – to finalize the plan, finish it and finalize it along these lines

Nancy Maxell (diane drive)- looking at the map of vernal pools, your phase 2 area has almost no wetlands.

Andy – does the trail area flood?

John – yes.

Dan Hooper, Naumkeag Street – question on how to connect the possible 7 lot to the arcupud project – it seems a bit of a hiccup to not look at overall scope - trail system – I still see this as a bit of a chintzy approach to the trails – the flooding issue that was just mentioned – over a portion of the trail that is already there - the proximity that the trail has as it weaves through the units. It seems to me that there is a tremendous potential that has no virtually no interruption with the units and I see that working in favor both ways – users of the trail and the owners of the land adjacent to that - there is better potential for the trail – suggest wider easement –

Bill – we didn't want to start cutting new trails – we wanted to work with the existing trail system and contours – the community is willing to have folks come through –

Rich – the purpose of the trail is to make the connection between wenakeening woods in Holliston and the town lands to the south. As we get into it, we may put some screening in or move some houses.

John – I chose 20 foot easement as the trail is now 10 foot – a great deal of it goes thru woods and wetlands and I really don't want new trails created.

Andy – maybe in the area that goes thru the neighborhood, you could widen the easement to 50 feet.

John – I would rather narrow it to 10 and move the houses.

John – we think this is the last of the bricks in the conceptual – we would like you to either say yea or nae so we can move along.

Matt- I would be fine with you going ahead with this open space incorporated into your plan s

Eric – I would concur

Karyl – I voiced my opinon. I stand at that.

Andy – We will still discuss some other issues.

John – what we are going to work on is the final plan that will go into the special permit –

Eric – mitigation discussions will be coming up – there is going to be an impact on the community and we might be looking at ways to help mitigate those impacts.

Rich – this is a non profit organization

Bill – to the extent that we can provide mitigation, there has to be a link between the impacts we are creating -

Continue ph till January 10 at 9 am – for river bend arpuc and subdiviosn – WILL NEED A subdivision extension that nighth . . .

Break – 9:55 pm

Franklikn Creek Definitive Subdivison Plan PH continuation

John Early
Bill Halsing

Bill Halsing – a set of the most recent plans and most recent calcs, culvert analysis, turning radius at the street for emergency vehicles, additional waivers we had talked about and a response letter to VHB's 11-4 comments. – VHB has received all this stuff and VHB has reviewed them with their (12-8-05) letter.

Andy – on your comment on 4.2.2.4 – are you OK with the reduced intersection curb radii

Paul – yes, in conjunction with the police and fire saying that the reduced radii being OK.

Andy – this is a practical application of the type of use

Andy 4.2.7.1 – re: waiver on use of granite curb at radius?

4.4.2.3. – use of PVC pipe instead of reinforced concrete pipe for drain lines –

Bill – we went to CONCOM recently; they would like to see the road even narrower to 14 feet instead of 18 feet.

Matt – I don't think we should reduce the roadway even further. Per our new regs.

Letter from Chief Vinton dated 12/13/05 – Attach and make a part of the record.

Paul – OK that they have addressed all my concerns

Andy – don't like the idea of eliminating the granite curb – and granting a waiver

Susy – have you voted on waivers

Motion to close – andy – chan – all yes to close

9:30 pm - 1/10 to waivers, deliberate and review a draft certificate of action – hopefully act on it.

PH continuation – Pine Ridge OSRD

John Claffey
Paul Yorkis
David Faist

Paul – the hearing was closed on 11/8/05

Draft special permit decision – 10/18/05 draft

A few corrections in the BACKGROUND section – fill in the blanks

Matt – if we find that the application satisfies all the standards, then we must approve the permit

FINDINGS

1. purpose and intent - ok
2. eligibility requirements - ok
3. special permit required – ok
4. pre-application review and site visit – ok
5. 4 step design process – ok
6. procedures – ok
7. formula for maximum # of dwelling units – ok

Andy – there has been some discussion on size of the units/number of bedrooms

Matt – that would be part of a discussion on conditions on the project

8. reduction of dimensional requirements – ok
9. open space requirements – strike last sentence - ok

include a condition on all 3 options for open space ownership

10. general design standards – ok

DECISION –

CONDITIONS

1. ok – specify OSRD definitive subdivision plan
2. ok – appendix A with reference to old punch list and dps memos and chief vinton's standards for
3. ok
4. ok
- new 5 – open space ownership – gino's language

- 6 ok
- 7 ok
- 8 new – re: # of bedrooms

andy – applicant is willing to limit these to 2 bedroom units

8. 100% of the units shall have no more than 3 bedrooms; 50% shall have no more than 2 bedrooms - OK

discussion –

eric – I feel strongly we need to include

andy – I would prefer to see the entire thing limited to 2 bedrooms

9. 2 year window – completion per state law

chan – none of these conditions could have been put on a standard subdivision which he might have considered doing

karyl – is there anything in terms of off site mitigation to discuss?

