



**August 10, 2021**

**Medway Planning & Economic Development Board  
Meeting**

**PEDB MEETING MINUTES**

- Revised draft minutes of the 7-27-21 PEDB meeting

**Tuesday, July 27, 2021**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**  
**Live and Remote**

<b>Members</b>	<b>Andy Rodenhiser</b>	<b>Bob Tucker</b>	<b>Tom Gay</b>	<b>Matt Hayes</b>	<b>Rich Di Iulio</b>	<b>Jessica Chabot</b>
<b>Attendance</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>Absent with Notice</b>	<b>X</b>	<b>X</b>

**PRESENT:**

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Steve Bouley, Tetra Tech (remote)
- Gino Carlucci, PGC Associates (remote)

**PUBLIC COMMENTS:**

- There were no public comments.

**PUBLIC HEARING CONTINUATION - MEDWAY PLACE SHOPPING PLAZA SITE PLAN 98, 108, AND 114 MAIN STREET:**

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

- Notice dated 6-25-21 to continue the public hearing to 7-27-21
- Cover letter dated 7-14-21 from Attorney Gareth with revised site plan submittal
- Supplemental site plan narrative overview dated 7-14-21
- Revised landscape plan dated 7-13-21
- Revised temporary seating plan dated 7-13-21
- Tetra Tech review letter dated 7-21-21
- PGC Review letter dated 7-22-21

Attorney Gareth was present via ZOOM. He explained the update from the last hearing. A share screen was provided to display the revised plans.

The following changes were explained:

- Replaced the honey locus trees with dogwoods. These are easier to prune and maintain.
- Fencing on the west side is proposed to be a 6-foot-high cedar fence.
- There is a new landscape strip.
- The three charging stations were included on the plan. There was also the addition of three more stations on the east side.
- Added details were provided for the landscaping by the monument signs. This will be low lying landscaping.

- The shaded area of the plan shows those portions which will be milled and repaved. It was further explained that there will be paving, patching, sealcoating and restriping which will be done over a five-year period. The Board is concerned that there will be ghost lines from the old stripping and also that the paving will not look uniform.
- There will be overhead lighting which will be put underground when there is work on the utility corridor. The Board communicated that the utility corridors need to be shown on the plan.
- It was explained that the food truck area will be demarcated with barriers. There is no proposal to regrade this area. There is a concern about the slope in Area A.
- The shed around the irrigation well head will be designed for review by the DRC as a condition of the decision. The applicant was not able to provide something specific at this time. The Board prefers to cover this with landscaping and prefers to not see a shed there at all. The intent was to cover the well for irrigation.
- The applicant will be submitting a master signage plan for the DRC's review next week. The applicant was advised to follow the requested design guidelines for storefronts.

The Board asked for engineer Bouley's opinion on the asphalt which is proposed on site and the paving. Tetra Tech communicated there could be an issue with break up and puddling with the old pavement versus new. There will break out in the existing pavement if the new pavement cannot be transitioned enough to stop it from heaving. Tetra Tech does not think this will work well. This current pavement is at the end of its life span and is in poor condition. Attorney Orsmond noted that there is not enough money to do all recommended work and there needs to be an agreed upon plan for completion. It was recommended to put a condition in the approval that the entire paving needs to be completed within a certain time frame. A recommendation was made that a bond be put place before the work begins.

A question was asked about the handicap parking spots. These need to be clarified on the plans and updated. There was also a recommendation that there needs to be a pedestrian ramp in front of Ocean State area. The snow storage was next discussed. Where it is currently proposed, it will take over the planting area at the Rt. 109 location. There needs to be more information on the details of this area. A question was asked about the width of the driveway isle on east side of plaza where Rocky's is looking to add an outdoor garden center and propane tank filling area. One of the plans referenced the width as 20 ft. and the other has 23 ft. This needs to be clarified. The applicant communicated that they are not part of the above noted Rocky's plan.

The applicant will not be providing any more information on the lighting. The Board reminded the applicant that there is a lighting bylaw which needs to be met. The applicant communicated that this is a grandfathered lot and does not need to meet the bylaw. The Board disagrees and informs the applicant that the bylaw needs to be met as there are proposed changes to the lighting.

A question was asked about the fence at the west end of the site and the logic behind this being a six-foot solid fence separating Medway Place from Drybridge Crossing. The fence blocks the sight lines. The applicant responded that they are trying to clean up the appearance and thus installed the fence. This cost was \$15,000.00. The applicant thought this is what the Board wanted.

