



**December 14, 2021**  
**Medway Planning & Economic Development Board**  
**Meeting**

**PEDB Meeting Minutes**

- Draft edited minutes of the November 16, 2021 meeting
- Draft edited minutes of the November 23, 2021 meeting
- Draft edited minutes of the November 30, 2021 meeting

**Tuesday, November 16, 2021**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

**Remote Meeting Via Zoom**

<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>X</b>	<b>X</b>	<b>X</b>

**PRESENT:**

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Tetra Tech Consultant Steve Bouley

**PUBLIC COMMENTS:**

- There were no public comments.

**MEDWAY PLACE SITE PLAN PUBLIC HEARING:**

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

- DRAFT Medway Place site plan decision dated 11-5-21.

The applicant, Medway Place LCC, was contacted with a reminder about tonight's hearing to work on the decision. It is noted the applicant was not present.

The Board was informed that Consultant Bouley, Susy Affleck-Childs, Andy Rodenhiser, Barbara Saint Andre, and Stephanie Carlisle (DPW Stormwater Compliance Officer) had a meeting regarding the project's MS4 permit. All members were in agreement that any alterations would require a modification to that permit.

Consultant Bouley noted the issues were:

- Current permit did not include the site plan in front of Board.
- There is a condition that any changes need to go back to the DPW for new approval.
- Suggestion to condition the project in the decision

The Board reviewed the November 5 draft decision for Medway Place. At the 11-9-21 hearing, the Board left off at finding #11 page 8. This where the discussion picked up.

**FINDINGS**

**Finding #11:**

The Board discussed finding #11. The lights were updated 2-3 years ago with LED. The

applicant has not supplied a photometric drawing. Some of the lights are proposed to be moved. There has also been some underground electric installed to some of the poles. The underground work needs to be completed and the overhead wires need to be removed. This could be written as a condition.

**Finding #12:**

Consultant Bouley communicated that there was information provided with the MS4 permit. The information regarding a filter berm at the low end of lot is not overly detailed but there are erosion control measures noted. Consultant noted it is sufficient. There needs to be language added in a condition to deal with any groundwater. There was no witnessing of test pits. Consultant Bouley will provide wording relative to inclusion of trenching boxes. The applicant does not have a plan for this. The construction process needs to be shown on an erosion and construction plan. The Board would like a land disturbance permit noted in a condition if needed. There are opportunities to reduce impervious cover. The islands could be moved closer to Route 109 and there could be the widening of the driveway. There should be a condition that the tractor trailers enter and exit the site safely.

**Finding 13:**

The Board agrees with the finding that there should be dumpster screenings from residential neighborhoods. There should be language added that the Fire Chief is ok with what is proposed. There was a concern about these causing a fire. The Board wants to make sure these are not close to the retaining wall. This is a safety issue. The Fire Chief did not address this issue in his initial review letter.

**Finding 14:**

The Board finds that this project is not compatible with the future development of the town and the new zoning bylaw. The buildings are set too far back and there is not enough landscaping. The applicant has made effort to bring this in line with regulations, but it is not 100% in compliance.

**Finding 15:**

The Board finds that the vehicles and trucks are not following the one-way traffic pattern being proposed. It was recommended to have a condition that traffic needs to be one way clockwise. The loading dock is not meeting the grade and there is not enough curbing. This is a dangerous site. There could be a one-way route in and out of site. A question was asked if the western side of the site can handle a tractor trailer in the corner area (northwest corner of the site). The Consultant responded that there is not room to have a truck in the east loading dock with another truck coming in where there is an entrance to the day care. This is extremely dangerous.

**Finding 16:**

The Board discussed the repaving of the site. The Board considers this maintenance and not construction. If there will be disturbance of 20,000 sq ft or more, there would need to be a land disturbance permit. There has been some stormwater information provided. There needs to be information provided about the amount of land disturbance. The Board would like a sketch and calculations to be provided. There is no proposed grading.

The Board is in receipt of the waiver request list.

**WAIVERS:**

The Applicant is seeking waivers from the following:

**Section 204-3 F. Written Development Impact Statement:**

The Board recommends denying this waiver since there is a concern about the circulation of traffic and parking on site.

