

**Town of Medway  
Zoning Board of Appeals Meeting  
School Committee Presentation Room  
Medway Middle School  
45 Holliston St, Medway MA**

**MINUTES OF MEETING**

**February 15, 2017**

**Present:** Chairman David Cole; Clerk Carol Gould; Committee Members: Eric Arbeene, Brian White, William Kennedy; Associate Member Rori Stumpf.

**Also present:** Stephanie Mercandetti, Director, Community & Economic Development; Mackenzie Leahy, Administrative Assistant, Community & Economic Development

Sean Reardon, Tetra Tech, Peer Review Consultant

Chairman Cole called the meeting to order at 7:36 PM.

**Citizen Comments:**

There were no members of the public that wished to make comments on items other than those already on the agenda.

**Public Hearings:**

**7:35 P.M. – The Applicant, Timber Crest LLC, seeks a Comprehensive Permit under MGL c. 40B, Sections 20-23 as amended, to allow construction of a 157 unit development to be called “Timber Crest Estates” containing 25% affordable units on 170.36 acres which is comprised of the properties located at 143 Holliston Street, 153R Holliston Street, 177A Holliston Street, 21R Fairway Lane, 13 Ohlson Circle, 102 Winthrop Street, 11 Woodland Road, 0R Woodland Road, and 165 Holliston Street, Medway, MA. [Focus Areas: *Site Design, Landscaping, Open Space, and Screening/Buffering; Discussion of Extension of Time*]**

The Board is in receipt of the following materials:

- Public Comments, Andrew Hamilton, received February 2, 2017
- Public Comments, Sean MacEvoy, received February 9, 2017
- Public Comments, Dave Dahlheimer, received February 13, 2017
- Proposed Floor Plans and Elevations, received February 14, 2017
- Proposed Landscaping Elements, received February 14, 2017
- Plans Showing Lots Impacted by 25 Foot No Touch, received February 14, 2017
- Public Comments, Ellen Schaefer, received February 15, 2017
- Public Comments, Dave Dahlheimer, received February 15, 2017
- Public Comments, Dave Dahlheimer, received February 15, 2017
- Public Comments, Andrew Hamilton, received February 15, 2017

- Revised Plans Stormwater Peer Review, Tetra Tech, received February 15, 2017
- Revised Plans Water, Sewer, and Site Design Peer Review, Tetra Tech, received February 15, 2017
- Revised Plans Wetlands Peer Review, Tetra Tech, received February 15, 2017
- Proposed Landscaping Plan, received February 15, 2017
- Proposed Phasing Plan, received February 15, 2017
- Revised Comments, Design Review Committee (DRC), received February 15, 2017
- Revised Comments, Planning and Economic Development Board (PEDB), received November 4, 2016,
  - o Provided again to the Board for reference
- Revised Comments, PEDB regarding Street Naming Committee, received November 21, 2016
  - o Provided again to the Board for reference

Mounir Tayara, Applicant, Attorney Agostino, RIW, Paul Cusson, Dephlic Associates, and Jim Pavlik, Outback Engineering were in attendance.

Attorney Agostino stated that the new plans show the designs for the site entrances, the second element would be the typical lot layouts and plantings, and the third element would be buffering to neighboring properties where neighbors have addressed a particular concern or request. To the extent that any neighbor has a particular request, they are advised to meet with the applicant to address their concerns.

Mr. Pavlik stated that there are two plans. The first is the proposed landscaping plan that details the site entries and the proposed screening for some of the abutters on Fairway Ln. The plan has notes in the middle regarding the proposed tree plant types, which was taken from the Subdivision Rules and Regulations. The entry along Holliston St will have a stone subdivision sign and a decorative type of flowering tree with shrubbery; the Winthrop St has a larger entry that will have some trees along the roadway as well as a subdivision sign and shrubbery. The bus shelter lot on Winthrop St will have grasscrete, as previously discussed, so it will look like a large lawn area; at the corner is the proposed bus shelter. There is a similar layout for the Holliston St bus shelter lot, but with less parking. There will also be split rail fences along the parking areas. There would also be screening provided about Road H.