Andy – that is between the abutters and the applicant

Matt – I would entertain a motion on the special permit

Motion by chan, seconded by eric to approve the special permit – all yes – unanimous

Matt – read thru items a thru g under DECISION –

ATTACH DRAFT permit -

The motion passes –

Board to sign the special permit at the 12-20-05 meeting and will be filed the next day with the Town Clerk which starts the 20 day appeal period.

CO Reports

Paul – early November for ICE and Hartney Acres

CO FEE – Pine Meadow

VHB estimate \$ 8,803.20 – karyl, chan – all yes, Matt recused

Paul carter leaves – 11:35 p.m.

Field Road - Indemnification Agreement

Andy – does it overflow where the detention basin outlets

Matt – I have never seen it full but I don't live there

Andy – on Holliston Street, there is a ranch house – culvert has been dammed up – somebody else putting bales of hay in front of the culvert

Motion to sign indemnification agreement – andy, chan – all yes

CVS SITE PLAN –

Matt – this is a reauthorization of site plan approval vs. a modification

Motion to reauthorize and reissue site plan approval subject to conditions in the previous and these additional – karyl, andy – all yes

Board signed the plans

Smart growth technical assistance grant – jeopardy if matching funds have to be cut with overall town cuts

Letter from John Schroder – interested in filling alan's vacancy

Matt – let's go ahead

Susy to call BOS and ask for a date to meet with them to make an appointment

Pay bills on 12-20 mtg

Motion to adjourn – andy, karyl – all yes

12:10 am

November 16

Called to order 9:50 am –

Vote to go into exec session

Question on mediation – is everyone here on their own

Judge – I generally try to push to state court – but you are here . . . not going to be resolved on constitutional issues but on subdivision issues – you Deborah moved this to federal court – did judge saris question that

Deb – no

Judge – question on sac minutes –

Deb – minutes are not public until the end of litigation –

Judge – does presence of others negate ex session

Deb – it does not

Judge – nothing to be reflected in the minutes as to this private settlement – if there is a settlement or not, and if somebody wants to break the veil, I

I will put on the record – I can never be called as a witness to what goes on here in terms of any future disputes that may arise –

Now off the record

.....

11:50 – presentation by David Faist – Dan Odriscoll – we have developed a revised plan that would be better for town of Medway – as a result of revising drainage we reduced number of lots to 8,

New lotus plan – 13.25 acre parcel left in middle of area – surrounding subdivisions are equal to or more densely developed –

street length reduced to 900 feet – first 375 of roadway is the right of way across the adjacent properties and wetland crossing

reduced impervious to 1.6 acres – now 12% of site is paved and houses – helps drainage design

reduced retaining wall heights – by a - 5.2 feet high – and 3.9 feet – a different type of wall may be possible – wall needs to be designed by licensed structural engineer

Sheet d-1 – I like to keep drainage to match existing conditions – currently drains in 4 separate areas – each drains separately on the site

Soils – basically type c soil – fine sandy loam. glacial till – we did do soil testing to confirm prior tests by prior engineer - surrounding subdivisions are exact same soil type – I do have a drainage study –

Post dev drainage – we picked NE corner and SW corner as 2 design points –

Reduced size of detention pond 1 – is smaller as it accommodates road drainage – the remainder of the road flows to two ponds on NE part of site – both channeled to a rip rap swale thru to parcel A – we reduce off site peak flow runoff as there is increased storage time – good for recharge –

Stormwater treatment – catch basins, showing downstream defender water quality treatment unit prior to discharge to detention pond –

Revised drainage design meets median and mass standards – it will not result in any increase in any post runoff conditions –

Tree line and 30 foot no cut zone –

PB discussed their proposal in depth until 12:45 pm

Deborah – very pleased with the design, very well done – questions on mitigation that you had offered previously is that still on the board – one revision re: Parcel A to link the drainage easement to allow pedestrian linkage/access easement – also the wall design – stone facing and ornamental – we would want that in the wall.