**Section 204-3 H. Construction Management Plan (CMP):**

The Board recommends denying this waiver since the provided post construction stormwater management plan focuses on the work tied to the Ms4 permit and not the entire site. There has also been no information provided for the land disturbance permit. The site improvement work will spread throughout the site and will take up to five years to complete. The Planning Board would like to see this plan.

**Section 204-3 I. Earth Removal:**

The Board discussed their concern about the removal and disposal of earth material on the premises. This could be added as a condition. It was recommended to deny this request.

**Section 204-3J Earth Fill Estimates:**

The Board discusses that this regulation is not applicable to the scope of work; however the applicant has additional landscape work proposed which will require the import of fill to site. The volume of earth fill material will be needed. The Board disagrees with this waiver.

**Section 204 – 3 K.**

The Board would like to get some documentation from the Conservation Agent relative to confirmation that there are no wetland resources.

**Section 204-5D. 20 Site Grading:**

The applicant's plan shows existing grade but not the proposed grade post construction. Consultant Bouley has advised that the proposed contours should be included on the site plan particularly in the areas to be paved to help see whether stormwater runoff issues will occur as a result of the proposed curb islands with the curb breaks and whether the catch basin will function adequately.

**Section 204-5D Erosion and Sediment Control Plan:**

The Board discussed that the applicant has provided an erosion and sediment control plan but it is not complete. Consultant Bouley recommends that a complete erosion and sediment control plan be incorporated into the site plan set as the limits of work are spread throughout the site which could affect multiple drainage catchments. The excavation could generate sediment laden stormwater. This waiver is denied. It is recommended there be a condition to address this.

**Section 204-55D. 6) Post Construction Stormwater Plan:**

The Board communicated that the plan is not adequate. There is a history of E-coli in system and there needs to confirmation that this has been resolved. The record during public hearing does not include information on that. Those minutes or letters should be included from the DPW. There should also be information provided from the Board of Health.

The Board discussed that the applicant is providing a utility plan, but it does not show all underground Utilities. There is not a photometric plan. The Consultant communicated that there are some changes to the light pole locations, installation of the electric vehicle stations, and landscaping, all which conflict with the existing utilities. It was recommended to deny this waiver request.

**Section 204-5 D 13) Site Amenities Details:**

The Board discussed that there are items missing in the site plan details sheets to specify light fixtures, trash barrels, planters and associated winter storage plan, and dumpster enclosures. This all needs to be noted on the plan. The Board recommends denying this request.

**Section 204-5 D 15) Lighting Plan:**

The applicant has asked for a waiver from the lighting plan. This is a requirement of the Zoning Bylaw, thus it cannot be waived. This request is denied.

**Section 204-5 D. 16) Horizontal Sight Distances:**

The Board would like to have the applicant show the sight distances on the plans. The Board recommends denying this request.

**Section 204-5 D. 17) – Zoning Bylaw Requirement Compliance Table**

The applicant has provided a parking spaces summary on Sheet C.100 of the revised plan set dated 8-30-21 but none of the other items are addressed. The Board recommends denying this request.

**Section 204-5 D. 18) Locations of fire hydrants, fire lanes, Etc.**

The applicant indicates that it does not apply as there are no changes to the location of existing fire hydrant and that the locations of fire lanes and access for equipment will remain as configured. The fire lanes should be noted on a plan. The Board recommends due to safety concerns this waiver should be denied.

**Section 204-5 D. 19) Information qualifying on-site generation of noise and odor:**

The Board is fine granting this waiver.

**Section 204-5 D. 20) Proposed off-site roadway and traffic management improvements:**

The Board is fine granting this waiver.

**PLAN REVISIONS**

- Lighting Plan
- 2 most westerly marked parking spaces.
- Traffic Flow pattern pavement arrows and other directional signage.
- Pedestrian access between Medway Place and Drybridge Crossing should show two safe means for pedestrian access.
- The handicap parking needs to be rechecked to show the details of the handicapped parking spaces and walkways along with van parking.
- The plan needs to be revised to include the correct location of the recently installed irrigation well and the correct size of the island.

**On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted by roll call to continue the hearing to November 23, 2021 at 8:30 pm.**

**Roll Call Vote:**

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

**OTHER BUSINESS:**

- Resident Lally provided a nice note thanking the Board for all their hard work on the environmental standard warrant articles.
- The Board was asked to think about possible warrant articles for the Spring.