Attorney Agostino also noted that Mr. Tayara had also prepared bus shelter and mail station elevation models. Mr. Tayara stated that the shelters would have stone veneer, copulas, high pitched roofs, wooden lap siding and stone lap siding, and would include a walkway to the edge of the road. Mr. Tayara also showed the schematic of the proposed stone wall along the entrances. There would be three signs, one along the entrance of Fairway Ln into the development, one along Holliston St, and one along Winthrop St. The schematic also showed the flowering tree and shrub or flower bed in front of the stone wall.

Mr. Tayara showed a typical east side lot layout, with one tree planting and eight to ten shrub plantings along the side of the home. The west side has a more classic layout with one tree, shrubs in front of the home, and pavers from the driveway up to the front entrance.

Chairman Cole noted that there was a planting plan for the end of Road H, but there is a similar situation along the west side of the access road to Fairway Ln, Road I, where there are 3 lots close to the rear end of [21] Fairway Ln. He asked should they not be treated the same as the other lots on Fairway Ln above Road H. Mr. Tayara stated that the plantings suggested came from requests of abutters as mitigation. Mr. Tayara stated that at the last meeting, they had asked that anyone who had any particular concerns to please contact and/or meet to discuss potential mitigation. Chairman Cole stated the other area of concern was the south side of Road F.

Mr. Arbeene asked if the applicant was proposing to clear cut everything; Mr. Tayara stated that they would be clear cutting everything in front of the 15 foot no touch [except where shown on the plans]. There is a practical reason for one tree planting which is that utilities [water and sewer] need to be 10 feet apart and he prefers not putting them under the driveways in case they need to be accessed. Mr. Arbeene stated that clear cutting as a new development doesn't match any of the surrounding neighborhood; he would prefer the applicant trying to blend in with the neighborhood. Mr. Tayara said to keep in mind that everything else [on the project area] is heavily wooded. Mr. Arbeene stated that the Board would do its due diligence in providing appropriate conditions.

Chairman Cole asked if the applicant was using curved signs; Mr. Tayara responded that they were, though it was more difficult to have a curved sign along Holliston St. Chairman Cole stated that the Board had recently approved double curved signs along the entrances of Medway Shopping Center and a development along Village Street so that the entrances were not missed; where Holliston St and Winthrop St are two main town roads, he feels the conditions should be similar so that someone isn't stopping short. Mr. Tayara stated that they focused the sign in the direction that they felt would have the most travel to the development, but could look into adding additional signage. Mr. Stumpf stated there should be street signs.

Mr. Kennedy acknowledged that these were just schematic designs, but asked if sight lines were considered in these designs. Mr. Pavlik said they do not show on the plans, but they were incorporated in designing the plans.

Mr. Kennedy asked if there was an overall master plan landscaping guideline or if there was a landscape architect; it is a pretty big development. Attorney Agostino stated that they was not at this time, but during the final design they could look at that type of design. Mr. Kennedy said it would be helpful to see a master landscaping plan as best as possible; Mr. Cusson said that this development would really apply to an overall master plan where each lot would be developed individually and instead have concentrated on the areas that area open or along the entrances. A landscape architect might have comments on particular trees and the lots where they are appropriate but otherwise Mr. Cusson does not see where they would be beneficial. Mr. Reardon stated that there are 9 or 10 cul-de-sacs and 6000 to 7000 feet of roadway; there is a lot of area here where there are not street trees planned, no landscaping plan, and it would be helpful to hire a landscape architect to compose a better plan for someone looking at the development and would add value. The plan looks like it was done by an engineer. Mr. Tayara stated that they had no problem supplying something to the Board from a landscape architect for the final plans. Attorney Agostino said that is something that could be proposed as a condition for the final plan set. Mr. White stated that there is plenty of existing vegetation and different sun exposure, and believes the proposal would definitely require a landscape architect.

Mr. Kennedy asked if there was an architect involved in the design of the homes; Mr. Tayara said that the design for elevations are done in-house. Mr. Tayara stated that they provide clients with the choice of home style and floor plans. The clients also have a choice of finishings; they don't like cookie-cutter homes. If a design has been overbuilt, they will take it out of the mix.

Mr. Kennedy asked if there had been any plan specific to Lori MacKay's property. Mr. Tayara said that he was trying to get in contact with her.

