



**February 8, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Planning and Economic Development**  
**Board Meeting Minutes**

- January 25, 2022 regular meeting
- January 31, 2022 special meeting

NOTE – Under separate cover, I will resend you the draft minutes of the January 3, 2022 executive session.

**Tuesday, January 25, 2022**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

<b>Members</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>Remote</b>	<b>X</b>	<b>X</b>	<b>Remote</b>

*Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the meeting/hearings will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.*

**PRESENT:**

- Susy Affleck-Childs, Planning and Economic Development Coordinator

**PUBLIC COMMENTS:**

- There were no public comments.

**CONSTRUCTION REPORTS:**

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

**Evergreen Village:**

- Tetra Tech Field Report #10 dated 11-10-2021
- Tetra Tech Field Report #11 dated 11-23-2021
- Tetra Tech Field Report #12 dated 12-02-2021
- Tetra Tech Field Report #13 dated 12-03-2021
- Tetra Tech Field Report #14 dated 12-15-2021
- Tetra Tech Field Report #15 dated 12-27-2021
- Tetra Tech Field Report #16 dated 12-28-2021
- Tetra Tech Field Report #17 dated 12-30-2021
- Tetra Tech Field Report #18 dated 1-05-2022

**Choate Trail Subdivision**

- Tetra Tech Report #21 dated 12-15-21
- Tetra Tech Report #22 dated 1-06-22

**Medway Mills Site Plan**

- Guerriere & Halnon monthly report, dated 1-20-22

Tetra Tech Engineering Consultant Steve Bouley informed the Board that a neighbor on Mishawaum has complained about flooding related to the Salmon Development. There were photos provided. Consultant Bouley will be visiting the site and will report back to Board.

The Board would like to have a more consistent format for the monthly reports from project engineers.

### **20 Broad Street Status Report:**

Developer, permittee and property owner Steve Brody was present. The Board was informed that there have been a number of extenuating circumstances over the last two years which the developer has been faced with. The utility services have been able to be installed. This was done over the summer. The erosion control is being installed. Contractors will be preparing to put in the foundations. There has been no work done on the existing building. The construction fencing has been installed. Mr. Brody will be providing a construction schedule. The Board would like a two week “look ahead” for scheduling purposes for Consultant Bouley. There should also be a monthly summary report from GLM. The decision project completion date is February 2023. This date will need to be extended. The applicant will send a letter seeking an extension.

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

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

- Notice dated November 10, 2021 to the Town Clerk to continue the public hearing to January 25, 2022.
- Letter dated January 11, 2022 from Legacy Engineering, LLC Dan Merrikin.

The applicant’s representative, Dan Merrikin from Legacy Engineering, was present via Zoom. He explained that the applicant is trying to partner with a developer to fund the significant expense of the redesign of subdivision and peer review efforts. This has been unsuccessful. The other concern is that the applicant does not have the financing needed to complete the process. The applicant is working to obtain a loan to secure the necessary funding. The funds may be available in February or March 2022. A continuation of the hearing is needed.

### **Continuance:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to continue the hearing for Wingate Farm to April 22, 2022.**

### **Roll Call Vote:**

Bob Tucker	aye
Rich Di Iulio	aye
Jessica Chabot	aye
Matt Hayes	aye

### **Extension:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to approve the applicant’s request to extend the actin deadline for Wingate Farm to June 30, 2022.**

### **Roll Call Vote:**

Bob Tucker	aye
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**Rich Di Iulio**            **aye**  
**Jessica Chabot**       **aye**  
**Matt Hayes**           **aye**

### **HARMONY VILLAGE PERFORMANCE SECURITY:**

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

- Tri-Partite agreement
- Tetra Tech punch list dated 1-5-22.
- Tetra Tech estimate dated 1-5-22 for \$105,963.
- Email dated 1-6-22 from Gary Feldman
- Interim as-built dated 1-3-2022 by Meridan Associates
- Sign off email dated 1-20-22 from Tetra Tech re: interim as-built plan
- Photo of STOP sign pavement marking.
- 1-20-22 notification from the Medway Treasurer/Collector's office.

