

*Matthew J. Hayes, P.E., Chairman  
Andy Rodenhiser, Vice-Chairman  
Karyl Spiller-Walsh  
Cranston (Chan) Rogers, P.E.  
John Schroeder  
Eric Alexander, Associate Member*

*DRAFT – February 1, 2006*

## **January 10, 2006 Planning Board Meeting**

MEMBERS PRESENT: Chan Rogers; Matt Hayes; John Schroeder; Karyl Spiller-Walsh; Andy Rodenhiser; Eric Alexander

ALSO PRESENT: Gino Carlucci, PGC Associates; Paul Carter, VHB, Inc.; Susan Affleck-Childs, Planning Board Assistant; Phil Smith, Tree Warden; Dave D'Amico, DPS Director

***Call to Order: 7:32 pm***

***Citizen Comments: None***

***PUBLIC HEARING - River Bend Village Scenic Road Work Permit – 7:35 p.m.***

Richard Cornetta, attorney  
John Spink, CONECO  
Mark DuChesne, Abbott Real Estate

Tree Warden Phil Smith joined the meeting.

Matt Hayes – I am recusing myself from voting on the all River Bend permits, but I will be glad to run the meeting for this as I am with the ARCPUD and subdivision.

Rich Cornetta – We have no objection.

John Spink, CONECO - This is a section of Village Street about 290 feet long on the south side of the street, around 260 Village Street. We are trying to get an ARCPUD before the Planning Board and to do that we need 2 entrances. What we are showing is the clearing in the right of way that is needed to build the roadways into the site. However, along this section of this road are a lot of trees. It has been fully wooded for many years. We have located the 2 entranceways – 18 feet wide in and out – with a radius of 40 feet on the edge of pavement. That may be reduced if we can talk you into allowing a lower radius. That might save some trees.

Matt Hayes – What is the health of the trees in question.

John Spink – Fair to good. None are dead or diseased. They do have salt spray.

Matt Hayes – Are any stone walls being disturbed by the road construction?

John Spink – There is stone in there, but I can't say that there are any stone walls. There is a piece of granite curb in there and a foundation of a portion of the house.

Matt Hayes – Are the stones similar to other stones along Village Street?

John Spink – I haven't been in the basement. The pieces I can see are a foot to 18 inches thick, 5 to 7 feet long. But I don't have a good inventory of what is there.

Matt Hayes – Any plans to reuse the granite on site?

Karyl Spiller-Walsh – Any chance of using some of that granite in the terrace area for the community center?

John Spink – It would be available to do that.

Karyl Spiller-Walsh – It would be nice to incorporate it in some way.

Mark DuChesne – We don't have any objections trying to work it into the landscape as a feature.

Phil Smith – I went down and looked at the trees and measured the sizes and was walking around. What I would like to see happen is to use some pieces of granite near the house. If you drive down Village Street, there are a lot of granite walls with these large pieces. What I would like to see is the trees in question removed. Prune out the deadwood and neaten it up. Use the granite that is there and incorporate into the entrances for the driveways into the development. Possibly pick up some more granite and put in some posts along the road connected by wood or a chain similar to that up by the Community Church (Route 109 and Highland). If you go up and down Village Street, you see this periodically. This would really keep this area in line with the scenic road. Also do some maintenance and neaten things up. And maybe come up with some replacement trees to go in behind there.

John Spink – 35 to 45 feet back from the road is going to be a community center. Right now, there is a row of trees along the property line that are in the right of way. You will be able to see through the trees to the building from the street.

Matt Hayes – The tree removal calculations that were prepared, have you reviewed this?

Phil Smith – I went down and reviewed the tree measurements. I had some different measurements than what they provided. They came up with 404 square inches and I came up with 564 square inches for trees being removed. As the circle gets bigger there are a lot more inches in the outside rings.

Matt Hayes – I would like John Spink and Phil Smith (Butch) to set up a meeting to get on the same page as to size of the trees. We need to nail down the actual number of square inches.

John Spink – I did this with a big radius for the roadway entrance. How do you want to handle that? We are going to propose to you to allow for a smaller radius.

Matt Hayes – Please prepare two sets of tree calcs – one with the 40' radius and the other using a 25' road radius.

Paul Carter – You may need to remove some trees for sight distance issues even with the smaller radius.

Dan Hooper, 6 Naumkeag Street - Because the applicant has worked extensively with the CONCOM to position these roads to save the walnut grove on the property, I would ask the Board to seek some leniency on calculating the tree replacement. I am hearing some agreement by the applicant to reuse some of the granite and I appreciate that gesture.

Matt Hayes – Would the board be in favor of reducing the square inch calculation?

Mark DuChesne – We can work up some designs with the landscape architect.

Dave D'Amico – Do you have a dollar figure in mind assuming we might end up planting the trees instead of them?

John Spink – I don't think there will be any room in the right of way.

Phil Smith - \$300 for a 3 inch caliper tree.

The public hearing was continued to 8:15 pm on Tuesday February 28, 2006. It will be combined with the continuing public hearings on the River Bend Village ARCPUD Special Permit and Definitive Subdivision Plan.

### ***PUBLIC HEARING – Restaurant 45 Site Redevelopment Plan***

8:15 p.m.

Andy Rodenhiser read the public hearing notice.

Paul Yorkis, Patriot Real Estate  
Mark Smith, Restaurant 45  
David Faist, Faist Engineering  
Jay Melick, Architectural Design

Paul Yorkis – I am present this evening with Mark Smith, the applicant; David Faist, our engineer; and Jay Melick who has architectural responsibilities. I would like to do a brief overview, then Jay and David will make presentations. Then I would like to make a brief oral response to PGC's review letter and David Faist will respond to VHB's review letters.

Paul Yorkis – I understand there are some concerns by some neighbors that they didn't receive notice. I have the green cards from the certified mailing. We go to the Board of Assessors to get

the abutters list. It is possible that a property sells and the assessors are not aware of a change owner of record at that time. In addition, the secretary of the Planning Board requested that notices be sent to the planning boards of the adjacent towns. The other thing which we did to try to give abutters an informal opportunity to learn about the plan is that we were able to meet with some of the butters last week. We learned some information from them that we didn't have before. We have made one change to the plan based on that meeting – the fence that is proposed for along the Little Tree Road side would be extended further toward Route 109 and the fence along the south edge of the property would be extended further east toward Summer Street. We became aware from some of the abutters that people avoid the light at the intersection by cutting through Little Tree Road to Rustic Road to Summer Street. They have some serious safety concerns. I had the opportunity to speak with safety officer Jeff Watson because signage in the town can negatively impact reimbursement we receive from the state. He has sent a letter to Mass Highway explaining the situation. I made a commitment on behalf of the applicant that we would raise this matter with Jeff Watson. The applicant is willing to pay for the cost of the signs for a 3 way stop at Rustic and Little Tree Road. The abutters also asked how could one try to decrease the volume of traffic cutting thru. Perhaps the Planning Board could require some traffic signage such as "No thru traffic" at Little Tree and Rustic Roads. The applicant would be willing to take care of that. I don't want to represent that there will be an immediate response from Mass Highway.

Paul Yorkis – Regarding the building design, about 15 months ago, we had two meetings with the Design Review Committee and went thru it fairly extensively. The plan before you this evening reflects input from the DRC. The applicant and the development team are trying to be responsive to concerns of how the site would work. Right now, the site is wide open. There is no definition. With the proposed new addition to the restaurant, there would not be any increase in seating. A separate 5150 sq. ft retail building will be newly constructed. There is an outdoor deck waiting area between the restaurant and the new building. There is quite a bit of landscaping that is proposed. We have review comments from your planning and engineering consultants. Regarding the expansion of parking relative to the building expansion, the total number of parking spaces complies with the proposed sq. footage of the buildings

Jay Melick – This is one project with two things happening. The addition to the existing restaurant would create a new primary entrance to the building. The current lounge would become a small function room. New restrooms would be constructed up to standards. The back of the building will house a new bar/lounge. But the overall seating capacity remains the same. We are relocating the bar, which will result in a better flow and waiting area.

The second piece of the project is the retail building of 5150 sq. ft. Its primary entrance will be at the northwestern corner to give it its own identity. But we have tried not to make it too overpowering and to keep its scale in harmony with the existing building. The lower portion is a granite faced block with a stone appearance. In the deck area, along the back of the new building are some flower box details.

David Faist – I am the site civil engineer. We have developed the site plan and drainage calcs. I got involved with the project last summer. The original concept plan from 16 months ago included a centralized access off of Milford Street. One of the suggestions we had was to move the entrance further west. We met with Mass Highway. We now have a circular traffic pattern. It makes the site more accessible with an easier traffic flow. The restaurant serves lunch and

dinner. The proposed retail use would be a daytime use and would be lease controlled so that more parking is available at night for the restaurant. We now have two way traffic around the majority of the site. We would maintain access and exit out to Rustic Road. There is a one way traffic pattern along the eastern and northern part of the site. Right now the entire side is wide open with no sidewalk on route 126, no guardrail on route 109. In addition to the cut thru problem on Little Tree and Rustic Roads, a lot of people try to cut thru the Restaurant 45 parking lot. The idea is to close up the wide open access from Milford Street. We are proposing a guardrail along the south side of Route 109. Next to that would be a 4 foot sidewalk flush mounted. We envision cross walks like at Medway Commons. Presently, there is no drainage on site. Everything flows to north and out to Route 109. We prepared a landscape plan and lighting plan and overall that is pretty much it.