Back and forth with judge neiman

lunch

resolution - get text from Deborah and insert – fund to be dedicated to blueberry hill road construction
all agreed to that -

motion to go out of exec session – eric karyl – roll call – all yes

4:10 p.m.

motion to adjourn at eric and karyl – all yes

4:12 pm

December 17, 2004

PRESENT: Dan Hooper, Karyl Spiller-Walsh, Alan DeToma, Matt Hayes, Eric Alexander

ALSO PRESENT: SAC, Mark Louro

Meeting called to order at 5:36 pm

PUBLIC HEARING CONTINUATION – Hartney Acres Definitive Subdivision Plan

ALAN – for the record, I will recuse myself from these proceedings as I am an abutter.

Dan – I would like the applicant to present – I understand there is a revised plan, reply to VHB's 12-13-04 review letter and letter from Peter Brooks

John Claffey
Paul Yorkis
David Faist
Chris Herron
Steve Bazaryian
Dan O'Driscoll

Paul – we tried as a team to respond to the comments received at the meeting 12-13- all have been responded to in terms of aspects of the plan – I hope that Mark has had sufficient opportunity to review them – with time constraints – we would be happy to answer any questions – we did receive a copy of the draft cert of action and we do have questions about that – we would like to raise questions and offer suggestions –

Dan – as the public hearing remains open, that is a fair request, when it closes – that moves us to another phase

Dan – We have a number of letters to read into the record Read a number of letters – items to read into the record - Matt read

Fire chief Wayne Vinton – 10-26-04 memo -
Jeff Watson – 12-4-04
Board of Water/Sewer Commissioners –
Jepsky and Sack – attorneys representing Kate Newton – Bill Sack
Fire chief – 12-9-04 memo
Dave D'Amico – 12-13-04
Medway Board of Health/Bill Fisher – 12-17-04
Email memo from Alan DeToma – 12-15-04

Dan - Defer reading the letter from the applicant's attorney for now

Dan – Mark, I would like your thoughts

Mark – one of the first items had to do with street lighting – covered in COA;

The southerly wall was extended into the easement in the roadway layout – as long as the easement specifically allows for that – legal matter

#10 on page 3 – there was a typo on sheets 4 & 5 regarding installation of catch basin sediment control

page 5 general comment s- I went thru the plans and still have a c

there is no subdrain east of the culvert. Why not?

Dave – just an oversight; we can add it easily

Chris – we can add it coming in

Mark – fence was noted on the plans to be coordinated with town and applicant

Mark – the issue of driving sheeting to construct the wall – applicant said he would be responsible for all trees – how do we deal with trees that die a year later?

Mark – at east end fo walls again – you didn't put guardrail cause you turned it away – you still need to do something there – that corner is 3 ½ feet off of the pavement – rather than put a wing wall, put guardrail – the guardrail if it is hit, will give –

Dvid – is there a standard you can point us toward?

Mark – AASHTO covers that –

Mark – one thing we mentioned with the stucutral engineer – the bridge wall over the wetland – the wall is set at a constant height – but the roadway profile is slopng – the board may want to look at that again – maybe have top of wall follow the roadway profile –

Chris Herron – fine with me.

Dan – excellent

Dan – responses to that, if any?

Dan – anyone from the public with any comments? Identify yourself and speak

Charlie ross – 5 blueberry hill – I have heard some references to a draft certificate of action – does that outline where the board is at? May the public have comments on it?

Dan – we have it here and we will discuss and yes you may have an opportunity

Mark – wherever the grass strip tapers down to nothing – lop it off and make sidewalk

Matt – the public hearing will remain open as we go thru the draft certificate?

Dan – no, but I am offering them an opportunity to comment on it before we close the public hearing

Dan – I plan for us to take a brief break 5-10 minutes to review

Paul – question for clarification – I know each one of us may have questions – we would like to raise questions about that and offer suggestions for the board's consideration – will we have the opportunity

Dan – yes – I want to take a break now to give everybody has a chance to look at the draft certificate of action and then everybody will have a chance to comment on it.