Permittee Gary Feldman was present via Zoom to discuss the performance security for Harmony Village. The Board was informed that there will be a Tri-Partite Agreement with Needham Bank. The signed agreement from the bank still needs to be provided but the permittee did supply a certified bank check as an interim arrangement. The outstanding taxes have been paid.

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to approve and sign the performance security agreement for Harmony Village in the amount of \$105,963.**

#### **Roll Call Vote:**

**Bob Tucker**            **aye**  
**Rich Di Iulio**         **aye**  
**Jessica Chabot**      **aye**  
**Matt Hayes**          **aye**

### **CUTLER PLACE PUBLIC HEARING CONTINUATION:**

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

- Notice dated January 12, 2022 to the Town Clerk to continue the public hearing to January 25, 2022.
- Email dated January 20, 2022 from Conservation Commission Agent Bridget Graziano
- Series of emails with and from Deputy Fire Chief Mike Fasolino dated January 18-20, 2022.
- Sidewalk construction estimate dated January 19, 2022 prepared by Tetra Tech
- Draft Decision dated January 20, 2022 and revised as of January 25, 2022
- Letter dated 1-25-22 from Police Sergeant Jeff Watson
- Email from DPW
- Mullin's Rule Certification for Tom Gay for the January 11, 2022 meeting
- Email from Deputy Fire Chief Mike Fasolino dated January 25, 2022

The Board is in receipt of the draft decision. The decision was shown on the share screen.

The following was suggested:

- Addition of no parking signs on Cutler Street per the letter from Sergeant Watson.
- Include language about the access issues.
- Include language which reflects the language from the Fire Department's letter.
- Propane tanks will be properly removed.
- Construction inspection will be conducted by Tetra Tech.
- Add language about working hours on Sunday. It was recommended to look at the Evergreen decision.

**Findings:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to approve the Findings as amended.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Haye</b>	<b>aye</b>
<b>Tom Gay</b>	<b>aye</b>

**Waivers:**

The following waivers were noted:

- Section 204-3 Planning Board Submittals K.
- Section 204-5 D Site Plan Information Sheets
- Section 207-9 B. Sidewalks
- Section 207-11 B.2 – Internal Site Circulation and Parking Lot Drive Aisles
- Section 207-12. G. Parking Spaces
- Section 207 -16 Utilities
- Section 207-19 Landscaping B. Buffers
- Section 207 – 19 Landscaping C. Parking Areas
- Section 207-19 K. Landscaping K. Irrigation

The Board would like to see the following:

- There should be a detail of the berms on the plan.
- There should be a plan for perimeter of parking lot.
- The drive aisle should be on the plan.
- Remove the language about approval from Design Review Committee. Language can be added that DRC can comment but take out word approve.
- Consultant Bouley will be responsible for erosion control inspection and will submit reports.
- Reference letter dated January 25, 2022 from Sergeant Watson.

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by roll call to accept the waivers as edited.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>

**Jessica Chabot**        **aye**  
**Matt Hayes**         **aye**  
**Tom Gay**            **aye**

**Conditions:**

The Board reviewed the conditions.

**On a motion made by Bob Tucker, seconded by Jessica Chabot, the Board voted by roll Call to approve the decision with conditions as written with the recommended revisions.**

**Roll Call Vote:**

**Bob Tucker**        **aye**  
**Rich Di Iulio**      **aye**  
**Jessica Chabot**    **aye**  
**Matt Hayes**        **aye**  
**Tom Gay**            **aye**

**Close Hearing:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll Call to close the hearing.**

**Roll Call Vote:**

**Bob Tucker**        **aye**  
**Rich Di Iulio**      **aye**  
**Jessica Chabot**    **aye**  
**Matt Hayes**        **aye**  
**Tom Gay**            **aye**

**APPOINTMENT TO THE MEDWAY MASTER PLAN COMMITTEE:**

It is the recommendation that the Board appoint Kristen Salera to the Master Plan Committee through a term of March 31, 2023. Kristen will serve as the representative of the Medway Business Council and comes highly recommended by MBC President Julie Dennehy. The position is a result of the resignation of Faina Shapiro from the Master Plan Committee.