Ms. Leahy stated that the PEDB had requested some level of street tree landscaping. Ms. Leahy was also concerned because Winthrop St is a scenic road and it appeared on the plans that the applicant planned to clear cut everything, why not maintain some of the trees that are existing on that scenic road. Ms. Leahy was unsure whether or not it had to do with sight distances at all but she didn't see why some trees couldn't be maintained.

Attorney Agostino stated that the one tree per lot would be up to the lot line as close as possible to the roadway. As far as the site entrances, the initial removal was for sight distances, but they could include a condition that sight triangles should be included and prior to any occupancy, the developer would go out and determine what needs to be removed for sight distances and what can stay.

Ms. Leahy continued from Chairman Cole's comments regarding screening, she noted that there was screening to be provided for 13 Fairway Ln and 15 Fairway Ln, but Lori MacKay, Andrew Hamilton, Sean MacEvoy, residents of Woodland Road, PEDB have all expressed their concerns either in writing or at the public hearing about screening. She stated that whether or not the applicant heard individually from anyone, it would be important to show that on the plans; it's been mentioned multiple times by multiple groups of people who have attended multiple public hearings.

Ms. Leahy also wanted to know if the applicant would be submitting any information on the materials to be used for the signs as well as the houses.

Ms. Leahy said that it appeared as though there was a sidewalk on both sides of the roadway on some of the plans, but the road profile only should sidewalks on one side. She was unsure if this was an error in the plans or if the applicant could clarify that for her.

Attorney Agostino said that the proposal was one sidewalk on one side of the road. Ms. Leahy said that it looked like there was a sidewalk on both sides of the road even if it wasn't labeled. Mr. Tayara stated that was the road layout with one side as the sidewalk and the other side a 7 foot right-of-way grass strip. Mr. Tayara said he could see how it might look like a sidewalk. Mr. Pavlik also stated that within the waiver list, they have routinely said that there would only be one sidewalk.

Attorney Agostino stated that it was more productive to have specific buffers for specific neighbors and would make those efforts if they heard specific requests, ultimately the Board could ask for a buffer or some plantings. He stated that what they would anticipate as a condition would be that the landscaping, buffering, and screening would be consistent with the schematic plans submitted to the Board during the public hearing.

Attorney Agostino stated that with the time of build out, the developer needs to have some flexibility with palette [materials] to work with clients, but if there was any substantial change, the developer would consult with the Board to stay within consistency guidelines.

Chairman Cole noted that there was a potential grasscrete shoulder to the southern side of Road F and nothing similar anywhere else. Mr. Pavlik stated that was discussed a little last meeting, but something the applicant is willing to do if the Board feels there should be additional area for bus queuing. Mr. White stated that was something that he had asked the applicant for. Mr. Pavlik stated it would be a chance for drivers to pull off the paved road. Mr. Reardon said that was a great idea to control where people queue. Mr. Reardon asked if the areas were planned to be lit. Mr. Tayara said they had no objection, but they would prefer to have some minimal lighting; Mr. Reardon said that as a preference to abutters, it would be better not to be lit. Mr. Pavlik suggested security lighting with motion sensors; Mr. Reardon said those can be very problematic to neighbors and that's why it needs to be shown on the plans.

Mr. Reardon said to the point of buffering and screening, there is nothing wrong having individual conversations, however, there should be some considerate overall plan. Ms. MacKay is going to be directly affected—a landscape architect would pull that out and note appropriate measures to be addressed. Attorney Agostino said it was brought up at the last meeting and there will be a thoughtful approach to addressing it. Mr.

Reardon said there will be a lot of sound, a lot of light, it's better than a home but also a difference from what's existing.

Mr. Reardon asked if there had been any consideration in the parking layout [of the bus shelter lots]. Mr. Pavlik stated that they tried to fit as many spaces as they could.

Mr. Reardon asked for clarification if they planned to have any trees in the right-of-way grass strip. Mr. Tayara said that usually towns don't like that because of maintenance, and often that strip is used by utility companies. Towns typically ask for trees on private lots so that the homeowner has responsibility of the trees. Mr. Reardon suggested also taking off that no one like tree shall be placed next to another like tree, where there might be a need to cluster certain types of trees, which is something that a landscape architect would look at. Mr. Tayara said they did not have a problem with that, but usually they are asked not to have similar trees in a ROW; Mr. Pavlik said that was actually the Town regulation.