5:55 pm – BREAK TIME FOR 10 MINUTE S

6:05 – reconvene – public hearing is still open – at some point in this back and forth I would ask Steve Bazayarina of Peter Brooks Letter

Steve – position set forth in that letter -0 the easement that is referenced in the subdivided plan – easement – is binding upon the abutters to that roadway by the fact that the deed references the plan – there is state law to that effect – my position is that a review of the plan and the deed that that is the intent of bozanowski – it is so evident on the plan – that intention can be found – we have also contacted mr. bozanowski and he said he intended to transfer the easement to Mr.

Claffey – I think the abutters of the roadway are bound by the easement as set forth – the fallback argument is easement by estoppel – the abutters would be precluded from arguing that they didn't know the road might occur –

There is an express grant vis a vis the deeds but moreover there is an implied or equitable grant –

Dan – it is interesting the kinds of considerations we have gotten on this very issue – not on this plan – but up on broad acres farm – there is a concern about this very same issue – some of the answers we have gotten are contrary

Dan – what if abutter a and b were just asked to acknowledge the easement's existence

Steve – my understanding is that they were present at the meeting the other night and they didn't jump up or down – that would further bolster the estoppel argument – they are clearly aware

Mark – would it be possible to get something in writing from them to say that they are aware of the easement – that would help things if you could get – if they could do so it would help everybody –

Dan – aware that the easement exists – it still remains a question as to whether it is mandated that an easement be identified in the actual deed – so it is called out in the deed –

Steve – the problem with the law is that there is more than 1 way to skin a cat – my understanding is that it doesn't have to be set forth in the exact expressions – if it is not set forth what governs is the intentions of the party – Mr. Bozansowski says he meant to give it to John – plan is referenced in the deed and ipso facto – even if this express grant is not given, the easement is there because they knew it was there – if we can do it

Karyl – I don't know if I exactly agree with you – are these neighbors legally bound to this – I don't think so – I doubt it – it certainly would be a lot easier if we had letters – the easement that is referred to in the roadway – is that easement real in its own documentation –

Mark – the easements that we are talking about here are the two corner roundings on the abutters

Steve – Bozansowski retains the easements on the abutters property – he doesn't need to register that easement because he owns the property

Mark – it is referenced when those lots are sold – the easement doesn't matter until

Paul – page 4 – waiver list

Specific condition # 8 on the Easement issue

Steve – how do we do that

Mark – letters from the applicants?

Dan – what I know we are trying to do is to assure anyone who may have concerns or issues hereafter that the two lot owners subjected to these easements have been informed through this process – whatever that means – it is our responsibility to ensure that there is noted confirmation of the easement issue by those land owners – in what form, it may just be a letter from you saying that you had a conversation on such a date – maybe they will sign – at least we have done our due diligence with respect to the easements – with respect to the uncertainty –

Steve – if that is your intent, then prior to endorsement

Dan – how about a certified letter –

Paul – I am not sure we can do number #8 the way it is presently written

Paul - #10 – I have taken the liberty of preparing a substitute for item #10 – it is a more precise description – reference a page number on the plan – take into consideration the utilities and drainage

OK

Read into the record – paul’s suggested change on item #10 –

Paul – item #12 – in the past, the CONCOM has been slow to indicate acceptance of parcels – what happens if they say they don’t want it – the intention is for them to accept e- ask that the board change the language so that we are in a position to have enough time to work with them to get that. I don’t know how long it will take to get their approval – I just don’t know

Eric – I think we ought to fix first sentence too –

Dan – I am OK – change it to prior to first lot release –

Susy – try to do it before hand

#14 – retaining wall

chris herron – two comments – the draing – question on the 4-6 inch cap

paul – our preference would be to have it without a cap and to have it look as natural as possible

karyl – from the top, it will look like just concrete – at the time, we felt it was a way of finishing it off – it was a preferred solution to what to do at the top –

chri – the marketing materials for this material – it looks great straight on

OK to remove 4-6 inch cap.

Item #15 – Fencing –

Paul – this is a very confusing issue – I have for you – mr. claffey met with Bob Speroini – we are talking about the left hand wall as you enter the property – bob speroni indicated and what the code confirms is that no fence is required – we are representing to you that that is a statement of fact – but there is also logic and safety from the top of the property that abuts this – we are proposing a fence even though one is not required under the building code. Bob’s review is that no fence would be required. –

Dan – what is maximum height on south side wall?