Paul Yorkis – I have some comments in response to PGC's review letter which we received today. We really don't have too many disagreements. I wanted to point out a couple of things regarding items 2-4. I talked to Bob Speroni (Zoning Enforcement Officer) regarding this. He acknowledged that there are non conforming structures but as long as the new structures are conforming, he does not see a problem.

Matt Hayes – Has the ZBA issued a variance on the building?

Paul Yorkis – No, it is preexisting, non-conforming. But the new building is conforming and the addition is conforming. I understand the question that Gino has raised but I don't believe it is a problem.

Susy Affleck-Childs – I would like you to get that in writing from Bob Speroni.

Paul Yorkis – We don't have any issues. The reason for the left hand and right hand exit lanes is for better traffic management.

David Faist – I will address VHB's concerns. The parking area drains west to the curb and then north and out to route 109 along the gutter line and then 180 feet westerly to drain into the wetlands. The paved parking area at the rear drains southerly into the wooded area behind. Restaurant 45 drains out to Rustic Road and then out to route 126. There is a drain pipe in route 109 but there are no catch basins on our site that tie into the existing drainage system.

There are 3 main points in VHB's review letter.

1. Walkway in front – One of their recommendations was to have a raised concrete island with 6 inch granite curbing. We will be meeting with the Development Review Coordinating Council next week. We want some input from Dave D'Amico. We don't want to alter the existing drainage pattern. We understand there is some sidewalk work being done as part of the Route 126 reconstruction project.

2. Based on Massachusetts' stormwater standards for redevelopment sites, we have designed the new part of the facility to meet those standards. VHB has recommended tying in the existing drainage. We don't feel the need to add an underground pipe system for the existing structure. We will respond in writing to VHB's recommendations.

3. Traffic review letter – We would like to go through that in more depth. Conley Associates who did the traffic study. The traffic generation counts need to be revised to reflect square footage vs. seating area.

Paul Yorkis – Let me summarize our presentation by making sure the Planning Board is aware that Mark Smith has a commitment to have this be a really nice entrance to the community. As people drive easterly down Route 109 into Medway, this is the first real commercial area they see. What we are trying to do is have this project, both the physical structure and landscaping, really be something everyone in the community will be proud of.

Matt Hayes – I do like this site design much better than the first concept, especially the traffic flow. I have 2 main issues. One is the proposed guardrail in the front. This is going to be an attractive building. Aesthetically, a guardrail is going to ruin that. I don't believe a guardrail is required. I would like to see the raised island instead of the guardrail with granite curb and either bituminous or concrete sidewalk across the entire frontage. I believe all the drainage on the site should remain on the site. It shouldn't be coming out to Route 109 or across Rustic Road.

David Faist – We have 5 feet depth of bedrock in the southwest corner of the site. Test pits were taken last July. We are willing to work with the Town. At next week's Development Review Coordinating Council meeting, it would be very helpful if we could see any more info related to the drainage plan for the Route 126 reconstruction.

Matt Hayes – In the traffic report, it wasn't clear whether the new building would be office or retail use.

Mark Smith – It will be retail.

Matt Hayes – Where are the loading docks?? There are no obvious loading areas for the retail store.

David Faist – The restaurant delivery area is at the south side. They have morning deliveries. People would park at the rear of the property for deliveries for the restaurant.

Mark Smith – We are going to look for a solid retail tenant with a 9 – 5 business. With what we are presenting being so nice, I think we will be able to be picky about who will go in there.

Matt Hayes – Another few questions. Is there handicapped access to the deck area from the parking lot or will it be thru the building?

Jay Melick – The deck area doesn't really have a use planned for it right now. It is only accessible thru the restaurant.

Paul Yorkis – The proposed new central entrance accommodates handicapped individuals.

Matt Hayes – What size vehicle does the turning radius on the one way aisle turning westbound onto Route 109 accommodate?

David Faist – A normal passenger car.

Matt Hayes – Any wetlands?

Paul Yorkis – There are no wetlands on the site. There are someone the adjacent property to the restaurant. There is approximately 75 feet from the disturbed area to the site.

Matt Hayes – Only 7 spaces on the plan were labeled for employee parking but the table shows 15 employee spaces are needed.

Matt Hayes – Is the lighting adequate for the parking lots? It doesn't look like it is enough.

Paul Yorkis – We will correct whatever needs to be adjusted so the lumens are at zero. Right now on the current building, there is a large floodlight that will be removed.

Andy Rodenhiser – What is the deal with having some of the parking and signage in the right-of-way. At the eastern end of the site?

Mark Smith – We have the Town's permission for the sign. When we opened, we had to go before the Board of Selectmen to get permission with the understanding that we could lose it if the town ever needed to develop the right of way.

Andy Rodenhiser – So we would retain that caveat.

Chan Rogers – I want to express my pet peeve. The east bound traffic on Route 109 does not have a left turn lane to go northbound onto Route 126. Trucks who want to turn left block the other east bound traffic. The state should have a left turn storage lane for the left turn so there can be eastbound thru traffic.

Paul Yorkis – Any improvement that a private property owner does in the right of way is done at the owner's peril. Mark understands he may lose those parking spaces.

Andy Rodenhiser – Wouldn't any redesign then impact the total number of parking spaces available on site because you would lose about 7 spaces.

Paul Yorkis – The existing left turn arrow doesn't work. I understand the conduit underneath the ground is crushed. There should also be a right hand turn for westbound Route 109 traffic. The final design of the intersection needs to be addressed.

Andy Rodenhiser – Will you use the outdoor deck between the 2 buildings for seating?

Mark Smith – We don't have any plans to use that for seating. We aren't ever going to go over the capacity that we have now.

Paul Yorkis – Think of this as a waiting area, like the outside area at Outback Steakhouse.

David Faist – We are not proposing sidewalk along Summer Street.

Paul Carter – MASS Highway has put the final design out to bid.

Paul Yorkis – Is it possible to get a copy of the intersection design?

Paul Carter – Sure.

Andy Rodenhiser – Is it likely or plausible that there is sidewalk planned for along there?

David Faist – I believe there might be sidewalk.

Andy Rodenhiser – So it might be necessary to relocate the Restaurant 45 sign if that area is used for the improvements.

Andy – greenery area – tht will disturb the existing asphalt

David – sawcut existing pavement and lay in granite curbing – maybe do a new topcoat

Andy Rodenhiser – What is the status of your meetings with abutters? Are they satisfied with buffers and lighting?

Paul Yorkis – I can't speak for them. There have been ongoing discussions between Mark and the abutters. The lighting will conform, it has to. The lighting will be directed to the property and not off the property. The fence has been extended. The landscaping plan is fairly extensive.

Andy Rodenhiser – In general, I think it is a great looking project and beneficial to the town and our commercial tax base.

David Faist – We currently propose to do a flush mounted sidewalk with the guardrail.

Chan Rogers – There is still a telephone pole and the traffic control box right where you need the space for a thru lane.

David Faist – It will be helpful once we get the 126 plan and see if they are going to move those things.

Paul Yorkis – I was told that the signalization was going to include pedestrian signals as well.

John Schroder – I had a question on the parking. You are not changing the seating in the restaurant but adding a waiting area. Do you feel that is enough?

Mark Smith – If adding seating on the deck becomes an issue then we simply wont put seating out there. I am just looking to make it more comfortable.

Karyl Spiller-Walsh – I know we had a lot of conversations about the deck area in the DRC. We envision the deck as a seasonal situation. We are very pleased with the architecture as far as it has come. It is aesthetically coherent and professional. We did make a comment in the DRC's recommendation on the building architecture. There is a foundation wall that goes around the entire building and the proposal is to use a split face concrete block. We would be much happier if it is a stone veneer or stone product. That should be upgraded. We talked briefly about the sidewalk area. There is very little landscaping/greenery along the eastern edge of the site. It



would be important to see if there is going to be a green strip incorporated into the Route 126 intersection improvements.

Mark Smith - I am happy to get involved in landscaping along there. I would prefer that to be aesthetically pleasing.

Matt Hayes – What is the minimum width for the drive aisle?

David Faist – It narrows down to 16 feet.

Matt Hayes – There is room for some more greenery.

Matt Hayes –I would like to open this up to the public.

Dave Ledden, 11 Little Tree Road – We live right behind the building. When Mark moved in he said he would be a good neighbor. There isn't enough parking now and even after adding 34 spaces there will be people parking on the streets. Right now the lighting goes right into my daughter's bedroom. We have complained about that but this has not been resolved. I want him to address that. Also, the property itself has not been taken care. I have pulled weeds on his property.

Mark Smith – What we have proposed is to spend \$90,000 on landscaping.