**PEDB MEETING MINUTES:**

**November 2, 2021:**

**On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board to approve the minutes from November 2, 2021.**

**Roll Call Vote:**

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

**ADJOURN:**

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

**Roll Call Vote:**

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

The meeting was adjourned at 9:30pm.

Prepared by,  
Amy Sutherland  
Recording Secretary

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

**Tuesday, November 23, 2021**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

<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>Absent with Notice</b>	<b>X</b>	<b>X</b>	<b>X</b>

**PRESENT:**

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Tetra Tech Consultant Steve Bouley via Zoom

**PUBLIC COMMENTS:**

- There were no Public Comments.

**PUBLIC HEARING CONTINUATION - PHYTOPIA MARIJUANA SPECIAL PERMITS, SITE PLAN, REDUCED PARKING SPECIAL PERMIT, GROUNDWATER PROTECTION SPECIAL PERMIT**

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

- Public Hearing Continuation Notice to 11-23-21
- Lease Document
- Tetra Tech review letter dated 10-27-21
- Draft marijuana special permit decision dated 11-19-21

The applicant's attorney, Ted Cannon, was present on behalf of the applicant. The Board was made aware that the project's Notice of Intent was presented to the Conservation Commission. The applicant was asked to reduce the infiltration on the east side. They are working with a licensed site professional (LSP) and will report back to the Board. The applicant informed the Board that they met with the Chairman of the Conservation Commission and the Conservation Agent and things have been stalled. There is only a small section of the project which falls within Conservation's jurisdiction. The applicant is considering alternative options for this area which will comply with the stormwater management standards.

The draft marijuana special permit decision was reviewed by the Board and applicant. The decision was viewed via the Zoom Share Screen feature.

**Resident, Maria Walzer, 11 Green Valley:**

Ms. Walzer communicated that she is concerned about the odor from the marijuana facility at 2 Marc Road. Why is the Board considering another marijuana application if the existing one cannot handle the odor?

The Board discussed the Findings section of the draft decision. Language was added to acknowledge clean-up of the property due to the contamination issue attributed to the prior property owner. The applicant has a phased process for the clean-up and is going from Phase 2 to Phase 3 and this is regulated by DEP. The Board was made informed that there was a meeting with the Chairman of the Conservation Commission and Conservation Agent. The applicant is trying to accommodate the Conservation Commission's concerns about the infiltration of stormwater runoff pushing the contamination toward the Town well. One of the options is to reduce the amount of infiltration. A plan of this will be presented at the next meeting. Tetra Tech communicated it did not decide if recharge is viable or not viable. The applicant still needs to submit additional information to make this determination. There will be additional testing on site. The Conservation Commission meeting is December 9, 2021. There was a comment that the applicant should not be using Town water for irrigation but there is also concern about installing a well. It was suggested that water re-use should be considered. The Board would like a plan of how the applicant will use and reuse the water for growing marijuana plants. There was also a recommendation to put a cap on how much water they would be allowed to use. The applicant responded that they are paying for this water and have not had any of the other towns where they work put a cap on water usage. The applicant also indicated that they try to capture as much water as possible with the 90% reclamation rate. This process is highly regulated. The applicant also communicated that the State only allows a certain amount of water usage based on the permit. The Board did explain that they do not have the authority to allow the applicant to use TOWN water for irrigation; that will have to be discussed with the Department of Public Works. All were in agreement that the water issue should not be part of the marijuana special permits but instead should be addressed in the site plan. Town Manager Michael Boynton joined the meeting via Zoom and indicated that there is no limit on water consumption and the Town has already accounted for the water usage for this project.

Resident John Lally was present, and the Board asked if he could discuss his comments at the next meeting. They also asked him to put his question in an email.

**On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously to continue the hearing by Zoom to November 30, 2021 at 7:00 pm.**

### **CASSIDY FIELD PARKING LOT SITE PLAN – INFORMAL PRE-APPLICATION DISCUSSION:**

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

- Cassidy field parking improvements dated 9-8-21 prepared by Tetra Tech.

DPW Director Pete Pelletier was present to discuss the proposed Cassidy parking lot project. The goal is to establish a clear parking layout that is ADA accessible. The parking lot improvements will include stormwater mitigation strategies that would enhance this property.