Chairman Cole asked if there would be lighting in the mail box pick-ups. Attorney Agostino said there would be minimal security lighting for the mail boxes. Mr. Arbeene said the Board would like to see more detail on the lighting. Mr. White said it should be something tasteful and appropriate; the bus shelter shouldn't be dark. Chairman Cole agreed. Mr. Tayara said the bus shelter would be facing the roadway and would have a 10 inch window on one side; the applicant could add a second window on the other side if the Board wanted.

Mr. White said he would like to see some forward thought on some outlets for the kids' electronics if possible.

Chairman Cole asked if there was any street lighting in the development at all. Mr. Tayara responded that they weren't proposing anything, but on a typical lot, the houses would be set back 20 feet and the houses would have a minimum of 3 or 4 lights on the front, 2 around the garage and 2 by the front door. Street lighting on a subdivision like this project would not be appropriate. Mr. Kennedy asked if there were any waivers requested for the lighting within the development; Mr. Pavlik stated that there were waivers—waiver number 33.

Bob Tucker, PEDB, stated the Town lighting regulation encourages no lighting pollution outside of the house lot onto the street, his opinion being that the lighting proposed for the project is reasonable. He wouldn't want to see light pollution going out on the street that would hinder motorists or people walking by, but doesn't have an issue with security lighting with low foot candles, especially within the bus shelter or mail boxes. The PEDB normally requires a photometric drawing as part of an application and with that, the PEDB looks for zero foot candles at the property lines; not meaning that you won't see light, but that it won't be measurable light towards the right-of-way. Most lighting manufacturers are willing to work with developers and in some cases can provide shielding of ways to deflect the light where it needs to be.

Mr. White said he would like to see lights in between the larger stretches that don't have houses—Algonquin Gas Easement, Road I between lot 81 and 106. Mr. White wants to ensure that there aren't going to be a "scary sections" that would go from houses being lit up to darkness. Attorney Agostino said the applicant would look at those sections and if needed, they would propose solar powered street lights in a few places that might be appropriate. Mr. Arbeene said it could be some type of bollard or low light. Mr. Tayara said he would prefer lights with low maintenance, even 10 foot lights that shine down. Attorney Agostino said that as far as depicting the lights on the plans, it could be included as a condition for the final plan.

Mr. White asked if there was a total number of trees being taken down versus the total number of trees going back up. Attorney Agostino stated that the Conservation Commission has jurisdiction independent from the

Wetlands Protection Act, they will be looking at whether or not there are other areas they can preserve, but a specific number has not been calculated, to the extent they can be preserved, they will be preserved.

Ms. Gould stated the applicant is asking for a waiver from the 30 foot greenbelt buffer and Ms. Gould believes a buffer would be more beneficial than just screening. Going back to Ms. MacKay, it would benefit her. Attorney Agostino stated that in these types of developments, 30 foot buffers are not feasible, but there are individual mitigation measures that can be taken.

Mr. Pavlik stated that the phasing plan identifies 7 different phases and has sequential numbering; on the west side of the development, they would be starting off of Winthrop St, with Road A and Road C [and Road B]. In order to put that in, they would need to run the utilities down to Ohlson Cir, so the roadway would need to be cut out, that phase would be 1W. The second phase on the west would be 28 homes under the Boston Edison Easement, including the remainder of Road C and a portion of Road D. The sewer would already be in, but they would be constructing the emergency access to Ohlson Circle; the emergency access road would be constructed with a hard packed gravel surface to the Fire Chief's satisfaction. The third phase would be the remaining homes on Road D and Road E. On the East side, the first phase would be 1E coming off of Fairway Lane, that would be all gravity sewer in Road I and the water and sewer would be crossing the Boston Edison Easement and tying into the end of Road D. The next phase would be 2E, the entire road coming in off of Holliston Street connecting to Road I; there would be a couple of lift stations in that phase and the water would be connected out to the water main on Holliston Street. The third phase would be the southern portion of Road F [below Road I] ending in the cul-de-sac and that would be gravity sewer to the intersection at Road I. Then there are the 3 homes off of Fern Path remaining.