Dave Ledden – There are also safety issues. We have 23 young children in the subdivision. There is a cut thru our neighborhood. I am surprised it wasn't noticed in the traffic study. Unless you are going to control that by blocking it off, this project will increase cut thrus thru us. I am concerned that maybe our fire department will not be able to get around with the additional commercial development at that corner.

Rhonda Dhole, 5 Little Tree Road – My major concern is the safety of my kids, age 10 and age 6. With retail there will be increased traffic. There will be too much traffic. The privacy of my house is in jeopardy. Up till now, we have seen overspill parking on Rustic Road. I would expect it will start to overflow onto Little Tree Road. That is my main concern.

Eric Hoyer, 7 little tree road – I have the same concerns about traffic. The back up on Route 109 because there is no left turn onto northbound Route 126 causes people to use Little Tree as a cut thru. There are lots of kids in this neighborhood. Another thing, the idea of the deck looks nice but I have some concern about noise. If there are people hanging out there at night the noise will come into the neighborhood. In the summer it is later and they are loud. The noise issues concern me.

Ismiga, 4 little tree road – 2 year old son, - he runs out onto the street – it is almost not a residential area because of the traffic – noise from the restaurant wakes him up – sometimes music – late at night is harder for younger children –it will only get worse

Rhonda, 7 little tree – little tree road/109 there is a bus stop –

Rob Condon, 3 Rustic Road – I want to echo the sentiments on traffic. I have a question. When we got the public hearing notice it said 4100 sq. feet , but they are saying 5100 square feet tonight. Has that changed?

Susy Affleck-Childs – That is my error in preparing the public hearing notice.

Chris Bell, 8 Little Tree Road – I have 3 kids, 6 and under. So this is essentially more bar space?

Mark Smith – Yes, the key thing with the lounge space is that it is waiting space for diners, not a hangout. We are the earliest closing restaurant around by design. I have kids and I understand your concerns. We aren't interested in increasing traffic thru your neighborhood. I hadn't realized there was so much. We really want to help with better signage. We will work with (Safety Officer) Jeff Watson to get permission to do that. We will do our part and pay.

Andy Rodenhiser – How about no parking signs as well on Little Tree Road?

Mark Smith – Yes.

Paul Yorkis – Has Jeff Watson been invited to the Development Review Coordinating Council meeting for 1/18/06?

Susy Affleck-Childs – Yes.

Paul Yorkis – We can put together a street sign plan for Little Tree and Rustic Road to present to Jeff so we can review it with him.

Bob Hainey, 6 Little Tree Road – I am not worried too much about lighting. But we have called the Police Department to try to get them to deal with people who are zooming thru. Because the streets haven't been accepted by the Town, the cops will not do anything for enforcement. There are speeders around here and they don't care. Until the Town approves the road, the cops will not come and do anything. I understand the road is not done right.

Donna Hainey, 6 Little Tree Road – I have traffic concerns. We have tried to call Mr. Watson and was told that nothing can be done. To give approval for this project without addressing the traffic issues would be remiss on your part. Also, the back of 9 Little Tree Road gets water all the time and that concerns me. I am concerned about a retail store. If it does not get rented, then the building has an empty storefront. There is nothing is worse than that. You really must try to address the traffic issues.

Chan Rogers – That intersection has been a pet peeve of mine since I have retired. I was waiting for the Route 126 improvements thinking it will be an opportunity to straighten this out. I hope the backing up on eastbound Route 109 traffic will be addressed.

Andy Rodenhiser – What is the status of Speroni Acres (Little Tree Road and Rustic Road)

Matt Hayes – We need to look into what is outstanding to do.

Chan Rogers – Are you telling me that the police won't enforce speeding through there?

Karyl Spiller-Walsh – I see this as a Little Tree Road problem. I don't see any acerbation in the traffic generation issues with this plan. I think the plan of this commercial site is going to mitigate a lot of the safety issues. I agree that Little Tree is a problem.

Citizen ?? – The restaurant may solve its problem with cut thru traffic, but not ours.

Matt Hayes – The problem is the intersection itself. The Mass Highway improvements should solve it.

Citizen ?? – Can we wait until the roads are fixed before this proposal is approved?

Chan Rogers– That intersection problem has been there for 10 years. I have worked to increase the interval on the light by 100% . But that has nothing to do with the restaurant.

Paul Yorkis – Is it possible to find out whether the Mass Highway work is going to deal with this? When I spoke with Mark Louro (former VHB engineer), the new signals are going to be a demand activated system.

Paul Carter – Yes, that is correct. Right now, it is a fixed time signal. With a demand activated system it has loop detectors and will adjust the timing based on demand.

Bill Hoyer, 7 Little Tree Road – My first question is re: wetlands. Has there been any study or thoughts? They do fill up into the yards. Will the drainage effect that at all? Spring would be a better time to do the study.

David Faist – The runoff to that area is different from the wetlands delineation. The proposed drainage design in this area is based on the increase in impervious coverage (building and parking lot). The water will not be discharged to the wetlands. We will have an underground drywell system. The overflow would be directed out to Route 109.

Bill Hoyer – How does construction go? How late at night?

Matt Hayes – It will be limited by the approval documents.

Paul Yorkis – I know that you mentioned that the hearing is going to be continued. Based on the Development Review Coordinating Council meeting and the review letters we have received, we would want to come back in about a month.

The public hearing was continued to Wednesday February 15, 2006 at 8:15 p.m. – This is a special meeting instead of having a meeting on Tuesday, Feb 14<sup>th</sup> (Valentine's Day).

***PUBLIC HEARING CONTINUATION – Marian Community – Betania II Adult Retirement Community Special Permit and Definitive Subdivision Plan***

Associate member Eric Alexander joins the meeting.

10:05 PM

Bill Proia, attorney

Rich Coppa, Marian Community

John Spink, Coneco Engineering

Bill Proia – Rich will update you on the plans.

Rich Coppa – Both of our engineers have been working diligently on our details. It has amassed to 85 pages and has taken a bit longer than we thought. We expect to have a good deal of the package done by Thursday (1-12-06). We have decided to separate the engineering from the architectural. We will hand deliver things to Paul Carter (VHB) and bring the architectural in for the DRC to look at one more time. We met with the DRC last night. Karyl wasn't there but she sent some comments. What you will see in the architectural package should be just what you are looking for. We have done something regarding the DRC's concerns about the structures being too symmetrical.

Bill Proia – Attorney John Fernandez is here representing an abutter Mr. James Carr, to the north of the site in Holliston. We have committed to sending him a set of plans as well.

Paul Carter – Will you be submitting the drainage calcs with the plans?

Rich Coppa – Yes, the whole package.

John Spink – We have worked on how to bridge the flow and how to get sufficient throat for the flow to go thru. We ended up with basically creating 3 bridges to the one we already had. We had one bridge and 23 culverts. We now have 3 bridges. We are trying to get the same flow with the weir.

NOTE – John Spink explained new approach and the overall situation.

Karyl Spiller-Walsh – What would work is a basic bridge.

John Spink – That is big bucks. This physically works.

Paul Carter – The question is whether it can get permitted thru the CONCOM.

Andy Rodenhiser – When we last met, didn't we talk about the previous design and the absence of details?

Eric Alexander – We need it to be more mature, a complete design and drainage calcs.

John Spink – It is coming with the next submittal.

Chan Rogers – What is the objection to doing a wider box?

John Spink – The original reason for proposing the culverts is expense as compared to a bridge. The bridges are pre-cast, 32 feet each. 3 bridges work.

Paul Carter – With a ditch and weir in the wetlands, you need to get some feedback from CONCOM. What they would like you to do is to limit your impact in the crossing. I understand

your problem with trying to match all your elevations. Maybe you need to look at a stepped opening. Maybe you need to raise the road.

John Spink – The CONCOM is relying on the PB and VHB's review for their analysis of the flood impact. I have been going under the assumption that I have to meet the same pool

elevations below and above. Can I make a different assumption? The CONCOM is looking to VHB for review of the hydraulics. I have been using the assumption of equaling the upper and down pools. Were you suggesting alternatives?

Paul Carter – It may have to be multi stage. The way you are trying to achieve this may not be permitable with the CONCOM. You may want to explore that with the CONCOM. You may need to look at a different design to minimize wetlands impact. I would suggest you get some input from them.

John Spink – The assumption I am making is correct?

Paul Carter – You know the regs.

Karyl Spiller-Walsh – There is a catch 22. What the PB might want to see may be difficult for the CONCOM to approve.

Paul Carter – He is proposing something that will have quite an impact on wetlands.

Matt Hayes – The cheaper option to have CONCOM look at this first, before you have VHB review it at the applicant's expense.

Paul Carter – You can pursue this with the CONCOM but you may need to do some sort of a multi stage type of opening to match existing conditions with a weir and ditches in the wetlands. The CONCOM may not be willing to approve that.

John Spink - I don't understand the option you are explaining

NOTE – Paul Carter explains it again.

Paul Carter - Talk to the CONCOM to see whether they would allow you this kind of impact.