**On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll Call to appoint Kristen Salera to the Master Plan Committee for a term until March 31, 2023.**

**Roll Call Vote:**

**Bob Tucker**        **aye**  
**Rich Di Iulio**      **aye**  
**Jessica Chabot**    **aye**  
**Matt Hayes**        **aye**

**CHOATE TRAIL SUBDIVISION REVISED BOND ESTIMATE:**

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

- Updated Tetra Tech Inspection report and punch list dated 1.14.22
- Updated bond estimate dated 1-14-22 for \$225,556

The Board was informed that developer Bob Pace has requested a reduction in the bond estimate. The Board previously approved an amount of \$294,588 in August 2021. The Board has not yet entered into a performance security agreement with the developer as there are still a few of the minimum required items to be completed.

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by roll call to approve the revised bond estimate for the Choate Trail subdivision in the amount of \$225,556.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>

**BATTERY ENERGY STORAGE SYSTEM – Status Report:**

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

- Project Schedule from Consultant ARUP

The Board has received the project schedule from the Consultant ARUP. There will be two upcoming meetings which will be held on February 16, 2022 and March 17, 2022. The public hearing for forthcoming zoning will be held sometime in April 2022.

**MAY 2022 TOWN MEETING:**

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

- Draft Street Acceptance article for Newton Lane (Hartney Acres Subdivision)
- Draft ZBL amendment re: solar canopies as requested by the Medway Energy and Sustainability Committee.

The Board was informed that there will be a Street Acceptance article for the Spring Town meeting. The documents for street acceptance for Newton Lane are being prepared. The As Built plans have been submitted and are being reviewed by Tetra Tech.

A draft zoning article for solar canopies was reviewed. Barbara Saint Andre noted that the Town had approved new solar provisions in the Zoning Bylaw. But there was a problem with some of the provisions of the bylaw. This will be resubmitted with revisions. The School Committee is considering installing a solar parking canopy over the school parking lot.

The Board is fine with these items moving forward.

**DRAFT Housing Production Plan Continuation Discussion:**

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

- DRAFT Housing Production Plan dated 12-22-21

The deadline for submitting any review comments to consultant Jenn Goldson is Friday January 28, 2022.

## **MULTI-FAMILY HOUSING GUIDELINES FOR MBTA COMMUNITIES:**

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

- Draft DHCD Guidelines and Associated materials.
- Power Point presentation from 1-12-22 webinar sponsored by Mass DHCD and allied state agencies and housing organizations.

The Board is in receipt of the draft DHCD guidelines. The BOS want to send a joint letter with the PEDB to DHCD regarding some of the guidelines. This letter will be submitted to the BOS at the February 7, 2022 meeting and the PEDB will discuss it at their meeting on February 8, 2022. The Board is concerned about some of the requirements since one size does not fit all. The mandate would change the historical character of smaller towns such as Medway. There was a recommendation to include the map which Barbara had created with the letter. This mandate is problematic due to the size and scale requirements. There is no affordable housing requirement of these guidelines. Susy will work with Barbara on the letter.

## **MASTER PLAN UPDATE:**

The Board was informed about the updates of the Master Plan Committee. The Committee is working on Phase 3. Focus groups will start February 15, 2022. There was a recent presentation by MAPC which included the MetroCommon 2050 regional plan. The Committee also had presentation by the Facilities Review Committee on the evaluation of the facilities throughout town. There will be a report provided with the findings.

## **ZBA PETITION – 1 HIGH STREET VARIANCE:**

The Board is in receipt of an application for 1 High Street. **(See Attached)**

This is for a use variance to construct a two-family dwelling with the appearance of a single family dwelling at 1 High Street which is currently a vacant parcel. Two-family buildings are not allowed in the Village Commercial district. The project also needs an area variance for a 9,958 sq. ft. lot where 10,000 sq. ft. is required. The applicant has not submitted the proposed building elevations. The ZBA will hear this case on February 2, 2022. The Board decided to not take any action on this application.

