

Board Members

Andy Rodenhiser, Chair
Sarah Raposa, AICP, Vice Chair
Timothy Harris, Clerk
Jessica Chabot, Member
John Parlee, Associate Member



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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT BOARD

Tuesday, July 25, 2023
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Member	Andy Rodenhiser Chairperson	Sarah Raposa Vice Chairperson	Timothy Harris Clerk	Jessica Chabot	John Parlee
Attendance	Zoom	X	X	X	X

PRESENT:

Barbara J. Saint Andre, Director of Community and Economic Development
Jeremy Thompson, Planning and Economic Development Coordinator

The meeting was called to order at 6:40 p.m.

On a motion made by Jessica Chabot, seconded by Tim Harris, the Board voted (5-0) by roll call to go into Executive Session under G.L. Chapter 30A, Section 21 (a)(3) to discuss strategy with respect to litigation known as Medway Realty LLC v Medway Planning and Economic Development Board and the Town of Medway, where an open meeting may have a detrimental effect on the Board's litigating position, and the Chair so declares and will return to open session at the conclusion of the executive session.

Roll Call Vote:

Andy Rodenhiser Aye
Jessica Chabot Aye

Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

The Vice Chair declared that an open session may have a detrimental effect on the Board's litigating position. The Board will re-convene in open session after the executive session.

The Board returned to open session at 6:59.

Approval of Meeting Minutes:

July 11, 2023:

On a motion made by Andy Rodenhiser, seconded by Jessica Chabot, the Board voted (5-0) by roll call to approve the meeting minutes from July 11, 2023.

Roll Call Vote:

Andy Rodenhiser	Aye
Jessica Chabot	Aye
Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

Public Hearing Continuation: 39 Alder Street

The Board has received a request from the applicant to continue the public hearing until August 22nd.

On a motion made by Jessica Chabot, seconded by John Parlee, the Board voted (5-0) by roll call to approve the continuation of the public hearing for 39 Alder Street to August 22, 2023 at 7:00 pm.

Roll Call Vote:

Andy Rodenhiser	Aye
Jessica Chabot	Aye
Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

Construction Reports:

The Board is in receipt of the most recent construction report for Milford Regional. The report indicates that the site is progressing, and all is fine on site.

Certificate of Completion – William Wallace:

The Board is in receipt of the paperwork regarding a requested field change to remove the new sewer manhole from the project scope. The Town's consulting engineer, Steve Bouley of Tetra Tech, has no issue with the field change. The applicant would also like the bond released. There was a screen share of the field change.

On a motion made by Jessica Chabot, seconded by John Parlee, the Board voted (5-0) by roll call to approve the field change for 274 Village Street.

Roll Call Vote:

Andy Rodenhiser	Aye
Jessica Chabot	Aye
Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

The Board was informed that the project completion requirements have been met.

On a motion made by Jessica Chabot, seconded by John Parlee, the Board voted (5-0) by roll call to approve the Certificate of Completion for 274 Village Street and release the surety.

Roll Call Vote:

Andy Rodenhiser	Aye
Jessica Chabot	Aye
Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

Zoning Bylaw Requirements:

The Board briefly discussed the presentation from Consultant Barrett regarding the MBTA. The Board will need to further discuss and set the parameters in the proposed multifamily areas such as parking, density, height, and lot coverage. It was recommended to use the existing zoning as a guide. There will also need to be further discussion about the affordability component. The current requirement is 10% but if there is a justification for an increase of affordability a study would determine this. There is grant money which would cover this study. It is beneficial to look at current developments such as Glenbrook, Sandford Mills, Meehan project (preapplication)etc. to determine what type of development the Board would like to see. A recommendation was also made that the Board could do a visual preference surety. A comment was made that this mandate is overbearing to towns. It is also not right that towns are punishment (no availability to grants) if towns do not comply.

A public comment was made by Steve Brody – 39 West Street. He wanted to further discuss the direction the town is taking with the MBRA. He was informed that currently there are options presented by Consultant Barrett.

The State has not determined how the 40 B projects will be handled. There is still legislation pending.

Warrant Articles for Fall Town Meeting:

The Board is in receipt of the following proposed warrant articles for the Fall Town Meeting.

Street Acceptance:

There is a warrant article to see if the Town will vote to accept as a public way Armore Circle in its

entirety.

The Board was in receipt of an email from Mr. Lynch informing the Board about the current status of the roadway which is in disrepair. Resident Kevin Buris was present. He explained how other similar private ways were made public. This road currently allows for trash pick-up. He communicated that after 20 years living here, the town should plow this street.

The Board was shown the plan on the screen share. The current site has no drainage and the pavement needs work. There are only three houses on the lot, and it is a private way. There is a concern that the as-built plans do not meet what is on the ground since there is no record of the as-builts. The first step would be to get an accurate depiction of what is on site.

