

**Town of Medway
Zoning Board of Appeals Meeting
Sanford Hall
Medway Town Hall
155 Village Street, Medway MA**

MINUTES OF MEETING

May 31, 2017

Present: Clerk, Carol Gould (arrived at 7:51 pm for deliberations); Committee Members: Eric Arbeene, William Kennedy; Associate Member Rori Stumpf.

Also present: Mackenzie Leahy, Administrative Assistant, Community & Economic Development

Stephanie Mercandetti, Director, Community & Economic Development

Town Counsel; Ezra Glenn, Consultant

Mr. Arbeene 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.

Any other business that may properly come before the Board:

Ms. Leahy stated that there were two new applications received. 19 Granite Street and Glen Brook Way were scheduled for June 7, 2017 and 106 Oakland St was scheduled for June 21, 2017.

Ms. Leahy also requested that the Board allow staff to review the current ZBA Rules and Regulations and to propose revisions to those regulations based on surrounding towns' rules and regulations and the Town's ZBA needs.

Correspondence:

Ms. Mercandetti stated that the Board had received a cover letter and resume for someone interested in an associate member position with the Board and she planned to schedule a meeting with her discuss her interest.

Deliberations:

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, OR Woodland Road, and 165 Holliston Street, Medway, MA.

Ms. Mercandetti gave a brief overview of the changes since the previous deliberations.

The Board began with a discussion of the period of time for completion of the development, with Town Counsel Present. Discussions on the matter continued for an hour and a half. The Board and the Applicant ultimately agreed on a completion of 18 years.

The Applicants stated that they still had a concern with the proposed bonding requirements including time for bonding and amount per bond. The Applicant requested that surety be required per phase, once it has begun. Town Counsel explained that a subdivision would typically have a covenant and when the applicants request lot releases, then they would need to post a bond.

Ms. Mercandetti stated that one condition had been added to the draft which had previously been forgotten, that being that the street names would be approved with the Street Naming Committee and would be shown on the final plans prior to endorsement.

The Applicant stated that they had a concern with the “springing” regulatory agreement. Town Counsel stated that as long as the project has the benefit of waiving the Town’s Bylaw, the development should remain affordable. Town Counsel stated that if the State stops regulating the affordable agreement, that would “spring” a Town agreement and the affordable units would remain in perpetuity.

The Board reviewed the remaining waivers kept them as they were in the draft decision.

A motion to approve the decision for Timber Crest LLC, as amended that evening, and grant the Applicant, Timber Crest, LLC a Comprehensive Permit subject to the conditions within the decision was made by Mr. White, seconded by Mr. Stumpf and approved unanimously, 5-0-0.

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 11:25 p.m.

Respectfully submitted,

Mackenzie Leahy
Administrative Assistant
Community and Economic Development