Mr. Pavlik stated that the homes would be constructed per each phase but the infrastructure might extend beyond those areas. The applicant is proposing that up to 30 occupancy permits are issued per year. Where there are 154 units, the full build out may take 6 years. One of the concerns was how fast the proposal would be developed, given the applicant's proposed condition, it would take at least 6 years, and that would also be somewhat driven by market conditions.

Mr. Stumpf asked if there would be parallel build out between the east and the west sides of the development. Mr. Tayara explained that even with parallel build out there would still be no more than 30 occupancy permits issued per year so as to gradually add to the school systems.

Chairman Cole stated it was his understanding that the emergency access for the western portion of the development would not be built until phase 2W; Mr. Pavlik stated that was correct. Chairman Cole asked how long the road would be in phase 1W. Mr. Pavlik stated that from the intersection of Winthrop Street to the end of Road A was less than 600 feet and Road D [intended to say Road C] to the easement line is between 200 and 300 feet.

Chairman Cole stated it was his understanding that the east to west connection was necessary for water pressure for the fire hydrants. Attorney Agostino stated that the applicant was still waiting for one last iteration from Kleinfelder that would dictate how the connection is phased into the final plan. Attorney Agostino stated that the water issue will be conditioned that it will be sufficient and planned out accordingly, which is why the applicant funded the study on water pressure. Chairman Cole stated that the Board didn't want an intermediate phase where sufficient water pressure wasn't available even if the system will be satisfactory at the end of the

development. Mr. Tayara stated that there is enough water pressure where the development would be starting and then once phase one on the west side is constructed, they would be connecting water to Fairway Lane and the sewer and water would be connected from the east to west side, so the looping process would start during phase one on the east side. The end of Road F has been saved so that all connections have been completed. Chairman Cole asked if the sewer connection would be constructed as part of the first phase; Mr. Tayara stated that was correct.

Sean Reardon stated it might be helpful to include what would need to be constructed as part of each phase, so for example phase one would require a temporary turnaround, it would be nice for those improvements to be shown so that as a group, the Board can understand what will be completed for each discrete task. Attorney Agostino asked if that was something that Mr. Reardon anticipated to be a condition for the final plans. Mr. Reardon stated that a condition would have to be extensively drawn, so a plan usually helps because it saves the Board from needing to write the condition that is that specific. Attorney Agostino stated that a condition might be that phasing shall show individual phasing per each phase and demonstrates that there will not be any conflict in necessary construction, water pressure, sewer capacity, and the like, and if a problem arises, that would be the time the applicant trouble shoots.

Mr. Arbeene asked what would happen if the market took a dive and section 1W was built and the road was built but there was no market. Attorney Agostino stated that the road infrastructure would be built prior to the Town releasing any surety it has; the road would just be another serviceable road built to the Town's standards. The houses are subject to market conditions, but at any one time, the infrastructure will be in place and will not be abandoned. Mr. Tayara stated that even if the market is slow, he tries to keep the things going with a house here and there. Mr. Reardon stated that what would usually happen with the planning board would be that the applicant would bond a section of roadway for the houses to be built to ensure that there is enough surety that those sections of roadways for those houses are built. Before they could open the subsequent phasing, they would need to post a bond to ensure that before they start, the road would get finished to the Town's minimum standards.

Mr. Kennedy asked if there was a waiver for the bonding. Attorney Agostino stated that there would be bonding but the form of bonding is the discussion that usually ensues. Because of the necessary infrastructure, it is going to be expensive to bond. One the ways that the applicant has bonded with other towns was to pledge lots as a form of surety that the town could take the values of those lots to ensure that the infrastructure is built out. The law provides for three different types of bonds. Mr. Reardon stated that the Town has had a history of having issues with the completion of the roadways, houses are sold, and the developer leaves. The only guarantee that these roadways will be finished is if there's enough cash or insurance money that ensure the completion of the roadway. Mr. Reardon stated that they can bond in phases, so that if only 12 houses are being built, you only needed to bond for the infrastructure necessary for those 12 houses, when the construction is complete, the bond is released and then used for the next phase. There must be a bond suitable to complete the infrastructure for the lots released for construction. Mr. Tayara stated that the concern is that with the phases, putting a topcoat on the first phase would mean that by the end of development, it would be worn down. Mr. Tayara does not want there to be a condition that a topcoat is necessary for the bond to be released; he would like to see the development completed properly. Attorney Agostino stated that bonding for that large of a development with a Bank is not feasible with topcoats, curbing, sidewalks. Attorney Agostino stated that they would propose form of bonding to the Board, and stated they would have a proposal prior to March 15.