The plan was shown via the Zoom feature Screen Share.

Town Manager Michael Boynton was present via Zoom and communicated that he is in support of this project. The Town has secured \$300,000 for funding of a portion of this project. Mr. Pelletier communicated that there are three alternatives for the infiltration basins. There are 66



parking spaces on this plan. The Board would like to know where spectators will park. There needs to be a plan for the spillover of vehicles. There was also a recommendation to show this plan to the Youth Baseball Association and secure their feedback. The Conservation Agent has reviewed this plan and was glad that the parking area was pulled away from the riverfront area. There was a suggestion to allow non paved surfaces to be used for special events. There is no lighting proposed for the new pathway. There was a suggestion to put conduits in the ground for electric vehicle charging stations. This plan will be reviewed further.

### **PUBLIC HEARING CONTINUATION - ROCKY'S HARDWARE ADMINISTRATIVE SITE PLAN AND OUTDOOR DISPLAY SPECIAL PERMIT:**

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

- Public Hearing Continuation Notice to 11-23-21
- Collection of minutes of the previous public hearings
- DRAFT decision dated 11-19-21
- Letter dated 11-19-21 from Attorney Gareth Orsmond re: draft decision

The Chairman suggested that this permit be delayed until there is resolution on the Medway Place site plan application which is still before the Board.

The applicant's representative, attorney Joel Quick, was present via Zoon. He communicated that if the decision of the Board is to deny the application tonight, or continue to another date until the Medway Place decision is reached, he would rather continue.

The applicant Kevin Bradley was present via Zoom. He would prefer no decision at this time.

**On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted to continue the hearing for Rocky's Hardware to December 14, 2021 at 7:00 pm. The motion was approved by a vote of 4 in favor (Rodenhiser, Hayes, Chabot and Tucker) and one (Di Iulio) opposed**

### **CONSTRUCTION REPORTS:**

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

- Harmony Village – Tetra Tech Report #10 (11-8-21)
- Harmony Village – Tetra Tech Report #11 (11-12-21)
- Medway Mill -Guerriere and Halnon report (11-18-21)
- Medway Mill – Tetra Tech Field Report #3 (11-8-21)
- Medway Mill – Tetra Tech Field Report #4 (11-15-21)
- Choate Trail – Connorstone Engineering Report (11-15-21)

Tetra Tech Consultant Steve Bouley reviewed the various construction reports with the Board.

### **Harmony Village:**

The electrical conduit has been installed and backfilled with sand. The filter fabric has been

installed. The photo information from the drainage installed was reviewed. It is recommended that one of the manholes be replaced along with a larger manhole upgradient.

**Medway Mill:**

The contractor is in the process of installing the proposed drainage. The structures and piping have been backfilled. There will be a snow/construction fence installed.

**42 Highland Street/Choate Trail subdivision:**

There have been erosion issues on site and those issues will be mitigated. Consultant Bouley will be on site tomorrow.

**PUBLIC HEARING CONTINUATION - MEDWAY PLACE SITE PLAN**

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

- Public Hearing Continuation Notice to 11-23-21
- Revised Draft Decision dated 11-22-21

The Board is in receipt of the most recently revised draft decision dated 11.22.21. It was noted that the applicant was not present.

The decision was further reviewed starting with the following:

**#15 Off Street Loading:**

The Board continues to have concerns about the center's off-street loading facilities. This permit should be conditioned to include language about the deliveries for Ocean State Job Lot and PJ's restaurant. The Board would also like to require a truck turning plan with signage. This will also be conditioned to not allow two-way traffic. The owners can coordinate deliveries. The Board would also like language that the applicant can demonstrate that a 53-foot tractor trailer can maneuver the site. There should also be signage included to enforce the traffic patterns. The dumpster locations should be accurately noted on the plan.

**#16 – Requirements of Medway General Bylaw:**

There was a concern brought up that the work on any stormwater be started on site before the Board's approval. There are currently piles of gravel, cement, and structures on site. The Board was reminded that the stormwater permit was issued by the DPW.