Chris – 7 feet high.

Paul – so the representation that is going way back where we indicated no fence was required – we were correct.

Dan- let me correct you – that is not what was said – you said none are necessary – the inference was that none are going in there.

Paul – we believe it is necessary- the bulding code doesn not require – we believe it is in the best interst – we have a proposal for a fence – what may have happened in the past re: what the safetyofficer said is irrelevant this evening – we are trying to address a safety concern tht we and the PB see and most with common sense –

Paul – We have a sample of the fence that Chris was able to bring up – this is not aluminimum – it is steel – we think it is a better prodct

Chris – alum fence that you were speaking of last time – difficult material to work with –

Dan – is this the type of fence going in where the fence is to be applied – pointed spindles at top

Chris - it will be flat topped - the fence will be 2 feet 6” –

Dan – get it to be approved by the police department –

Paul – rail on top of the fill wall over the culverts

Chris – we had discussion s on how big a sphere can fit thru – 4” – we also raised the height to accommodate bike riders

Karyl – maintenance?

Chris – black powder coated is good

Dan – in terms of design it will be complementary to the fencing – black – I am OK with this

Paul - item 22 – we would indicate to you that we are concenreda bout – there have been a number of things we have treid to do this enveing to addrss your concerns that were expressed at the earlier hearing – I would indicate to the board that there is

Dan – we will take your concern under advisement

Paul - #23 – why the difference in Amount

Paul = #27 – I believe that all fees were paid at the end of the prior

Steve - # 8 – replacement language proposed by Steve bazarian –

Mark – suggested he had text re: sidewalk and guardrail –

Dan – back to page 1 – residual issues .

of linear feet of stoen wall

page 3 – item #4 - - I refer to the letter of DPS re: his estimate that this work in fact may be more costly for the town now that the town – I will preface any discussion on this matter – that since Hartney I and Hartney II, there has been an agreement that they would pay the town \$20,000 and several of us have said – it was not based on anything specifically – it is a mitigation figure that we are now at – that was where we came to that day - do we want to

karyl – you might take into consideration what might happen on Nobscott –

eric – I feel it is unrelated – I also want to acknowledge – clearly we agreed on the 20,000 figure – perhaps it would be appropriate to appeal to the applicant that the figure we agree to tonight be slightly higher considering the recommendations of the DPS

karyl – I think you need to give it a figure –

eric – we take the 20,000 figure – but we have new information that the figure is not sufficient – I would propose that we go toward the \$5,000 range

karyl – yes

matt – yes

john claffey – I would like to increase the donation to 25,000 and eliminate # 22

dan – I want to take an informal vote

eric – yes

karyl - yes

matt - yes

dan - yes

Paul – I just checked with Mr. Baayzarina – he advises that Mr. Claffey is willing to amend the agreement

Steve – I can contact Deborah on that

Dan - # 9 – fix

Paul – item #15 -

Final comments form

Jeannette Morton – I want to be clear that we don't

I want to clarify that things were looked over carefully

Mark – the first plan we say was dated October 26 and then we had the following week – from a drainage perspective the plans were in very good shape – all in conformance to the regulations – we were there very quickly on this

Jeannete – repair of the catch basin – will there need to be large equipment to do so

Mark – no – it will be within 20 feet of that area

Jeannete - #9 page 5 – tree preservation – will there be electrical coming down parcel A –

Paul – no

Jeannete – site walk – could I be present for parcel A – how will I be notified

Paul - I will notify her

Jeannete – parcel A – public recipient

#20 and #21 – can anybody tell me if I am within 1000 feet of blast site – how do we know if the wells get damaged

Dan – blasting is its own permitting endeavor –

Paul – this presupposes there will be blasting and we don't feel there will be – we don't foresee –

Dan – I think you would be notified thru a different process – talk to Bob Speroni – we would like to know the results of that

Charlie Ross – 5 blueberry – after this you will close and go into exec session

Dan – no, open

Charlie Ross – my wife and I think that this plan is a lot better than the one presented earlier – we are directly behind the end of the road – we would be supportive of granting the waiver for the 900 foot roadway