## **APPROVAL OF MEETING MINUTES:**

**December 14, 2021 minutes**

**December 23, 2021 minutes**

**January 3, 2022 minutes (regular session)**

**January 3, 2022 minutes (executive session)**

**January 11, 2022 minutes**

**January 18, 2022 minutes**

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted to accept the Minutes of the following meetings:**

**December 14, 2021**

**December 23, 2021**

**January 3, 2022 (regular session)**

**January 11, 2022**

**January 18, 2022**

**(The executive session minutes from January 3, 2022 will be held over to the next meeting).**



**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>

**ROCKY’S HARDWARE SITE PLAN ENDORSEMENT:**

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

- Revised Site Plan dated 1-19-22
- Tetra Tech review email dated 1-12-22

The Board was informed that the payment of \$3,800.00 has been received for the Rocky’s Construction Account. It is recommended to endorse the site plan.

**On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call vote to endorse the site plan for Rocky’s Hardware.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>

**OTHER BUSINESS:**

- The Board discussed the options for virtual or remote meetings. The Board decided to stay with in person with the zoom option available for convenience.
- Susy Affleck-Childs reported that an informal meeting had been held with staff about a potential medical office building on Main Street.

**FUTURE MEETINGS:**

- February 8, 2022

**ADJOURN:**

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

The meeting was adjourned at 9:45 pm.

Prepared by,  
Amy Sutherland  
Recording Secretary

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

**Tuesday, January 31, 2022**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

**REMOTE MEETING via ZOOM**

<b>Members</b>	<b>Sarah Raposa</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>X</b>	<b>X</b>	<b>X</b>

**ALSO PRESENT:**

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Anthony Varrichione, applicant for Cutler Place
- Sergeant Jeffrey Watson, Medway Police
- Abutter Chris Meo, 16 Cottage Street

**PUBLIC COMMENTS:**

There were no public comments.

**CUTLER PLACE DECISION:**

The Board is in receipt of the revised draft of the Cutler Place decision dated January 27, 2022. **(See Attached)**. The decision was shown via Share Screen. Chair Hayes noted that as the Board had already closed the public hearing on January 25, 2022, no testimony can be taken on any new items that have not already been discussed by the Board.

The Board discussed the following sections of the revised draft decision.

**General Condition D. Restrictions on Construction Activities:**

The decision needs to be revised to incorporate the recently adopted Zoning Bylaw amendment (Environmental Standards) which were approved at the November 22, 2022 Town Meeting. The language included as Section 7.3. Standards D.2.A.4 Construction Noise in the Zoning Bylaw is as follows: *“Work at construction sites and in the operation of construction equipment including start-up and movement of trucks, vehicles, and machines shall commence no earlier than 7:00 a. m., and shall cease no later than Monday through Saturday. No construction shall take place on Sundays without the approval of the Building Inspector.”* The language specified in the previous decision voted at the January 25, 2022 meeting is incorrect. The correct language will be used instead.

**Specific Condition O. Parking**

Sergeant/Safety Officer Watson was present by Zoom to clarify his letter dated January 25, 2022 which he had submitted to the Board and was reviewed at the 1-25-22 hearing. He explained that he has safety and sight line concerns with on street parking in front of the site on the north side of Cutler Street. It is recommended that two “no parking” signs be placed along the 6 Cutler Street frontage. One “no parking” sign would be at the at the Southeast side of the entrance,

between the entrance and the white fence. The second “no parking” sign should be placed at the western end of the frontage. It is also requested that a stop line be painted on the pavement of the South East entrance/exit, along with a stop sign.

**Resident Chris Meo 16 Cottage Street:**

Mr. Meo participated on the Zoom call. He communicated that at other hearings he had indicated he would like the applicant to install a privacy fence on the Meo property as a form of mitigation for the expected on-street parking on the south side of Cutler Street adjacent to his property that will be generated by this project.

The Board viewed the site plan via Screen Share. Mr. Meo’s property is not shown on the site plan as it does not directly abut 6 Cutler Street. PEDB members agreed that the applicant is not responsible for providing a fence for someone who is not a direct abutter.