**Other Plan Revisions.**

- There needs to be a utility plan compliant with the *Site Plan Rules and Regulations*.
- Eliminate one-way south drive aisle to west of the main entrance; convert it to landscape area and relocate curb line 16 ft. to west to eliminate one-way south drive aisle and improve traffic flow
- Update Development Impact Statement
- Calculations for land disturbance
- Stormwater report and plan
- Solid waste management plan.
- Truck turning radius plan

The decision will be further revised and discussed at the November 30, 2021 meeting.

**On a motion made by Jessica Chabot, seconded by Matthew Hayes, the Board voted unanimously to continue the hearing for Medway Place to November 30, 2021 at 7:30 pm.**

Member Tucker left the meeting. at 9:53 pm.

### **ANR PLAN – 39 Waterview Drive:**

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

- ANR Application from Michelle Earl and Todd Houle of 39 Waterview Drive
- ANR Plan of land dated November 22, 2021 by Colonial Engineering
- Project Description letter dated November 16, 2021
- ANR plan review memorandum by Susy Affleck-Childs dated November 19, 2021

The Board is in receipt of an ANR plan showing 7,977 sq. ft. Parcel A immediately north of the Earl/Houle property at 39 Waterview Drive. Parcel A is part of an abandoned railroad right of way. The applicant wishes to claim a share of the parcel to the centerline of the railroad right of way. Town Counsel provided input on this application and advised that language be added to the plan to indicate that the Board's endorsement of the plan does not convey any property rights.

**On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted unanimously to endorse the revised ANR plan dated 11.22.21 as presented.**

### **ZBA Petition – 5 Oakview Circle:**

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

- Application 5 Oakview Circle

The Board is in receipt of a ZBA application for 5 Oakview Circle. The applicant seeks a variance to allow for the construction of a front porch with a landing and stairs to provide for the future installation of a handicap ramp; this improvement does not meet the front setback requirements. The Board did not want to comment on this application.

### **Cutler Place Multi-Family Special Permit and Site Plan -Plan Review Fee Estimate:**

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

- Plan Review fee estimate from Tetra Tech for Cutler Place (\$6,351)

The Board reviewed the Tetra Tech plan fee estimate for Cutler Place in the amount of \$6,351.00.

**On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously to accept the plan review fee for \$6,351.00 for Cutler Place.**

**Town Line Estate – Request for Project Completion Extension:**

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

- Letter dated 11-16-21 from owner/permittee Rob Lapinsky
- Excerpt from endorsed subdivision plan

**On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to grant a two-year extension for Town Line Estate to January 22, 2024.**

**Master Plan Update:**

The Board was informed that the Master Plan Committee had a productive meeting. The Committee is currently revising the vision and goals. There will be a joint meeting with the Planning Board and the Select Board in early January 2022.

**PEDB MEETING MINUTES:**

**November 9, 2021:**

**On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board to approve the minutes from November 9, 2021 as amended. (Member Tucker did not vote as he had left the meeting.)**

**ADJOURN:**

**On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted to adjourn the meeting.**

The meeting was adjourned at 10:15 pm.

Prepared by,  
Amy Sutherland  
Recording Secretary

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

**Tuesday, November 30, 2021**  
**Medway Planning and Economic Development Board**

**Zoom Meeting**

<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>X</b>	<b>X</b>	<b>X</b>

**ALSO PRESENT VIA ZOOM:**

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Engineering Consultant Steve Bouley, Tetra Tech

All of the members announced their presence.

**PUBLIC COMMENTS:**

- There were no Public Comments.

**PHYTOPIA MARIJUANA SPECIAL PERMITS, SITE PLAN, REDUCED PARKING SPECIAL PERMIT, GROUNDWATER PROTECTION SPECIAL PERMIT PUBLIC HEARING:**

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

- 11-30-21 notice to continue public hearing Phytopia.
- Email dated 11-29-21 from resident John Lally s John Lally
- Comments from attorney Ted Cannon dated 11-30

The members are in receipt of the most recent version of the decision dated November 19, 2021 which included comments (11-23-21) from attorney Ted Cannon and comments (11-29-21) from resident John Lally.

The Board began review of the document:

**Noise Management:**

There is language about a condition that requires the applicant to submit a noise mitigation plan for Phase 2. There was a suggestion by attorney Cannon that there be a condition in Phase 2 (b) that the noise compliance verification be provided prior to issuance of occupancy permit. The Board wants this linked to the building permit. The Board also wants to see what the wall will look like. A suggestion was made about having a preliminary approval in Part A.