Chris Herron – any more concerns on alum vs. steel fence

Karyl –=

Motion to close the public hearing for – Eric and Seon by Karyl – unanimous –

Deliberations

Any discussion on findings –

Matt read section on waiver – insert text here –

Votes taken – approved

*****8

matt, susy and dan to work on the budget – alan and eric – motion =

funnel ideas, concerns, etc. – to Susy Affleck-Childs

motion adjourn – alan, kayrl -0 all yes

7:23 pm

December 20, 2005 – Medway Planning Board

PRESENT: Matt Hayes; Chan Rogers, Karyl Spiller-Walsh, Andy Rodenhiser

ALSO PRESENT: SAC, Gino Carlucci, Paul Carter, John Schroeder

Order at 7:34 pm

Citizen comments -

Mark Cerel – 6 Franklin St. there is an issue coming up tonight, ought to be brought to your attention – applicant is addressing property at 149 Main Street – one of the existing uses there is a day care center – that was put in because of the fact that the town has failed to take advantage of the ability in state law re: exempted uses (day care center) – but you can imposed reasonable regulations regarding bulk of building, height, setbacks, etc. open space, parking, etc. – neighborhoods are completely vulnerable to

Matt – aren't those covered by the zoning bylaw

Mark – you would have special provisions in the zoning bylaw for the following minimum requirements – limits

Sac – we do have authority in the new site plan bylaw to address this

Open Public Hearing for the Maids –

Motion to waive reading of – karyl, andy – all yes

Matt – it has come to my attention that the applicant would like to continue the public hearing

Robert Goodliffe – susy suggested

Continue to January 17 at 7:35 p.m. – andy, chan – all yes -

Distributed copies of review letters from VHB and PGC Associates

Distributed copies of updated AUOD bylaw – as revised at June 2005 annual town meeting

Matt welcomed John Schroder to the PB – appointed by the BOS – town clerk is out this week and he has not been able to be sworn in

Mark Cerel – doing this thru site plan review is not sufficient – separate section of zoning bylaw

Questions on parking standards for special permits -

Gino comments . . .

ERIC leaves 7:50ppm – will return at 9:15 p.m.

Plan Review Fee for Restaurant 45

PGC – \$525 – motion to accept – andy, chan – all yes

VHB \$6060 – motion to accept – karyl, chan – all yes – NO Matt

Karyl's request – Please print PROJECT IDENTIFICATION larger – bigger heading – Susy, Gino and Paul – bigger and BOLD

INVOICES TO PAY

PGC – 112.50 for general consulting services – andy, karyl – all yes –

PGC – plan review – 12/19/05 invoice date – 881.25 – karyl, chan – all yes

Stacey Wetstein - \$610 – andy, karyl – all yes – Consulting Services

VHB – CO 551.74 – Birch Hill – karyl, chan, - all yes – matt recuse

VHB - \$2,406.89 Plan Review – karyl, chan, all yes – matt recuse

VHB - \$1,554.50 – karyl, chan – all yes – matt recuse

VHB – plan review - \$9390.50 – karyl, chan – all yes, matt recuse

VHB – CO – 8100.48 – karyl, chan, all yes – matt recuse

VHB – plan review - - HOLD OVER – includes Wingate Farm - hold over 2 invoices until John Schroeder can vote

VHB – CO – 5789.71 – karyl, chan , all yes - matt recuse

Moiton on CVS – add this finding in update the date for approval of whole thing

Add a finding - andy, kayrl – all yes

Construction Observation

ICE report – tied to bond reduction request

Andy – did they submit an as-built? Is that really OK

Matt – we have to make sure the detention pond is built to plan

Andy – is an infiltrator required there

Paul – I don't believe an infiltrator was required

Paul – references correspondence from David Faist dated 12-16-05 with as-built plan drawing of detention pond on lot #9

Public Hearing Continuation – Hopping Brook Definitive Subdivision Plan

Matt –

Paul Zonghi – I am making a proposal – town of medway does not put in granite curbing anywhere in town except route 126 and main street – I do have figures from the town's jobs – I have estimates

\$3,850 – roughly – 135 feet

Karyl – I think what we need to do is go through this – we need to get our facts straight – the number for Wingate is wrong – it wasn't based on Wingate Farm Road, it was based on Holliston Street

Andy – we need to be fair and consistent

Andy – what is the basis for the formula – how is it figured –

Matt – when the estimate was prepared, type of street that the frontage is on – in our new rules and regs, we have different cross sections for different types of roadways – determines what type of sidewalk, what type of curbing, - no specific standard for scenic roads