The applicant informed the Board that there will be 70 new planters installed. They would also like to continue with the food truck concept but are hesitant to put too much money into this area if there is no interest. A question was asked if the planters will be permanent or moved in the winter. There will need to be a written plan in place for the maintenance and possible storage of these planters. The applicant was informed that there is no outside storage in this area. The applicant informed the Board that he will work with Rocky's to work with both plans.

It was recommended that the hearing be continued to the August meeting.

**On a motion made by Jessica Chabot and seconded by Rich Di Iulio, the Board voted unanimously to continue the hearing for the Medway Plaza to August 10, 2021 at 7:30 pm.**

### **CONTINUATION PUBLIC HEARING - St. Joseph's Church – Minor Site Plan:**

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

- Public Hearing continuation notice dated April 28, 2021
- Withdrawal letter dated July 23, 2021 from official representative Peter Bemis, project engineer.

The applicant has requested that the Board approve their withdrawal without prejudice of the site plan application. They have also asked that the filing fees be applied to a future application.

**On a motion made by Bob Tucker seconded by Rich Di Iulio, the Board voted unanimously to accept the withdrawal without prejudice of the site plan submittal from St. Joseph's Church with the waiving of filing fees in the applicant applies in the future.**

### **CONTINUATION PUBLIC HEARING - WINGATE FARM SUBDIVISION MODIFICATION:**

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

- Public hearing continuation notice dated July 14, 2021.
- Letter dated July 19, 2021 from engineer Dan Merrikin
- Revised draft DENIAL decision dated July 21, 2021
- Email dated July 23, 2021 from Karyl and Gene Walsh requesting a continuation of the hearing to second PEDB meeting in August.

The Chairman opened the continued hearing for Wingate Farm Subdivision.

The applicant's representative Dan Merrikin was present by ZOOM. Mr. Merrikin explained that he is in the process of responding to the issues previously raised by the Board. He is preparing a new stormwater report and O & M plan. He is in need of time to address and complete this. It has been requested to continue this hearing to the second meeting in September.

**On a motion made by Jessica Chabot, there was a motion to continue the hearing to**

**September 28, 2021. There was no second. The motion failed.**

The Board needs detailed findings in the denial decision. It was recommended to redraft this denial to focus on the length of time that has passed for the completion date of the subdivision permit. It was suggested that Susy Affleck-Childs discuss with Barbara Saint Andre the process for clarification of a denial decision.

Susy Affleck-Childs communicated to the Board that a good amount of the infrastructure has been completed and the Board has never had an application like this before and recommends providing the applicant with 8 weeks to address the stormwater and site issues. The applicant has been making steps to provide what the Board would like on this application.

**On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted to continue hearing for Wingate Farm to September 28, 2021 at 7:00 pm. (Member Di Iulio voted nay)**

**CONTINUATION PUBLIC HEARING - THE SETTLEMENT SITE PLAN AND MIXED-USE SPECIAL PERMIT:**

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

- Public Hearing continuation notice dated 5-25-21
- Letter from applicant's representative Dan Merrikin dated July 19, 2021 requesting continuation to first meeting in August.

The Board is in receipt of a request from the applicant to continue the hearing to the first meeting in August.

**On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted unanimously to continue the hearing for the Settlement Site Plan and Mixed-Use Special Permit on August 10, 2021 at 8:30 pm.**

**CONTINUATION PUBLIC HEARING PHYTOPIA – 6 INDUSTRIAL PARK ROAD:**

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

- Public Hearing Continuation notice dated July 14, 2021
- Reduced parking special permit application dated May 1, 2021.
- Parking memo from Attorney Ted Cannon dated July 8, 2021
- Parking Evaluation Memorandum prepared by MDM Transportation Consultants dated May 12, 2021.
- Tetra Tech review letter dated July 1, 2021 prepared by Courtney Sudak
- Cultivation Facility Parking Guidelines Summary prepared by Tetra Tech, dated July 13, 2021.
- Additional information on municipal parking requirements for marijuana cultivation facilities prepared by Morgan Harris, CED staff.

- Letter from Attorney Ted Cannon dated July 22, 2021 in response to Tetra Tech's July 1 review letter.

The Chairman opened the continued public hearing.

Attorney Ted Cannon was present representing the applicant.

Daniel Dumais, P.E. – Senior Project Manager for MDM Transportation Consultants was present and provided a presentation.