Ms. Leahy stated that open space was also on the agenda and had some concerns because it appeared that in most instances, open space appeared on the plans in wetlands. Planning Board had some comments about open space, Ms. Leahy asked if there was any consideration to include some open space within the development that could be used as parks and open space for neighborhood pocket parks, pedestrian play area in each of the two sections of the site, and there is no evidence of proposed pedestrian access between open space areas or between the two distinct sections of the development. Attorney Agostino stated that where this is a single family home development, although the lots are 7,000 to 10,000 square feet, there is open space, outdoor space, and leisure space for each individual home. Attorney Agostino stated that with these types of developments, if they put in a neighborhood pocket park, it is additional maintenance and cost over time, certain neighbors would say they are not close to it and shouldn't need to pay for it, or to run the risk that they would not be maintained down the road. If the issue of recreational space is important to the Board and they feel something beyond the homeowners' lot is necessary, the Board should let the applicant know and they can potentially identify off-site mitigation for open space and recreational space as opposed to passive recreation areas within the development. The other issue with a 40B development, is that the applicant is now defining where that open space will remain, but it is space that is available within the development, however it gets used.

Mr. Reardon stated that typically open space has value even though it is wetland. A low cost and high value option is to contemplate a trail system that the public can access that takes advantage of the large open space. Attorney Agostino stated that the applicant would prefer something like that but wasn't sure what the Conservation Commission's reaction would be to that. The Board could condition that within the decision. Mr. Reardon said that the trails would usually include marking a trail by putting markers on trees, creating a trail head, and clearing a two foot path; if it's done in a manner that makes sense, Conservation should be supportive of it. Mr. Kennedy said that it was definitely worth exploring with the Conservation Commission, and asked if it was feasible to try to connect to the existing trails in Town. Mr. Tayara stated that it would be important to know what the Board was suggesting for the applicant; Mr. Reardon stated that the applicant should take the Board's comments, and come up with a solution that's responding to their comments.

Mr. White stated that he was concerned that due to the size of some of the lots, fitting a swing set or play area might not be feasible; he would like to see some provision to have a community feel and connect that with the feel of other neighborhoods in the community, whether that's a tot lot or a community recreational space. There wouldn't be a lot of room for basketball nets, hockey nets, or soccer in the front yard. Mr. Arbeene concurred with Mr. White's sentiment. Attorney Agostino stated that he wasn't sure if a tot lot could be maintained; Mr. White stated that was why he suggested the applicant look at the area nearby along Winthrop Street. Mr. White stated that the Town has the sort of community that will look after those things. Mr. White suggested looking at Caryl Park in Dover, MA; it's set up as a wooded land. Attorney Agostino stated the applicant would propose a condition that would reference the location on the plan set; if it's feasible they will propose it.

Mr. White stated that where the applicant is looking for higher density and reduction in lot sizes to fit more in, he would like to see and would be looking for those types of spaces as a tradeoff.

Mr. Arbeene asked if 2 cars could be fit into the driveway; Mr. Tayara stated that each home would have a two car garage so two cars could also be fit in the driveway.

Chairman Cole stated that there were 4 lots, 2 of which come down the road off Fairway Lane [Road I] and 2 off of Road F, which are "way back" from the roadway and asked if those lots were essential. Mr. Tayara said some



people like those style homes which offer more privacy. Ms. Gould stated that they appeared to have 25 foot frontage. Chairman Cole asked which way the houses would face. Mr. Tayara said they would be facing towards open space.

Chairman Cole asked where the snow storage would be. Attorney Agostino stated that there are snow storage areas called out on the plans; Mr. Pavlik stated they were planning to make use of the cul-de-sacs as storage areas, otherwise it wouldn't be unlike other subdivisions where the snow would be plowed up the side of the roadways. There are some parcels where snow could be piled up. Chairman Cole stated that he was a little concerned about piling snow on the middle of the cul-de-sacs that the road width would be affected for emergency purposes. Mr. Arbeene stated that there were comments from residents regarding the road widths during snow plowing. Attorney Agostino said that they extended the width of the roadway to 26 feet to address those concerns, which is wider than most subdivisions. Attorney Agostino stated that they would expect that whoever is contracted to remove the snow would not put the snow in areas that would impact turning radii. Mr. Arbeene stated there is only a certain amount of space to put the snow. Mr. Reardon stated that snow storage is more of an issue with parking lots and not with a 26 foot roadway with sidewalks and a grass strip. He was not concerned so long as there was a condition that safe passage must be maintained and that space must be available to them in the instance of a major storm. Mr. Tayara stated that the storage in the cul-de-sacs are only to be used in extreme emergencies.