**Part B:**

This condition was added and requires noise compliance. This condition was imposed for 2 & 4 Marc Road. Resident Lally communicated that this is needed since the noise is continuous and varies. This is relative to how the background noise carries. There needs to be pre-occupancy

compliance. Mr. Lally noted that without strong language, residents would need to keep a log of noise. There was a suggestion that the noise study should be done 6 months out.

Attorney Cannon noted his concern with Part B is that there needs to be compliance prior to Occupancy. The other facility did not have the same technology and this site is not the same entity. The applicant is aware that they need to comply with the bylaw. The language is too restrictive.

There was discussion that it is cumbersome to have the applicant submit an annual certification that there are no changes in the installed mechanical equipment. There was agreement that this does not need to be done annually.

There was a suggestion to remove the language regarding the cooling tower since this is from a different site.

There was also discussion about the reference to DEP. The local bylaw as written is more strict than the DEP and since the town has not adopted the DEP bylaw this should be removed. There was language added that the applicant must comply with the zoning bylaw. It is not the Town's job to enforce the DEP noise standards.

The language regarding water conservation was eliminated since this will be addressed in the site plan.

**Findings:**

**On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board voted by roll call to approve the Findings as written.**

**Roll Call Vote:**

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

**Decision:**

**On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board voted by roll call to approve the special permit to authorize the applicant to operate a Recreational (adult Use) Marijuana Establishment and a Non-Retail Registered Medical Marijuana Facility at 6 Industrial Park Road with conditions.**

**Roll Call Vote:**

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

**Continuation:**

**On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted by roll**

**call to continue the public hearing for the Phytopia site plan, reduced parking special permit, and ground water protection special permit to January 11, 2022 at 8:00 p.m.**

**Roll Call Vote:**

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

**Close Hearing:**

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by Roll Call to close the hearing for the Phytopia Medical and Adult Recreational Use Marijuana Special Permits.**

**Roll Call Vote:**

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

**MEDWAY PLACE PUBLIC HEARING:**

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

- Notice of Public Hearing Continuation to 11-30-21
- Email dated 11-24-21 from Medway resident Lee Brundage
- Emails dated 11-24-21 and 11-29-21 from Deputy Fire Chief Mike Fasolino
- Email dated 11-29-21 from Sergeant Jeff Watson
- Email dated 11-30-21 from Andy Rodenhiser with link to aerial photography
- Revised draft decision dated 11-30-21

The Chairman opened the continued hearing for Medway Place.

Susy Affleck-Childs entered all of the above noted documents into the record.

There was an email dated November 23, 2021 from Lee Brundage. The email was requesting that if there is an ADA pedestrian path between Medway Place and Drybridge Crossing, it would be helpful to have a handicap parking spot located there. The Board communicated that this could be problematic as handicap spots are supposed to be located close to the businesses on the premises.

The Board discussed another email dated November 29, 2021 from Deputy Fire Chief Mike Fasolino regarding the dumpsters in the back of Medway Place. The email indicted there is a requirement for a 20' fire access around the building. There was another email which noted the MA Fire Code 19.2.1.4 Rubbish within Dumpsters. It was explained that the Medway Place building is non-combustible so that the dumpsters being located close to the buildings is OK.

The Board did recent an email from Chief Lynch about the traffic flow around the back of the site. It is his recommendation that all vehicles enter the back of the plaza from the West Side (Ocean State Job Lot) and exit from the East side (Rocky's Ace). There was a recommendation that all parking and storage of dumpsters be located up against the buildings. Do not enter signs should be placed at the driveway east of Rocky's Ace Hardware along with the one-way traffic signs (west to east) in the back.

The Chairman also supplied images which were entered into the record of the existing conditions of the parking lot at the plaza, taken the morning of 11-30-21 by drone.

The Board discussed the revised draft decision dated November 30, 2021.