Chan Rogers – The CONCOM will set the parameter as to what they will allow.

Matt Hayes – Do you want Paul (VHB) to review the hydraulic calcs as they are now or do you want to wait for the changed plans?

Paul Carter – If I review them now then I may have to review them again when it is relevant.

John Spink – Conceptually, do you think the weir and flow thru concept would be a solution

Paul Carter – No, because you are proposing it in a wetland. To expect that you are going to be allowed to construct something in the wetland is not a reasonable assumption.

Chan Rogers– The solution is to widen the bridge. The CONCOM is going to set some limitations on this.

John Spink – If I ended up building a bridge, it would be a \$300,000 bridge. We are trying to save money.

Karyl Spiller-Walsh – I don't know if the CONCOM is going to have much sympathy with this extent of wetland disturbance.

Matt Hayes – I don't want Paul to review this until you have touched base with CONCOM. Otherwise, it is a waste of time and money. This is a huge issue. You need to have at least a memo from the CONCOM to us that says they are OK with this conceptually if the hydraulics work. That is when Paul will review. I don't want to waste any more time and money if it is going to get shot down by another Town board.

Andy Rodenhiser – It is important for us as a board to use our time well. Are there other things we should be talking about with these guys?

Chan Rogers– I can see why you want multiple culverts because it is an expensive solution. The CONCOM may say you can't do anything there.

Matt Hayes – The CONCOM have to let them do something.

Paul Carter – You may need a wider opening for the next stage.

Karyl Spiller-Walsh – If this was a conventional subdivision, would there be other standards by which we would be more restrictive? Would there be the same issues??

Matt Hayes – Yes.

Chan Rogers – A for profit subdivision might be more comfortable with building a wider bridge.

Matt Hayes – The bridge has to work or it isn't saving anyone money

Susy Affleck-Childs – So we have nothing to recommend to the ZBA yet.

Matt Hayes – Correct. Are you going to bring that to the CONCOM

John – We will bring something to the CONCOM and meet with them next Thursday night (1-19-06).

Bill Proia - I want to introduce the mitigation matter. I want to make 3 points. We have a concept of mitigation. Essentially, to us, it looks like monetary mitigation cannot be imposed legally. But we understand the Town may need something. Voluntary mitigation is perfectly acceptable. I am trying to set the table. What impacts does the board see? What is appropriate to mitigate that?

NOTE – Reference is made to a draft letter dated 1-3-06 to Matthew Hayes from Attorney Proia regarding mitigation.

Andy Rodenhiser – At the risk of appearing arbitrary or capricious, do we have the ability to have somebody review what has been so far, to ensure that we don't violate anything.

Bill Proia – In my opinion, nothing you talk about is improper. Tie voluntary donations if you will to mitigate impacts. We want to talk about those. I didn't want my client to review something that was A-OK. That was the reason for trying to clarify things. What impacts are being created by our development?

Karyl Spiller-Walsh - Just a minor response to that. We have been thinking of mitigation not necessarily correlated with impacts. Our mitigation requests are tied more to the waivers, not necessarily linked with impacts.

Andy Rodenhiser – I am concerned that this is a public record and that what we talk about is part of the record of whether we do or don't issue a special permit.

Matt Hayes – I have not had a chance to speak with Town Counsel re: his opinion on this matter. I will do that at the earliest possible time I can.

Chan Rogers – I would like the board to go on record to request a legal opinion. I see the absence of that as an impediment to even discussing this. I don't think the fact that they are a non-profit institution precludes them from discussing mitigation.

A motion was made by Chan Rogers and seconded by Andy Rodenhiser to seek legal advice on Mr. Proia's letter.

Karyl Spiller-Walsh - I would like to suggest we go back to attorney Mark Bobrowski, if need be.

Matt Hayes – I would be inclined to discuss this first with town counsel.

Karyl Spiller-Walsh – We need some kind of comfort level.

Matt Hayes – I believe I can ask town counsel about his opinion of the applicant's interpretation of the bylaw and mitigation measures without jumping thru a lot of hoops.

Chan Rogers– I want to suggest something. We have already followed this path in another case (River Bend Village) which happens to be a for profit development. We could take a view that a religious organization would be exempt from that form of mitigation.

Andy Rodenhiser – I believe these housing units are going to be owned by individuals, not by the church. The fact that the church is a non-profit is irrelevant. They are undertaking the development of their property for a specific purpose. Any further discussion is dangerous.

Matt Hayes – I will bring up that point with town counsel when I speak with him. Is there anything further on mitigation that the board needs to discuss tonight?

Susy Affleck-Childs – I just want to note that with the subdivision, quite a few waivers are being requested. The subdivision is tied directly to the ARCPUD special permit.

Eric Alexander - I appreciate the willingness of the applicant to discuss this informally, and I would be willing to do so but I will defer to the rest of the board if you wish to wait until we have legal counsel's opinion.

Matt Hayes – I think I prefer to not discuss this without counsel

Karyl Spiller-Walsh – I was under the impression that our discussions were going on well. I found the letter (from Attorney Proia) to be hostile.

Eric Alexander – I appreciate the perspective of the applicant.

Matt Hayes – I don't want you to believe we are being hostile.

Chan Rogers - We are kicking the sleeping dog. We need to ask counsel whether mitigation is OK.

Bill Proia – Even if Town Counsel agrees with our general argument doesn't mean we aren't prepared to discuss voluntary mitigation.

The public hearing was continued to January 24 at 7:35 pm.

A motion was made by Andy Rodenhiser to extend the action deadline for the Planning Board's decision on the Marian Community subdivision plan to March 31, 2006. The motion passed unanimously.

***PUBLIC HEARING – Edward Reardon for 127 Main Street - Adaptive Use Overlay District Special Permit***

11:05 PM

Ted Reardon, applicant  
John Fernandes, attorney

John Fernandes – If you remember this from before, this application differ in any way from what you already approved. There is no change in the plan itself. At one point in the hearings from a year ago, the Building Inspector raised the question whether the Adaptive Use section of the zoning bylaw gave the Planning Board the authority to allow for the conversion of a single-family residential structure to a 2 family. I was comfortable with that as was the Board. However, last spring, the Planning Board petitioned town meeting to change the bylaw to make it clearer. That was approved. The applicant sought further input from the Building Inspector who felt a new special permit was needed to bring in the approval under the amended bylaw.



A motion was made by Chan Rogers and seconded by Eric Alexander to approve the Adaptive Use Special Permit for 129 Main Street. The motion passed unanimously.

Susy Affleck-Childs – I will revise the special permit for your signature at the next meeting and then file it with the Town Clerk.

John Fernandes – We will change the date on the plan and deliver it to you.

***FRANKLIN CREEK DEFINITIVE SUBDIVISION PLAN – Certificate of Action***

John Early, applicant  
Bill Halsing, Land Planning, Inc.

Matt Hayes – Due to the lateness of the hours, I would like to consider this next week. Does the Board want to go thru this finding by finding this evening? John, would you be willing to give us an extension of our deadline?

John Early – I would really appreciate it if you could act on it tonight.

Chan Rogers – I have looked at all the requests and I recommend approval.

Matt Hayes – I haven't reviewed it all the way through.

Susy Affleck-Childs - Would you consider a brief special meeting next week to finish this up?

The Board agreed to hold a special meeting on January 17, 2006.

John Early – OK.

A motion was made by Karyl Spiller-Walsh and seconded by Chan Rogers to extend the action deadline for the Franklin Creek Definitive Subdivision Plan to January 20, 2006.

***ANR Plan – BRIGGS PROPERTY/Adams Street***

Motion Andy Rodenhiser, seconded by Chan Rogers to endorse the ANR plan related to the Adams Street property being conveyed to the Town of Medway. Plan is dated \_\_\_\_\_ and was prepared by Paul J. DeSimone. The motion passed unanimously.

***INVOICES***

VHB – Plan Review - \$3,942.05. Motion by Chan Rogers, seconded by John Schroeder. Approved. Matt Hayes and Karyl Spiller-Walsh recuse.

VHB – Plan Review - \$3,450. Motion by Chan Rogers, seconded by John Schroeder. Approved. Matt Hayes and Karyl Spiller-Walsh recuse.

VHB – Plan Review - \$4,493.45. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers. Approved. Matt Hayes recuse.

VHB – Construction Observation 2-33.06/grapevine estates – Motion by Karyl Spiller-Walsh, seconded by John Schroeder. Approved. Matt Hayes recuse.

VHB – Construction Observation - \$3,613.87. Motion by Karyl Spiller-Walsh, seconded by John Schroeder. Approved. Matt Hayes recuse

### ***OTHER BUSINESS***

John Schroeder – I am planning to attend the Metro Future meeting in Medfield on January 19<sup>th</sup>. Sponsored by Metropolitan Area Planning Council.

Susy Affleck-Childs – I will attend January 18<sup>th</sup> meeting of the Development Review Coordinating Council regarding Restaurant 45.