Various discussion on inconsistencies among our examples

Paul – contract that the town has with a paver –

Andy – I did speak with Dave D'Amico re: where he wants granite curbing – he said 109 and 126. hard edge curbs are hard on the plows; I don't know if that is consistent with our

Paul – I did put together an estimate for berm instead of granite curb –

Karyl – I made the comment last time, we need another description of sidewalks – we measured meandering sidewalks on scenic roads

Andy – we need to have some discussion re: fixing this problem

Matt – I don't want to put a linear cost in our bylaw or regs –

Paul – my point, even looking at the price per wheelchair ramps, they should be the same price

Matt – we determine the scope of the work

Paul – ICE comes in at about \$35

Paul Carter – My estimate reflected updated Mass Highway pricing

Matt – I would consider taking off the contingency from what paul carter's revised estimate (\$8,642.40) – reduce cement concrete wheelchair ramp by 10% would make it \$2160 - would bring it all to \$ 6,962.

Paul Zonghi – that would be OK – roughly \$40/sq. foot

Board agrees –

Andy – perhaps we should acknowledge that there is a problem with this that we need to address this – we need to fix this before we move forward

Matt – we absolutely need to address this ourselves

VHB's review letter – of December 19th –

Paul – we reviewed the revised plans – our comments have been addressed. There are a couple of things the board may want to consider in our decision – did the fire chief ever provide a letter regarding reduced size of turnaround

Susy – I am not sure??

Paul – do you have approval from concom

Steve – had our initial meeting and had our site walk – looking to approval on January 5th – they did ask for something from VHB saying that stormwater management is OK. They seemed to be happy with the delineations - we would need a copy of the order of conditions from concom

Paul – I will send them a copy of my dec 19 letter.

Matt – any other info the applicant wishes to provide

Matt – any abutters wish to comment

Steve – track down a letter from the fire chief

Motion to close the public hearing – chan, andy – all yes

Request for extension on deadline to February 15, 2006 – action deadline

Will consider a draft at January 17 special meeting

SAC – do Cert of action

SAC – work on some sidewalk fund standards . . . for various

ICE Bond Reduction –

VHB estimate is \$50,616 dated 12-16-05

Paul Yorkis – Everything is OK

Motion to reduce the bond – chan, andy – all yes

Eric Alexander - returns 9:10 pm

Pine Ridge – signed Special permit

Paul – we will begin within next 14 days, begin testing at the site where detention pond is proposed to go – that is the only testing we need to do at this time –

Matt – any clearing

Paul – we are using a backhoe – minimally invasive during that process – only other testing we anticipate is the crossing for the emergency access where we need to determine the structural aspects of that – otherwise, we think we are all done – we will be in as quickly as we can with the subdivision – the plan is to go forward with the design review committee to look at the building plans – as soon as we can get a landscape architect – we will first meet with the abutters to give them a shot at that and try to get as much input from them and that plan would go to the DRC as well, so we hopefully will be in a position to present to you a complete def plan .

Karyl – I am not so sure what is going to happen – if there is going to be any sort of retaining wall, just a heads up that we will want to see a nice wall

Paul – we are going to stay away from that – the whole approach we are going to use is the approach that was outlined in the special permit – we are staying away from that

Karyl – you are pretty comfortable that you can stay away from that

Paul – based on what we know now, we are fairly confident – if there would be a substantial change to that plan, we would need to come back to the PB

Chan – during construction, what access would you be using

Paul – candlewood drive; before we even take the backhoe in to do some testing, we will let the abutters know – strictly for testing

Chan – you need to do some clearing to get the backhoe in

Paul – a very modest amount – we want to leave things as much as they are

John – we will try to utilize the trail – mark where the boxes will be going so we can do the testing –

Chan – specifically to get thru the hedge at the tree line

John – yes – we will do that where the driveway is on

Andy – I would encourage you to keep as much communication going as possible with the residents – try to minimize the

Paul - I have committed to showing them the draft landscape design – hopefully we will get some feedback from them. I am cautiously optimistic – happy holiday

John – thank you

Eric leaves at 9:20 pm

Pine Meadow endorsement –

Matt paid CO fee –

Board signed plans and covenant –

SAC overviewed agenda for 1-10 mtg

Motion to adjourn – karyl, andy - all yes

9:45 pm

DONE for 2005!!