Mr. Meo expressed that abutters did not get enough time to review the January 25, 2022 letter from Sergeant/Safety Officer Watson. He would like this hearing to be re-advertised.

It was explained to Mr. Meo that Sergeant Watson’s letter was received prior to the January 25, 2022 public hearing and was referred to during the hearing. That was a live meeting, the Zoom option is provided for convenience only. It was noted that Mr. Meo did Zoom in for the January 25th hearing. At any time during the hearing, he could have requested that the letter be emailed to him and it would have been done so.

Susy Affleck-Childs reviewed with the Board a number of other edits she had made to the decision since the January 25<sup>th</sup> version. In the Findings section, there will be language added that sidewalks are provided to connect the parking area to the unit entrances. There was also language added that granite curbing will be installed along the perimeter of the drive aisle and roundings where the driveway intersects with Cutler Street. The rest will be modified Cape Cod berm. This needs to be added to the plan. There has been language added about the dumpster enclosure which will be non-glossy, natural color. There will be a five-foot sidewalk adjacent to the parking area.

**Votes of the Board:**

**Reconsider Decision:**

**On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted by Roll Call to reconsider the decision which was previously approved on January 25, 2022.**

**Roll Call:**

<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>
<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Tom Gay</b>	<b>aye</b>

Using the revised draft decision dated January 27, 2022, the Board took the following actions:

### **Multi-Family Housing Special Permit:**

After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on January 31, 2022 on a motion made by Rich Di Iulio, and seconded by Jessica Chabot, voted by roll call to approve with conditions a Multi-Family Housing Special Permit to Cutler Place, LLC of Medway, MA (hereafter referred to as the Applicant or the Permittee) for a 5-Unit residential development at 6 Cutler Street.

#### **Roll Call Vote:**

Jessica Chabot	aye
Matt Hayes	aye
Bob Tucker	aye
Rich Di Iulio	aye
Tom Gay	aye

### **Site Plan:**

After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on January 31, 2022 on a motion made by Jessica Chabot, and seconded by Rich Di Iulio, voted by roll call to approve with Waivers and Conditions a site plan for a 5-Unit, multi-family development and associated site improvements at 6 Cutler Street as shown on a plan titled Cutler Place, dated November 17, 2021, last revised December 27, 2021, by Ron Tiberi, P, E., to be further revised as a specified herein before endorsement and recording.

#### **Roll Call Vote:**

Jessica Chabot	aye
Matt Hayes	aye
Bob Tucker	aye
Rich Di Iulio	aye

### **Land Disturbance:**

After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on January 31, 2022 on a motion made by Jessica Chabot, and seconded by Rich Di Iulio, voted by roll call to approve a Land Disturbance Permit for 6 Cutler Street as shown on a plan titled Cutler Place, dated November 17, 2021, last revised December 27, 2021, by Ron Tiberi, P.E., to be further revised as a specified herein before endorsement and recording.

#### **Roll Call Vote:**

Jessica Chabot	aye
Matt Hayes	aye
Bob Tucker	aye
Rich Di Iulio	aye

**Findings:**

After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on January 31, 2022 on a motion made by Jessica Chabot, and seconded by Rich Di Iulio, voted by roll call to approve the findings.

**Roll Call Vote:**

Jessica Chabot	aye
Matt Hayes	aye
Bob Tucker	aye
Rich Di Iulio	aye
Tom Gay	aye

**Waivers:**

After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on January 31, 2022 on a motion made by Jessica Chabot, and seconded by Rich Di Iulio, voted by roll call to approve the waivers from the *Site Plan Rules and Regulations*.

**Roll Call Vote:**

Jessica Chabot	aye
Matt Hayes	aye
Bob Tucker	aye
Rich Di Iulio	aye

**ADJOURN:**

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

**Roll Call Vote:**

Jessica Chabot	aye
Matt Hayes	aye
Bob Tucker	aye
Rich Di Iulio	aye

The meeting was adjourned at 7:45 pm.

Prepared by,  
Amy Sutherland  
Recording Secretary

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

DRAFT