The following recommendations were discussed:

- The Fire Department has also specified that Mass Fire Code requires that there must be 20 of clear access around the building for fire department access.
- In regards to the parking, the photos will be beneficial to include. It was recommended to remove #3.
- There was language added that the alley/drive between the two buildings is to be denoted as a fire lane pursuant to the Medway Fire Department's determination.
- The locations of all existing dumpsters and solid waste containers on the premises shall be updated and shown throughout the plan set.
- Language was included about the provision of truck turning movement documentation throughout the site for the largest anticipated delivery vehicles and fire apparatus.
- The decision includes language that the applicant can request an extension of the 120-day period for plan endorsement.
- There was discussion about removing the one-way driveway aisle on the west side of the main entrance and replacing it with landscaping.
- There should be reference to the underground wiring and this should be noted in the lighting and utility plan.

Required Actions Before Plan Endorsement:

D. #4 – There was discussion about the Solid Waste Management section. A question was asked if the requirement for a solid waste management plan should be completed before plan endorsement. This could be included as a condition. It was recommended that a timeframe be put together and should be within one year of plan endorsement.

The Board does want the truck turning movement documentation throughout the site provided before plan endorsement.

F. Use Limitations:

- Outdoor dining was added. This will have the applicant show this on the site plan. Any changes to expand existing or to add new outdoor dining needs the Board's review as a plan modification.

G. Traffic Pattern:

- There was language added about the Massachusetts Fire Code and that there must be 20 feet of clear access around the building for Fire Department access.



**K. Parking Lot Paving and Stormwater Management:**

- The Board would like language added that reports for stormwater should be provided. It was also suggested that language be included to visit the site during a storm event. There can also be monitoring and modeling.

The Applicant is required to reconstruct a portion of the Medway Place parking lot. This was shown on the site plan dated 8-30-21. Other sections will be repaved in the future. The Board is still concerned that this is an incomplete approach to the paving and grading which will negatively impact the adequacy of the management of stormwater on the site. There will be a one year period after the site work is completed where rainfall will be monitored to evaluate how the stormwater is working. There was a phasing plan for paving presented by Tetra Tech as a possible approach. However, the applicant has completely rejected it. Language can be added that there be review of the stormwater plan with the DPW when the MS4 permit needs to be renewed.

**L. Electric Vehicle Charging Stations:**

There was language added that half of the approved EVC stations shall be installed within 2 years after plan endorsement. The remaining EVC stations shall be installed within five years after plan endorsement.

**O. Preschool:**

The Board would like there to be language written in this section to require them to come in with a site plan if they are going to continue having the outside play area. The Board does not think the play area is viable. This site plan needs to be done by March 1, 2022.

**R. Performance Security:**

There is no option for performance security.

**Q. Project Completion:**

The included language for this is that the site plan approval shall lapse after two years of the site plan approval and the electric charging stations installed within three years.

**R. Coordinated Deliveries:**

The applicant will work with its tenants to develop a coordinated schedule and plan for product deliveries. This needs to be provided by July 1, 2022.

There was a suggestion to create a matrix of all the noted dates.

**Findings:**

**On a motion made by Bob Tucker, seconded by Matt Hayes, the Board voted by roll call to approve the Findings as discussed.**

**Roll Call Vote:**

Andy Rodenhiser	aye
Bob Tucker	aye
Rich Di Iulio	aye
Matt Hayes	aye

**Waivers:**

On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board voted by roll call to approve and deny the Waivers as listed and discussed.

**Roll Call Vote:**

Andy Rodenhiser	aye
Bob Tucker	aye
Rich Di Iulio	aye
Matt Hayes	aye

**Decision:**

On a motion made by Bob Tucker, seconded by Matt Hayes, the Board voted by roll call to approve the decision and conditions.

**Roll Call Vote:**

Andy Rodenhiser	aye
Bob Tucker	aye
Rich Di Iulio	aye
Matt Hayes	aye

**Close Hearing:**

On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board voted by roll call to close the Medway Place site plan public hearing.

**Roll Call Vote:**

Andy Rodenhiser	aye
Bob Tucker	aye
Rich Di Iulio	aye
Matt Hayes	aye

**PEDB MEETING MINUTES:**

**November 16, 2021:**

On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board to approve the minutes from the November 16, 2021 meeting.

**Roll Call Vote:**

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

**ADJOURN:**

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted by roll call to adjourn the meeting.

**Roll Call Vote:**

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

The meeting was adjourned at 9:48 p.m.

Prepared by,  
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Recording Secretary

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

DRAFT