Mr. Arbeene asked if the curbing for the cul-de-sac was angled; Mr. Tayara stated they were sloped. Mr. Pavlik said the applicant is proposing a central island where the front portion of the granite curbing would be removed so that the snow could be plowed up.

Matt Buckley from the Design Review Committee (DRC) stated that it appeared that the applicant tried to meet some of the design guideline standards and encouraged the applicant to continue to do so and to consider meeting with the DRC. Attorney Agostino stated it would be helpful for the DRC to submit a letter to the Board. Mr. Buckley stated that a buffer is a difficult thing to define, but would suggest that the applicant propose buffers rather than asking individual abutters to ask what they would like to see; some people who are unaware might feel left out of the current process. Buffering should be considered between each of the proposed properties where they are tight. There are a few spots within the site that would benefit from a public space, a place to "pause," or a place to meet for the pedestrians. Mr. Buckley stated that the Chairman's concern for safety of seeing the site signs at the entryways compared to Medway Shopping Center are not justified where that was a commercial district and this project is in a residential district. The DRC is concerned that where it is a wetland area, the full foundations will be exposed; Mr. Tayara stated that the applicant does not have exposed foundations. Mr. Buckley stated that in the instance they may be exposed, the DRC would ask for terraced landscaping. If the name of the site is the same on the eastern and western portion without a connection, there could be a potential safety issue, so the DRC would ask for different names on the separate sides of the development. Attorney Agostino stated that he wasn't sure that the applicant would be able to attend a DRC meeting prior to permitting, but could try to attend afterwards. Mr. Buckley stated that while they are asking for a waiver from the Design Review Guidelines, they are beneficial for the Town, but could see the applicant benefiting from some of the guidelines as well.

Tom Gay from the Planning and Economic Development Board (PEDB), stated that bonding is an issue for another time, but wanted to comment that the Town has generally not been comfortable with land as surety. For Conservation Commission, they have been cooperative in laying out hiking trails in areas that have been more challenging than this development, on the Charles River, and would encourage the applicant to consider

doing so. There is quite a bit of open space and the PEDB would typically ask for some sort of management plan, and would urge that to be submitted for review. Attorney Agostino stated that the Conservation Commission will have continuing obligations for management in the Order of Conditions and would see that being discussed there.

#### Public Comments

Dave Johnson, 163 Holliston St – asked how far the Road and Right of Way is from his property line and how far away a Right of Way needs to be from a property line in that zoning district. Mr. White asked where Mr. Johnson was going with his question. Mr. Johnson said he didn't see why the road couldn't be moved more north. Mr. Pavlik stated that the road is about 10 to 12 feet from Mr. Johnson's property line. Attorney Agostino reiterated that there was a detailed survey of the intersection. Mr. Reardon stated that there is no setback for a Right of Way because the right of way would be immediately after the property line; the issue is whether or not a roadway can be constructed that distance from the property line. The applicant can construct the roadway but cannot do anything that would affect that property. The closer the applicant gets to Mr. Johnson's property, the more likely there would be trespassing. Mr. Johnson said that there are large pine trees right on the property line and wanted to know what would happen to those. Mr. Kennedy said that a detailed landscaping plan would help. Attorney Agostino stated that the detailed survey shows those trees, but sight distances could be confirmed in the field to ensure those distances are met. Mr. Reardon stated that a concern is that if the tree is large, the root system could extend beyond the property line and damage to that could affect Mr. Johnson's property and that would again be an issue where the applicant needs to work with the applicant. Mr. Johnson asked about grading of Road F and the entrance to his driveway is right along the property corner. Mr. Reardon stated that a portion of Mr. Johnson's driveway is in the right of way and the applicant would need to manage the entrance to the development and that driveway and how that's going to be done.