The applicant provided a screen share of the parking presentation. (**See Attached**) During Phase 1, there will be 53 employees. The peak parking demand is 30 vehicles. During Phase 2, there will be the need for parking for an additional 34 employees. The peak demand for parking vehicles is 19. A chart was provided for the parking analysis comparing a variety of locations ex. Abington, Becket, Belmont, and Dartmouth. There was also an auto turn analysis provided for the fire vehicles.

MDM Transportation Consultants provided a letter dated July 27<sup>th</sup> in response to the Tetra Tech review letter dated July 1, 2021. Phase 1 includes the occupancy of 53,128 sf of floor area. Under the Phase 1, the facility is anticipated to operate 8:00 am to 8:00 pm. During Phase 2 the employment levels would result in approximately 87 total employees operating over two shifts. With Phase 2, the hours of operation at the facility will expand to 6:00 am to 11:30 pm with shift times staggered by 30 minutes. The resulting shifts times would be 6:00 am to 2:30 pm and 3:00 pm to 11:30 pm. The project will include approximate 2-3 company vehicles which will be assigned to park within designated on the lot. There will be no parking on the street.

There was a suggestion to have angled parking and possible one way on Jayar Lane. The applicant is confident that this current plan accommodated all the turning movements. This industrial park has low traffic volumes. The applicant will maintain the 24 ft. aisle. They do not want to add more impervious area.

The Board was informed that the applicant met with the DRC last week. There is a concern that there is one entrance and parking in the back. There needs to be a sidewalk to assist with pedestrians going from the parking lot at the back of the site to the entrance at the front of the site. The applicant communicated that one option is to have a walkway installed for safety. This will be included as part of a comprehensive revision.

The plans need to be provided to the Fire Chief for comments. The applicant is in the process of reviewing and addressing the comments from Tetra Tech.

Tetra Tech provided the following comments prepared by transportation engineer Courtney Sudak who was present via ZOOM.

- The parking memo and site plans do not reference any proposed electric vehicle parking spaces.
- The applicant should conduct Auto Turn analyses for the Town's largest emergency apparatus and delivery vehicle anticipated at the site to ensure safe circulation.
- The handicap parking space on the easterly end of the parking aisle does not have adequate room to exit the space without conflicting with vehicles entering the driveway.

The applicant will prepare a memo addressing the comments from Tetra Tech.

The topic for the next meeting will be groundwater and security. There was a suggestion to discuss the security in executive session due to the sensitivity of the topic. Susy Affleck-Childs will ask Town Counsel about this. Another option would be to hold meeting fire and police with one member of the Board (Member Tucker) and then this can be reported back to the Board. The Board was amenable to this idea as was the applicant.

**On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to continue the hearing to August 10, 2021 at 8:45 pm.**

### **CONSTRUCTION REPORTS:**

The following construction reports were provided: (See Attached)

- Tetra Tech inspection report for 7-13-21 site visit at Salmon Willows.
- Tetra Tech inspection reports for 7-13-21 and 7-19-21 21 site visits at William Wallace Village
- Tetra Tech inspection report for 7-13-21 site visit at Evergreen Village.
- Tetra Tech inspection reports for 7-13-21 and 7-19-21 21 site visits at Choate Trail subdivision.
- Tetra Tech Inspection report for 7-13-21 site visit at Harmony Village.

#### **William Wallace:**

There were erosion issues on site. This will be addressed on site. The Consultant will be on site tomorrow. There is a stockpile of excavated material and material from demolition which is present throughout the site. There was a cease-and-desist order issued by Conservation due to insufficient erosion control measures. This is being addressed.

#### **42 Highland St./Choate Trail Subdivision**

The silt sacks will be installed. There were traces of sediment at the construction entrance due to the wet conditions. The binder will be installed. The project is moving along.

#### **Evergreen Street:**

The stormwater chambers were delivered.

#### **Harmony Village:**

The applicant is working on the drainage. The compost filter socks have been installed along the western and southern portions of the site and appear to be in good condition.

#### **20 Broad Street:**

There was a preconstruction meeting. A formal schedule will be provided.

#### **21 Trotter Drive:**

The Conservation Agent is looking at the erosion on site. There is still some oil sheen on site and this will possibly be tested.

## **DISCUSSION OF TREE REPLACEMENT FORMULA:**

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

- Table summarizing a collection of tree replacement formulas from various communities.