Andy Rodenhiser – What would be involved in trying to organize something to combine all the little lots on Milford Street? That is a significant chunk of real estate that is undevelopable right now because of the multiple ownership. Could I go to the IDC and talk to them about this. Focus on links to the master plan and the benefit to the town.

A motion was made by Matt Hayes, seconded by Karyl Spiller-Walsh to authorize Andy Rodenhiser to contact the IDC to request their help in spearheading this project. The motion passed unanimously.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 12:05am (January 11, 2006).

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

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## **Minutes of 1/16/07 PB mtg**

PRESENT:

PB members: Andy Rodenhiser, John Schroeder; Bob Tucker; Karyl Spiller-Walsh;  
Chan Rogers

IDC members: Bill Wright; Rick Kaplan; Kellie Ployer; Glenn Trindade; Dave  
Harrington

Others: Susy Affleck-Childs; Gino Carlucci, PGC Associates; Rich Dunne,  
BOS; Dennis Crowley/BOS

7:12 – Call to order

Andy – thanks for coming, happy New Year to everybody

### **JOINT PB/IDC WORK SESSION**

Bill Wright – handout for first agenda item

Andy – we want to work more congruently with you – we need to better understand your role and how you see us working better with you – develop a better process – part of our most recent endeavor with the 43D expedited permitting program

Andy – we don't want to have critics from afar –

Introductions all around

Andy – Bill, can you outline for us –

Bill – we have taken our approach right from the master plan – primary purpose is to promote and develop the industrial resources of Medway – maximum economic development resources . . . . See list from handout . . . that being said, over the last 5 years, our top priority has been bringing sewer to the Medway business park at 496 feeling that that would help accomplish a number of our goals – and others become less of a priority – that has been our primary goal –

Andy – how is it that you guys got so wrapped up in the sewer

Bill – how did we get involved originally? I don't know – when I got involved in the IDC, the group had already received a grant for research/economic feasibility and preliminary engineering – at that point, we embraced

Glenn Trindade – the IDC goes back to the 80's – in 1999 when Mike Hartman was the TA, there was a big disagreement between the IDC and Mike Hartman – at that time the IDC disbanded – I volunteered to get on the IDC and called some of the former members and asked them to stay on (Paul DeSimone, senior – Bill came on board as did others – bill has really brought the committee back – the process to get to the sewer was a continuation of the old IDC's

work related to the construction of Alder Street and then Conroy built its building – without sewer, we were limited in type of development that could happen at that park – the one place where it made the most sense for sewer was the west side industrial park

Andy – how come we didn't rely on the sewer dept to do it?

Glenn – they didn't take the ball and run with it –

Chan – that is essential to the whole problem here

Glenn – the sewer commission did not run with it – if you put yourself in their shoes – the argument would be why should everybody in town subsidize the cost to put sewer out to the park – we could try to do that and waste town – instead we have aggressively pursued grants and with the property owners to work to bring sewer – get their support – talk to Gino, bill – conversations with legislative delegation – we chose that route instead of waiting for somebody else to do the job – we could sit here and talk about being armchair quarterbacks, we could sit back and criticize all the folks in the 80s when sewer wasn't put in – so tonight, how do we collectively move forward – look at opportunities – we have a jobs MORE grant –that could come in at 7 figures – also the other grant for 500,000 – look at the folks there like Cybex who are waiting and want to build – add 100 jobs here – give us sewer – I would argue that the PB and the IDC have never had any problems in the past . . We have worked

Chan – why cant you enlist others to help you – you are keeping it to yourself - let us al know what you have said – I haven't known it – you have been keeping it to yourself f- we all need to help – that is my point – we want you to ask us –

Bill – why didn't the sewer board run with it – another reason why is the best alternative for the sewer route requires a pumping station – the master sewer plan says that Medway will not have any pumping stations – they don't want to have anything to do with that – because that is in the mix, the water sewer folks have not embraced –

Andy – mark Flaherty has said he is opposed to it – he has made it clear that he is opposed with that methodology for dealing with sewers

Chan – I am an engineer, I understand sewers – why haven't we had this 2 years ago – that is why I am upset – we should have had this meeting 2 years ago –

Glenn – I commend the board for bringing us together – how do we move forward

Andy – sewer seems to be

Bob – status?

Bill – engineering has commenced - we have taken the approach that we will not start this until we have all the funding in place – with grant money we have already secured, we have started the engineering work – finalize that and develop detailed budgets instead of working off the preliminary stuff form 6-7 years ago – we are still in process of trying to secure remaining funding – hopefully thru the MORE jobs grant which isn't quite available yet – we have started the process for the DIF application – earmarking the incremental tax increase to pay for the bond to pay for the sewer – that is our last resort to go to that – we hope to use the MORE program in

partnership with Cybex – we are all on board, and we need the state to say yes we are ready to take applications

Bob – where

Bill – connect at Franklin and Village Street and the route from the business park to there is a little up in the air – the best route seems to be on Granite Street for a ways –

Dave – lots of turns

Andy – to help residents tie in

Bill – vision ahead – whole stallbrook neighborhood would probably want to tie in or need to tie in someday – trying to make it not just a single focus to the business park – what is in the best interest of time

Karyl – what is happening to the mark Flaherty hiccup – how will that effect the state in funding

Bill – it is a hiccup, it has been a speed bump – we'll have an association formed of the business owners who will own the pumping station who will contract with the town to maintain it

Karyl – what about the stallbrook neighbors

Bill – any resident would have to pay to tie in

Bill – we have secured the easement to locate the pumping station

Kellie – annual cost

Dave Harrington – less than \$20,000

Gino – definitely – the payment was both maintenance and future replacement

Bill – like a condo fee – it would have to be fully replaced within 20 years

Dave – there is another pumping station in town – there is precedent

Andy – up on Summer Street

Karyl – was there a philosophical difference with Hartman

Glenn – there was a battle between the IDC and Mike Hartman – one of the other things was that the BOS kind of left the IDC hanging – it was almost like everybody ignored it – people forgot the IDC – the issue with water and sewer, it was brought up and they said no – and it was just left – the IDC just pushed forward – to reach out to water and sewer – they have supported all the plans up until now - we do have an issue with the pump – we have had to go through – we passed a debt exclusion for this which we never issued; we fixed the betterment fee is only \$12,000 – this is cheap for those who live along the route – if we can pull off the last piece of the funding g

Chan – what have the selectmen done to try to bring them into the picture – we can't stand the separation

Glenn – it doesn't exist anymore – the BOS has supported the IDC on the grants, engineering work – funding for Gino's work here – the BOS has been very supportive

Chan – but you have done nothing to get the water/sewer guys into the picture

Glenn – we are past that – we don't need to fight that

Andy – when will it be relevant for the IDC to hand off to the water /sewer

Bill –

Chan – you are letting them run off on their own – any attempt to get the water/sewer folks to work with everybody

Rich dune – the water/sewer commission reports only to town meeting – that is how we are structured – that is one of our real issues

Karyl – that is my problem – there is autonomy

Chan – there is nobody interested in

Bill – we have had numerous meetings with the sewer board – they have come to many meetings with us – they have been involved in the process – they are not the catalyst – but they have been kept in the loop of what is happening –

Andy – in the absence of leadership on their part, the IDC stepped up when no one else was – that has caused the IDC to be directing an inordinate amount of time to this project

Glenn – everybody should know – Rick Kaplan, Kellie Ployer are professionals in real estate – they have helped us – contacts with others folks in industrial develop – we now have materials to market the park – the park has limitations until the sewer is there – if you look at what it takes to get project off the ground, a business is not going to commit the money - this is a chicken and the egg problem – everybody needs to know we are looking at this – plans for the future- we are very frustrated

Andy – there is vision before there is need – we have developed because of the need in terms of being caught behind the curve on development – our tax base being upside down

Bill – in my ignorance before getting involved – I used to say how in the world do we have this great piece of land with nothing there

John – I have a little issue – your goals are very similar to ours – you have the expertise to market that property –to develop a plan for marketing the property and we have applicants coming before us who want to do things over there and we don't know what your concept is for that park – you are going to develop that vision - if we understood what the plan is

Bill – we fully realize it is not going to be a forge park – a Cybex international is a good example of what could be there – combo office/manufacturing – providing employment opportunities in the area, and a tax base that will promote others business in town – there are all sorts of things that can come from a vibrant business park that has the structure and the employment base

Glenn – Cybex – you ought to take a tour – they make all the metal parts – stamped into the equipment, painting process with an evaporator – huge piece of equipment is needed to evaporate the waste water – they wouldn't need that if there was sewer service

Kellie – their business costs would be much less somewhere else - but I renew tenants who will stay because the cost to move is too much

Glenn – Conroy was so interested that they wanted to loan the town money to help fund the sewer project – cause they had somebody that would have taken the whole building – that would have been 400-500 employees – with loads of taxable personal property – and it is biotech – clean – well paid people – peripheral development to service those people – again to your point – we weren't prepared so we missed that opportunity - that opportunity will happen again – ask Kellie to tell you about Mansfield – look at Milford

John – C1 and C2 – I have a good understanding of where we want to go due to Gino's work – what about Industrial III

Andy – and codify zoning changes that reflect that desire so applicants know what is expected and allowed - we have looked at a use table – we only have an annual town meeting once year – we got a window of opportunity to preserve land and reserve it if you will, - we have the east and west sides that we need to work to reserve land before we get applications

Kellie – the east side park where Millis is – def b- use – far below – we want to reserve our best at the 495 –

Andy – does that mean we shouldn't do anything with the b?