Ms. Mercandetti stated that the Board has yet to receive the follow up to the traffic working session that should address some of those concerns.

Mr. Tayara stated that he would like to sit down with Mr. Johnson.

Bill Richards, 167 Holliston St – stated that he has no fewer than 13 units proposed to be abutting his property and a distance of about 15 feet [away] each. He was interested in what the back of the homes would look like. He is also concerned about the stonewall and the large oak trees that are going to be removed, how the road is going to be lowered, and if there would be a sidewalk installed there. Mr. Pavlik stated they are looking to re-grade part of Holliston Street and grade it down. Mr. Pavlik stated that they could look into replacing some of those trees. Mr. Stumpf asked what kind of a drop that would be; Mr. Tayara stated about 12 inches. Attorney Agostino stated that in terms of the details of that area, he would suggest sitting down with Mr. Tayara. Mr. Pavlik stated that the applicant should probably meet with all the abutters around that area. Mr. Richards asked what the plan was to mitigate all of those homes next to his property. Mr. Tayara stated that he would like to take a look at the 3 lots closest to his home. Mr. Reardon stated with again, the applicant would need to be careful about trespassing.

Mr. Buckley reiterated that the DRC is suggested an overall screening and buffering plan.

Cindy Maliniak, 14 Fairway Lane – said that everyone should be treated as a group. Ms. Maliniak asked when the Board received the new plans. Ms. Mercandetti stated that the landscaping and phasing plans had come in that afternoon, and that some of the other plans had come in the day before. The revised plans and other information came in prior to the last hearing. Ms. Maliniak stated that it seemed like there was a pattern of the Board receiving information last minute and the Board has to look at information and come up with questions on the fly and reiterated previous comments that the Board, Staff, and the residents have been attending these meetings and looking at this project for a lengthy period of time where this information is not being provided in a timely manner. Ms. Maliniak also expressed the concern that some of the same issues are not being addressed.

Ms. Mercandetti stated that there was one other matter, which was the extension of time. Chairman Cole stated that the Board could probably wait for the start of next hearing.

Ms. Mercandetti noted that the topics should include the revised site plan, elevations, requested waivers, and identifying remaining issues and items, and hopefully traffic review. The Board is also waiting for other Board and Department comments.

Mr. Kennedy asked if the applicant could look at a way of scaling back the development, instead of waiting for two weeks to talk about it.

Ms. Gould stated that implementing a buffer would help to address many of the concerns.

Attorney Agostino stated that the perennial stream would include a proposed condition that would eliminate those units in the stream.

Mr. Kennedy asked the applicant to seriously look at lots that could be removed to reduce the impact.

Attorney Agostino stated that there would be discussions with neighbors.

Mr. White stated that he has asked, many times, for a plan that would meet all the requirements [of the Medway Zoning Bylaw], in an effort to get to “yes.” Mr. White would like to see what the plans would look like so that the Board can make an educated and informed decision on whether or not the project would be unfeasible [meeting all of the requirements]. Mr. White stated that he expects to see that plan to get to yes. Attorney Agostino stated that they already provided one of the plans that Mr. White had asked for. Mr. Kennedy stated that the massing of the project is an issue and they have heard that loud and clear. If it is possible to remove units, the Board would like those removed, if that is not possible, the Board would like to know why.

Sean MacEvoy, 31 Fairway Lane – stated that he is not an abutter, but a piecemeal approach to a buffer is not appropriate. He stated that there are impacts of this development beyond the immediate abutters.

Attorney Agostino stated that he could provide a list of proposed conditions, but would not be showing up with a [revised] plan.

***Chairman Cole moved continue the hearing for Timber Crest LLC to March 1, 2017 at 7:35 PM; seconded by Mr. White; approved unanimously.***

**Any other business that may properly come before the Board:**

None.

**Correspondence:**

None.

**Approval of Minutes:**

There were no minutes yet prepared for approval.

**Upcoming Meetings:**

No further discussion.

**Adjournment**

***A motion to adjourn was made by Mr. White, seconded by Mr. Arbeene and approved unanimously. The Board adjourned at 10:30 p.m.***

Respectfully submitted,

Mackenzie Leahy  
Administrative Assistant  
Community and Economic Development