Housekeeping:

The following is recommended:

- Change name for DHCD to Executive Office of Housing and Livable Communities.
- Amend Section 1.1 Title “Zoning Bylaw of the Town of Medway” stay consistent
- Delete Section 1.8 Temporary Moratorium in its entirety.
- Updated definition for Height to stay consistent. There was a question about the “grade” plan. This was a recommendation from Building Commissioner. It is fine for commercial but not residential. This will need further conversation with Building Commissioner. It was recommended to take this out and put separate.
- Amend Section 9.3.B in Oak Grove Section – reference (see definition of Building Height)
- Amend Table 1, Schedule of Uses, to provide that Construction Contracting Services are allowed by Special Permit
- Delete Section 8.11.D.2., 8.11.D.4 and 8.11.D.5 (solar Mitigation); Sections 8.12.F.10, 8.12.F.11, and 8.12.F.12 (BESS Mitigation and renumber subsections.
- Amend Section 8.4.K.4 (OSRD) to change the reference from subsection K below.
- Amend Section 3.1.C as recommended.
- Amend Central Business Zoning District, Section 10.c.1 regarding (a) Rowhouse (RH) and deadline to act on site plan approval being 90 days.
- Amend Section 3.1.C with language No Certificate of Occupancy....

Article Kennels:

The language is to amend current wording to align with State that one pack or collection of four or more dogs for kennel for commercial purposes. Changing the use “kennel” to “Commercial Kennel”... If someone wants more than 4 need to go to ZBA. There was also a recommendation to not have reference to commercial kennel. This will be revised and brought back to Board.

Article Mitigation:

This Article would be to amend Zoning Bylaw by amending Section 3.5.4.1. The recommendation is to remove the entire paragraph. There are mitigation measures currently in the site plan review process. It appears that the current mitigation in place was taken from Framingham and this does not apply to the Town of Medway. There was also a suggestion to remove the first sentence “unless the Board determines that adequate means of pedestrian travel is already provided to the site....

Article Schedule of Uses:

This Article is to amend the Zoning Bylaw by amending 5.4, Table 1: Schedule of uses relating to Tier 2 Battery Energy Storage. It is recommended that Town Counsel provides input.

Article Sign Bylaw:

This Article is to see if the Town will amend Section 7.2.6. B.1 by adding: The ZBA may grant a special permit for one additional sign only beyond the maximum of three signs. There is also language added to allow an increase in the total maximum sign surface of a sign and/or increase in the maximum sign height, of not more than 20% more than the sq. footage and/or height allowed under Tables 4 through 10. It is still recommended that an applicant go to DRC for advisory opinion. There is concern mentioned about the 20%. It is recommended to leave as variance.

Article Administrative Site Plan Review:

This is to see if the town will vote to amend its zoning bylaw Section 3.5.3.A.3 for Administrative Site plan Review. It is recommended to take out municipal buildings. It was explained that the last two reviews in house were for town sheds which have to go through departmental review. If this is something for the town, then it really doesn't need this review. By the time these come to the review, it has been vetted by DPW and BOS. The Board discussed and there was an opinion that the town should be held to same standards as other applicants. The items from the town to act on are for public good and not private gain, thus no need for review.

Suggestion Drive Thru:

The Board is in receipt of an article regarding drive thru from resident Rich DiIulio. The Town already has policies in place. This can be studied further at a later date, but currently it would not be ready for Town Meeting and is not a priority.

It was suggested to have the public hearing for the Articles on October 3, 2023 at 8:00 pm.

Amendments to Stormwater Management and Land Disturbance Bylaw:

The Town is looking to vote to amend the Medway General Bylaws, Article XXVI, Stormwater Management and Land Disturbance with the inclusion of language as noted.

The Board was informed that there are currently no regulations in place, and it was suggested to put this until the May Town Meeting to work on the regulations.

Discussion of PEDB fees:

The Board is in receipt of a further analysis of the Major Site Plan Review Filing Fee which was prepared by the Planning and Economic Development Coordinator Jeremy Thompson. The revisions came from the recommendations at the last meeting. The fee for number of meetings was taken out. There was a red line for the Board to review. The tiers were lessened from 4 to 2. The Board would like further research to look at the Town of Norfolk, Holliston, Ashland and Franklin and how their fees would apply to an example project such as 39 Adler and BESS project.

The Board would like to move forward with a public hearing.

On a motion made by Jessica Chabot, seconded by John Parlee, the Board voted by roll call (5 to 0) to hold the public hearing for the Planning Board Fees on August 22, 2023 at 7:30 pm.

Roll Call Vote:

Andy Rodenhiser	Aye
Jessica Chabot	Aye
Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

Signatures for Registry of Deeds:

The Board is in receipt of a document from the Norfolk County Register of Deeds which needs to be filled out to indicate signatures of the current members who are able to authorize any one of its members to endorse subdivision decisions, plans and ANR plans on behalf of the entire Board.

On a motion made by Jessica Chabot, seconded by Andy Rodenhiser, the Board voted by roll call (5 to 0) to sign the presented from the Norfolk County Register of Deeds

Roll Call Vote:

Andy Rodenhiser	Aye
Jessica Chabot	Aye
Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

Other Business:

Member Harris wanted to know if the Board can look at putting a procedure in place for unapproved roads. It was communicated that the town has made efforts to address some of the unaccepted roads throughout town. There is an outline of what is needed.

NEXT MEETING:

- August 8, 2023

ADJOURN:

On a motion made by Jessica Chabot, seconded by John Parlee, the Board voted (5-0) to adjourn the meeting at 9:22 pm.

Roll Call Vote:

Andy Rodenhiser	Aye
Jessica Chabot	Aye
Tim Harris	Aye
Sarah Raposa	Aye
John Parlee	Aye

Respectfully Submitted,

Amy Sutherland
Recording Secretary