Kellie – no, but they are different

Andy – lets talk about the potential in Medway – we have this large track of land and it is dry – and reserve it so we are having that vision today, so we didn't just focus on one little gem

Kellie – Rick and I could talk to other people in the industry – tell us what the piece of land is

Glenn – I think you are absolutely right - I think we need to have height restrictions lifted –

Andy – there is no reason to have them – I talked to bob Speroni

Rick – on 495 you aren't going to go up 3-4 stories high – unique opportunity now – the owners are all sitting on their property and not doing anything with it – with town sewage there will be a higher and better use

Andy – I would say you have sufficient momentum – the torpedo has been released

Rick – the DIF thing – I am hesitant until we can really prove that it will be beneficial – we should go full forward and see where the numbers – we need to get the property owners more involved – they aren't very appreciative of our work at all – I think sometimes as members of a town board, we have to look beyond the perspective of an individual – without their agreement, we won't be able to market the property – until we have the sewer money

Andy – is there a consensus among fractured owners?

Bill – everyone has to feel frustrated and doubting – just do it – what is the big deal? I think they are tired of hearing that we are another step closer, etc.

Glenn – how can business people make development plans – they may not have 3-4 years to wait - let's look at some of the other parcels on the land that abuts the park – starts to tie into the sewer

Chan – who is the “their” in your statement?

Rick – the private property owners in the industrial park

Chan – I am concerned that we don't have this kind of discussion among us earlier so we can market

Rick – to whom do you want to market - the current owners are not willing to see

Kellie – I work for Deutsch bank – I manage industrial and commercial and mixed use properties – I manage 18 buildings – I am responsible for finding tenants, lease, and putting them in the building – they have to make sure their zoning use is allowed – I am the go between with the town – 21 years – we know commercial brokers – we can't go out and show this land without the sewer – we are all here now

Rick Kaplan – I am a commercial real estate broker – I find tenants and go to

Chan – these things have not come out before, that is part of the problem we have – it is too bad that we don't have this kind of relationship – this is the first time in 2 years -

Bob – let's go forward

Chan - we don't understand each other

Andy – possibly you don't

Andy – I talk to these guys on a regular basis

Glenn – we do need to create a common vision – we need to tighten up the zoning bylaws and we can use the development review coordinating council – and I joined the arc of innovation – 495 corridor communities and businesses – so one of the things they have created is a statewide data base of properties that are available – we are making sure that Medway's postings are included and updated – we changed the info to proposed sewer – we are doing all of those things to move forward – maybe we need a master plan for both parks and here is what we need to do – zoning changes that are necessary



Kellie – when a large company wants to come to Massachusetts, they contact one of the big commercial houses – show me your top 10 places – we need to get our info in all the books – COSTAR – we have to get on this radar screen

Andy – do you want to be on the radar screen with no sewer?

Kellie – no

Chan – you have been doing this by yourselves – you haven't brought anybody else in – you could use somebody like me who is an agitator

Glenn

Andy – I think that the critical aspect is somewhat appreciated – being an agitator I can appreciate that – I have been - we have been talking

Chan – you have done that privately

Glenn –

Rich – it is what it is – how do we move forward – how do we get the right people involved – obvious that we have a diamond in the rough on 495 to make it saleable – Let's put an action in place

Kellie - let's do this 3-4 times a year

Karyl – we still have the opportunity – this is a positive thing – what happened to the idea of large company coming in – 43D expedited permitting – why aren't we think that is realistic

Andy – john and I on Friday were talking about whether it would make sense for us to go to the Milford Hospital and talk to them about doing something here in Medway – up to 300 residents with our new ARCPUD – maybe we could put a medical use

Kellie – not in the park, it is not the highest and best use – but along route 109

Dave – it takes 3-5 year plan for somebody to – why Medway? List . . . how is Medway different? Single tax rate, not in the water resource district;

Karyl – diamond in the rough; wouldn't some company see the hurdle as a blip

Kellie – there are other choices where people can go – Conroy took a big chance

Dennis Crowley – what is stopping us from the building the sewer?

Glenn –none

Karyl – what is the cost?

Bill – let's say it is \$4 to bring it in – where does that come from

Dennis – what

Glenn – 1/3 is debt exclusion; 1/3 betterments; 1/3 with grants and state financing options – the issue has been, we borrow that money – the way the DIF work, the incremental tax revenues go to pay off the notes – it will take us about 18 months to get the sewer extension out there – but there could be a delay in the revenue stream

Dennis – you have to react now – unless you build it

Bill – it is being engineered –

Rick – at what period do you make it a responsibility of the water/sewer commission so the IDC can work on filling the park?

Andy – wherever it can fall apart or drop, then get it beyond that point

Bill – we would be ecstatic to turn it over and get to marketing

Dennis – what do you have to do to start construction in 6 months?

Bill – get money - \$2.1 million short

Dennis – the only way to do that is to get more debt exclusions

Bill – relative to the town funding the whole thing – our debt exclusion was dependent on getting outside funds –

Gino – 2.2 and we need about another 2.1 – the MORE jobs program sounds like it is worth a shot – they were supposed to accept applications in November, but dropped it to wait for

Rich – without that money, we don't get sewer and then no prospects

Bill – we have presented the dif plan and taken it to the state and it was approved – all we would have to do to pursue that route is to - incremental revenue would have to be targeted

Dennis – window?

Bill- 6 months to take the DIF and get it fully approved,

Gino – that depends on getting the commitments from the developers, has to be secured by commitments from a certain % of development – we have letters of intent. .

Gino – part of the earlier question, - I did the calcs a year or so ago – it would take 17 cents on the tax rate to fund it –

Dennis – can you prove a revenue stream that would pay that off over 5-7 years?

Bill – individual parcels of land that are owned, unless a property owner agrees to do something, we won't have the revenue stream coming in

Chan – this is why we should be meeting together

Glenn – I drove Franco around - our park is so much easier to get to than Milford – I believe this is a no brainer, that park would be developed if people know it was there – we have applied for the jobs MORE grant – Cybex is committing that if we get sewer and they put in their addition, and they would add 100 people –

Andy – the 150,000 can be used to support rapid permitting – if we can guarantee 180 day turnaround

Kellie – my husbands company is – glen Ellen country club – Millis was very responsive to making a change – got everybody together – got the property rezoned – I don't see that happening in Medway Planning Board

Glenn – in the past the BOS fought with the PB – IDC was ignored – now the BOS is receptive – the PB is very business focused -

Karyl – this town wasn't competent in the past –

Andy – going forward, it seems like the best things we can do is run on some tracks –

1. identify the uses and the master plan for the west side industrial park
2. same thing for the east side industrial park – gives an opportunity to expand businesses and develop revenue
3. Look at other changes of uses and what shortages we have and what vision we might see using your professional skills – what is Medway – what could Medway be? And look at mechanism to make changes in the zoning bylaw –

Kellie – when Rick and I talk, we are usually on the same page, when we talk about what the east side should look like - we know what should be going in there

Glen – what will sell there?

Dennis – this is all about bringing revenue into the town – Medway is 90% residential – how do we stack up compared to Bellingham and Franklin? Do we know?

Gino – Franklin and Bellingham are close to 80-20%

Dennis – we have to get out to the people in the town that 90% of the town is residential based – you go to get into the paper, and on TV and start planning for the future

Glenn – look at Bellingham, where you didn't want to be – how that is changed . . .

Bill – why don't we divvy up responsibilities?

John – I don't know if I want the intersection of 495 and route 109 to work

Glenn – all that development is at the edge of town – we get the benefit with minimal impact

Kellie – it will adversely affect that property on Milford 109 side

John – can we put

Chan- should be talking about this more often

Bob – we need to look at some zoning modifications – do our homework – so the next time we get together – we can match up nicely with what kind of overlays or site plan

Andy – IDC meets once a month – would it be possible to do every other week

Kellie – for a finite time

Andy – to get ready for town meeting – to show the community we have aggressively focused on these issues –

John – the question that the selectmen are asking us – how hard would it be to put together on a spreadsheet?

Kellie – Gino has that

Gino – the engineering firm is going to update the estimates

John – obstacle on a master plan – funding limitations?