The Board is in receipt of a variety of tree replacement formulas from different towns. The goal to update the current tree replacement formula in the Subdivision Rules and Regulations along with the Site Plan Rules and Regulations. It was suggested that the Town of Wrentham and Concord had a very straight forward and easy to read regulations. The regulations have language about “protected trees”. The Board discussed that there are trees which become dangerous at a certain height especially pine trees.

It was noted that the Conservation Commission is working on a bylaw about tree preservation. This will be discussed at the PEDB’s September 14, 2021 meeting. There was a suggestion to talk with the tree warden. The Board is in favor of keeping the payment in lieu option. There should be discussion about type of trees work together and which do not. There should not be any invasive species included in trees to be protected. There was a recommendation to put some language into the master plan document as well. Susy Affleck-Childs will work on some draft language.

## **BATTERY ENERGY STORAGE SYSTEM - STATUS**

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

- Request for Quote issued 7-22-21

The Board was informed that the RFQ has been sent to 14 firms. Quotes are due August 2. The plan is to select the firm and have a contract approved by the Select Board on August 9, 2021.

## **ZONING FOR FALL TOWN MEETING:**

The Board was informed that the schedule for town meeting has not been determined but draft articles are usually due in mid-September. The Town Meeting date is November 8, 2021.

The expected amendments include:

- Environmental Standards
- BESS
- Housekeeping items
- Updated provisions for outdoor dining
- Minor revisions to the façade review section of the Site Plan Review provisions as recommended by the Design Review Committee

Member Gay continues to work with the consultants on the Environmental Standards. The goal is to work on how to model noise and measure it. There will be modeling of four sound distance points of origin. This will include measurement from the outside in. There needs to be a reference point. The noise consultants (Jeff Komrower of Noise Control Engineering and Andy Caballaria of Acentech) will agree on the design modeling and will validate and run the model. This will be placed on the August 24, 2021 agenda for discussion. The Board was informed that



Building Commissioner Jack Mee is still concerned about the odor bylaw. It was suggested that funds be used to pay a consultant to address his concerns.

RE: the BESS work, there is a concern that the October 15<sup>th</sup> deadline will not be able to be met. There was a suggestion to prepare a modest bylaw change to address immediate concerns about BESS in the existing Energy Resource zoning district and proceed with a more complete proposal for the Spring meeting. Currently, BESS is allowed in energy district without any provisions or limitations.

Member Chabot asked for the Board to review the entire table of uses in the Energy Resource District since there are many things allowed by right. The immediate goal would be to have some of the uses as Special Permit.

Resident Paul Yorkis, owner of 39 Alder Street, communicated he was not able to attend the PEDB meeting when the Board discussed the use variance petition to the ZBA for 39 Adler Street. This application was ultimately denied by the ZBA. Mr. Yorkis would like to have a construction equipment business from Hopedale be able to locate there. This business leases construction equipment and needs some outside storage. The business will have 18 employees. Mr. Yorkis stated the use is not a contractor's yard, but there is no definition in the Zoning Bylaw or the Table of Uses which fits this type of business. There was a recommendation that Mr. Yorkis provide a definition for this type of business for the Board's consideration. Board members indicated that the Hopedale business also rents and sells construction equipment.

### **MASTER PLAN UPDATE:**

The Board was informed that there was a very productive Master Plan Committee meeting held on July 26<sup>th</sup>. The meeting focused on reviewing the Existing Conditions report. Comments were submitted to the consultant by committee members and staff. The comments will be addressed in a detailed report with matrix. There has been a lot of community outreach completed. All continue to be encouraged to fill out the survey. There is an opportunity to host a "meeting in a box". It is suggested to only have 4 or 5 people as part of this meeting. There is an online "crowd mapping" activity which has been a successful activity for the town. There were over 70 comments or tags and 30% were about the plaza. There was a recommendation to put something on the website about completing of the survey. The last day to complete the survey is September 6, 2021. There will be fliers distributed at the recycling center. There will also be an insert put within the water bills.

### **PEDB MEETING MINUTES:**

#### **July 13, 2021:**

**On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to approve the PEDB meeting minutes of July 13, 2021 as revised.**

### **FUTURE MEETING:**

- August 10, 2021

### **ADJOURN:**

**On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted to adjourn the meeting.**

The meeting was adjourned at 9:52 pm.

Prepared by,  
Amy Sutherland  
Recording Secretary

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

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