Bill – if you want us to come back with the vision in words and writing –

Andy – articulate to us that medical wouldn't work on the 495 park –

Dave – medical has to be on sewer, simply because of toxic materials – you will probably see MRI, CT materials coming into medical areas – where do you want that? I can lay all that stuff for you – I have been working for the m medical year for more than 40 years, I spend a lot of time with venture capitalists and angels – I do a lot of digging and pass along leads to Kellie and Rick – most of my clients are working out of their houses, waiting for the FDA to approve and then they have to move fairly quick and they have to start to building – can be 3-5 years

Andy – so you can help overlay

Bill – you would like us to come back to you with –our vision concept

Andy – both sides of town – also where would medical uses work? So we can go to the next step to pursue

And do another joint meeting – maybe 3 weeks

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## **ANR Plan – 59 Fisher Street**

Motion by Karyl, seconded by bob to sign ANR plan for 59 Fisher Street – board signed – one lot being divided into 2 lots with one parcel

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## **Invoices**

VHB – plan review – 4586 – bob, john – all yes

BBM – 2265 – john, bob – all yes – legal for Marian

VHB – CO – 9034.96 – bob, john – all yes –

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Susy - 5 weeks to meet again with IDC? That would be Feb 20.

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## **River Bend**

Eric Alexander arrives

Mark Bobrowski is here

Rich Cornetta

Lee bloom

John spank

Rich Cornetta – we submitted a few items to update plans per VHB’s last memo – we meet all the requirements – we shrunk the conservation space area b it to get some of the drainage structures out of the conservation area – ConCom agreed with that approach – it changed one or two calculations

Karyl – how much did it shrink it by?

John – I don’t know that number off the top of my head. – The better part of an acre or so. . . Same uses, it just isn’t

Karyl – does it effect any stormwater, any plantings – no modifications to any roadways

Andy – just a line change

John – precisely. .

Andy – doesn’t effect the calculations for open space

Paul – I reviewed the plan as submitted – he separated out what was shown on the subdivision plan – he has a separate conservation restriction plan which shows the detailed bounds for the CR –

John – we broke out the easements -

Paul – you might want a place for the board to sign the restriction plan

John – this will now be an attachment to the conservation restriction agreement -

Andy – one of the things that was of concern when we last met was that this technique of drainage is somewhat new and often times we have residents that will come before us after you have sold it off and left – the new residents and the condo association will approach the town to accept the streets and drainage system as public – future board may not have insight – is it possible that we could have some type of language in this decision that would possibly absolve the town of the uniqueness of the drainage system or at least recognize it that we are not going to be liable before it works - we want to recognize the difference – we want to be sure

Eric – statement of intent

Mark – that is no problem – I can come up with something . . .

Andy – we want to protect the town from the future residents

Mark – I would expect that town meeting wouldn't

Mark – one of the things is that the homeowners' docs come to you for review – you can put in that those docs that this shall be included in those

Bob – we did just recently have a group come in –

Karyl – we are very concerned about the success

Lee – whatever language

Mark – we say – you will build the system, you will turn it over to the homeowners association – you want to have the town be able to come in and fix it and we can lien it – that gets it to where – that needs to go into the homeowners association

Construction Observation issues

Susy – Some board members wanted to revisit the CO issue, whether you will require CO services by VHB?

Bob – will you be doing this under construction control system? Your engineer would come out with affidavits and as-builts

Lee – absolutely

John – I am uncomfortable with not having VHB involved in some fashion – but if Bob is comfortable with it, I am – maybe there are some key points

Mark – there is a provision for the controlled construction component of the building code that the building inspector can engage

Bob – under the normal way we do business, would Dave D'Amico be going out to inspect

Andy – no we have VHB inspector do that

Lee Bloom – different municipalities – do it differently – if during site work , a reasonable schedule to come out – VHB – I really don't have a problem with that if you feel more comfortable

Mark – I would recommend you always set up an escrow

Paul – this is a little different – private development – also a very large project as well –

Andy – environmentally sensitive area and new technique for stormwater – I think there is some questions/interest in this and we want this to be successful but also to make sure it is done right – all of us are intrigued by the method

Lee – John Spink will be doing construction administration –

Paul – you have to do it according to your regs or don't do it at all –

Karyl – they are observing private subdivisions now – on a private road

Andy – checking compliance with the plan

Paul – if we are going to do it, it would be in accordance with the regs

Bob – if you have a registered engineering putting his stamp on it and saying it was done – it is a question, is there an advantage to having another set of eyes look at it – unless you are watching every bucketful go in, you can be cheated – I have seen it numerous times when I dug up something that somebody else installed

Eric – as a funder in my day to day life, I want somebody looking over their shoulder – if there is a PE with their name on it , I am comfortable with that – I will defer to that

Mark – separate those aspects of controlled construction from the site

Susy – building inspector only looks at structures and not infrastructure

Susy – this is a policy matter – prior boards have determined that private developments will be inspected –

Eric – I move we proceed with construction observation thru our consultant per the subdivision rules and regs – john seconded

Chan – what are we doing differently?

Eric – the intent is to be consistent with what we have doing in term of inspecting private way subdivisions –

Andy – if we want to change to a different method, we should discuss in a broader way with care that it needs and not try to make a policy change with the appearance that it is being done for a particular developer

Chan – I am missing appoint here – I don't see where it is different

Bob – we have been doing construction inspection on private ways -

Andy – Eric is suggesting that we stay consistent and don't change now

Bob – I wouldn't be opposed to that – believe me I push consistently all the time whether you are right or wrong – I have been on both sides

Bob – if we have consistently, we follow our normal protocols –

All yes – Karyl – recuse - approved by Andy, Eric and John . . . Chan abstains from voting

Andy – as far as the legal stuff, are we sufficiently down the road with the permit decisions?

Mark Bobrowski – conditions #2 on page 14 – reference to ARCPUD plans

C11 – C15 – to be recorded with the special permit document

C11 – site layout plans

C12 -

John – the subdivision plan with the property lines goes to record

Paul – add a place for the board to sign on the conservation restriction plan and be added to the set

Mark – subdivision plan to be recorded needs to have more

John – normally the front part of the big plan set (52 pages) – would be the normal subdivision plan

Mark – the subdivision decision should refer to the special permit – and the special permit should refer to the subdivision

Mark – a few items I will work with Susy on . . . stormwater management lien issues

Mark – in the definitive plan decision, there are a few changes – Rich Cornetta – there is some stuff in the definitive decision that should be in here – triggering mechanism – build it in 3 years and . . . we will forward

Keep them both up in the air

Mark – I understand the ConCom is done –

John – ConCom is writing the order of conditions – couple of weeks

Rich – we have a few housekeeping details

Rich – the next time we come together there should be 2 documents to finalize –

Motion to extend of 2-20 – Karyl, John – all yes –



Lee – thanks

Andy – when do you expect to start?

Lee – depends on whether our lender changes our presale requirements – spring –

Lee – we budget about 1 sale a month right now – probably a 3 year process – will use community building as sales office

Walnut Grove – new name for River Bend

9:40 pm – Eric leaves

Mark – will not attend the 1-23-07 PB mug on Medway Gardens – I don't have any iota of difference -

Karyl – we want to deal with the zoning issue – called out right now - deal with it now

Mark – I will send Adam costars to do the Marian thing next week – I will call Bill Proia re: next week's PB hearing

### **ANR Plan – 97 Holliston Street –**

Gino – plan is Ok as revised

Motion to approve – Karyl, john – all yes

### **AZZ Site Plan -**

The Board signed the AZZ site plan

Motion to adjourn

Meeting was adjourned at 10:30 pm

*Matthew J. Hayes, P.E., Chairman  
Andy Rodenhiser, Vice-Chairman  
Karyl Spiller-Walsh  
Cranston (Chan) Rogers, P.E.  
John Schroeder  
Eric Alexander, Associate Member*

*DRAFT – February 2, 2006*

**January 17, 2006 Special Planning Board Meeting  
Medway High School Library  
88 Summer Street**

**MEMBERS PRESENT:** John Schroeder, Karyl Spiller-Walsh, Chan Rogers, and Matthew Hayes

**ABSENT WITH NOTICE:** Andy Rodenhiser, Eric Alexander

**ALSO PRESENT:** Susan Affleck-Childs, Planning Board Assistant

***CALL TO ORDER:*** 7:31 p.m.

***CITIZEN COMMENTS:*** None

***PUBLIC HEARING CONTINUATION*** – The Maids/149 Main Street – Adaptive Use Special Permit

Matt Hayes - Due to absences of Planning Board member Andy Rodenhiser and our associate member Eric Alexander, there is an insufficient number of members to consider this application tonight. We will continue the hearing to January 24, 2006 at 8:15 p.m. (Chan, Karyl and Matt)

NOTE - John Schroeder cannot vote on this project as he was not sworn in at the time the public hearing started.

***OTHER BUSINESS***

***Franklin Creek Definitive Subdivision Plan – Certificate of Action***

Bill Halsing, Land Planning, Inc.  
John Early, applicant

The Board reviewed the draft Certificate of Action, dated January 5, 2006. The applicant and his engineering firm had reviewed the document. Minor clarifying edits were made throughout regarding the Selective Cutting Zone, Scenic Road work permit, fencing on top of the retaining wall, landscaping, and securing street name approval.

The applicant agreed to the \$4,700 contribution to the Medway Sidewalk Improvement Fund in lieu of constructing sidewalks on Franklin Street.

It was determined that a waiver from Section 4.1.1 of the *Subdivision Rules and Regulations* was needed and text was added to the Certificate of Action.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to approve the Waiver Findings included in the January 5<sup>th</sup> draft, as edited 1/17/06. The motion passed by a vote of 3-0.

A motion was made by Karyl Spiller-Walsh, seconded by Chan Rogers to approve the Mitigation Plan included in the January 5<sup>th</sup> draft, as edited 1/17/06. The motion passed by a vote of 3-0.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to approve the Waivers included in the January 5<sup>th</sup> draft, as further edited 1/17/06. The motion passed by a vote of 3-0. Approved waivers are from the following sections of the *Subdivision Rules and Regulations* dated October 13, 1999, as amended April 25, 2000: 3.3.2.16; 3.3.2.25; 4.1.1; 4.1.8; 4.2.2.4; 4.2.4.3; 4.2.5.2; 4.2.6.7; 4.2.7.1; 4.2.9.1; 4.2.9.2; 4.4.1; 4.4.5; 4.9; and 4.11.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to approve the Franklin Creek Private Way Definitive Subdivision Plan, prepared by Land Planning, Inc. dated July 22, 2005, last revised November 17, 2005 subject to Specific and General Conditions as included in the edited Certificate of Action and with Waivers from the above noted sections of the *Subdivision Rules and Regulations*. The motion passed by a vote of 3-0.

NOTE – John Schroeder did not participate in these votes as he was not a member during the public hearings on this project.

NOTE - The Planning Board signed the Certificate of Action.

Susy Affleck-Childs – I will ask VHB to prepare a construction observation estimate for Franklin Creek.

### ***Hopping Brook Estates – Review Draft Certificate of Action***

The Board reviewed the 1/13/06 draft Certificate of Action. Susy reported that the applicant's engineer (Steve Poole) had reported that he and the applicant had reviewed the document and had no comments. Minor clarifying edits and typographical corrections were made throughout.

NOTE – The Board could not vote on this matter as there was an insufficient number of members eligible to vote. Karyl cannot vote due to a conflict of interest. John Schroeder cannot vote as he was not a member during the public hearings on this project.

Susy will revise the document based on the review work and the Board will vote at a future date.

### ***Set Plan Review Fee for Applegate Farm***

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to accept the estimate of PGC Associates for \$525 for review of the Applegate Farm Definitive Subdivision Plan. The motion passed unanimously.

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to accept the estimate of VHB, Inc. for \$6,600 for review of the Applegate Farm Definitive Subdivision Plan. The motion passed. Matt Hayes recuse.

### ***River Bend Village Scenic Road Work Permit***

Susy Affleck-Childs – We need to extend the deadline for action on the River Bend Village Scenic Road work permit. Presently, our deadline is January 22, 2006. They are compiling additional information and are scheduled to meet with the Board on February 28<sup>th</sup>. We have a request from the applicant to extend the deadline to March 10, 2006.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to extend the deadline for Planning Board action on the River Bend Village Scenic Road work permit to March 10, 2006. The motion passed. Matt Hayes recuse.

### ***127 Main Street Adaptive Use Special Permit***

NOTE – Susy reviewed the draft 1-12-06 Adaptive Use Special Permit document with the Board. The Board had voted to approve the special permit at the 1-10-06 meeting. The document is almost identical to the one signed by the Board in January 2005. It has been updated with new dates and to reflect the amendments to the Adaptive Use section of the zoning bylaw made at the June 2005 meeting.

Matt Hayes, Chan Rogers, Karyl Spiller-Walsh and John Schroeder signed the special permit document.

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 9:25 pm

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

Matthew J. Hayes, P.E., Chairman  
Andy Rodenhiser Rodenhiser, Vice-Chairman  
Karyl Spiller-Walsh Spiller-Walsh  
Cranston (Chan) Rogers, P.E.  
John Spink Schroeder  
Eric Alexander, Associate Member

Draft – February 2, 2006

## **Planning Board Meeting Tuesday, January 24, 2006**

MEMBERS PRESENT: Matthew Hayes; Chan Rogers; Andy Rodenhiser Rodenhiser; John Spink Schroeder; Karyl Spiller-Walsh; Eric Alexander

ALSO PRESENT: Paul Carter, VHB; Gino Carlucci, PGC Associates; Susan Affleck-Childs, Planning Board Assistant

**Call to Order:** 7:32 pm

**Citizen Comments:** None

### **Public Hearing Continuation - River Bend Village ARCPUD and Subdivision**

7:35 pm

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to continue the public hearing to February 28, 2006 at 8:15 p.m. The motion passed unanimously

### **Invoices**

PGC Associates - \$581.25 for plan review services. A motion was made by Andy Rodenhiser, seconded by Chan Rogers. The motion passed unanimously.

### **Public Hearing Continuation - Marian Community Betania II ARCPUD Special Permit & Definitive Subdivision Plan**

Bill Proia, Attorney  
Rich Coppa, Marian Community  
John Spink, CONECO Engineering

Matt Hayes - Let's start with the bridge design.

John Spink – We took your advice and thought and looked at the bank account. We decided to quit messing around and not quite solve the problem. We now have an idea to really solve the problem. We have gone to a full box culvert situation which is side by side 12' by 3' box culverts, stacked one beside the other. The original U bridge is still in place over the creek. The top of the box culvert is 6 inches above the 100 year flood. This provides us with a roadway that comes across the cart path 30 feet wide and 4 feet higher than existing road is now. We will build two bumpers/jersey barriers on the side that go up 3.5 feet with a guard rail. We can do a metal post rail or jersey barrier with wood posts. The walkway beside it is 4 foot wide. All this on top of the culverts. This gives us the smallest footprint we can get. When we went to CONCOM, they were looking for less. But that is where we are at.

Karyl Spiller-Walsh – There are a lot of bridges like this on the cape.

Matt Hayes – Have you done the hydraulics?

John Spink – I have done it, they all work. We should have the full package to you on Friday (January 27<sup>th</sup>.)

Matt Hayes - Does the board have any comments?

Andy Rodenhiser – This handout you provided says a 3 sided concrete culvert.

John Spink – We will dig down 2.5 feet and bring up compacted gravel 1.5 feet and lay a 6 inch slab with steel and lay culverts on the slab.

Andy Rodenhiser – So the roadway is going to be laying on the slab?

John Spink – The bottom structure is the slab?

Andy Rodenhiser – Are you really talking about a jersey barrier?

John Spink – We need an edge to hold soil that will be a reinforced concrete beam.

Karyl Spiller-Walsh – I am sure that when it is decided that this is effective that the DRC will want to have a look at it for the vertical elements. Perhaps an alternative to the jersey barrier will be needed.

Paul Carter – Why wouldn't you do a box culvert as opposed to a U culvert?

John Spink – We are looking at the actual construction. Our construction guy prefers the U shape.

Paul Carter – I believe when 3 sided culverts are usually constructed, it is on footings. So, you are going to have a structural engineer review this?

John Spink – Yes, we will have that done.

Matt Hayes – At the last meeting, we noted that we wanted to discuss mitigation ideas at this meeting. There was a letter from the applicant to the Board and Town Counsel. I spoke with Mr. Maciolek and he feels that requesting mitigation that is not germane to the project would not be appropriate. However, he did feel that mitigation offsite or otherwise that could be directly linked to the project would be something that the Board could request.

Andy Rodenhiser – So we could look at the impact that the elder community would have on the senior center?

Matt Hayes – Dick felt that would be a reasonable request.

Andy Rodenhiser – What about the exclusionary aspect of housing as it relates to this particular community. Because it is closed, there is no opportunity for affordable housing open to the public. We can't ask them to put affordable housing on site but perhaps we could ask them for funds to be directed to be used for affordable housing elsewhere in town.

Matt Hayes – I didn't ask him Mr. Maciolek that particular question. I would like to ask the applicant if they have any ideas they would like to offer.

Bill Proia – Is Town Counsel planning to submit anything in response to the letter?

Matt Hayes – Not at this moment, we could probably get something.

Bill Proia – Just for the record, by the nature of my profession, I have to have an argument and citations. It would be helpful to me if I could have a conversation with him or if he could send me a quick note. Did he say anything about how we could make the connection? Let's take the senior center as an example. How do you decide there is a link? Is it just a number? Can we quantify something? We don't have any idea how to put a dollar value on this. We need some help on how the impact might be determined. Maybe the senior center has some numbers on what a typical user costs them. That might help us figure out what our impact would be.

Matt Hayes – The only hard number we have now is what other the ARCPUD project (River Bend Village) has offered.

Andy Rodenhiser – We could use that as a basis.

Matt Hayes – We need to consider the for-profit vs. non-profit factor.

Chan Rogers – It is a fairly simple process. You have X number of people that will be in your community so it is reasonable to think that those people will use the senior center facility.

Bill Proia – Do you want us to come up with a number? We have some ideas on what our participation rate might be with the senior center (as compared to the general senior citizenry). We can do our own internal evaluation.

Eric Alexander – That would be helpful. It would also be good for us to take a look at the community at large. We could take a look at the population of Medway and the participation rates.

Bill Proia – Some of the things that are done at the senior center we won't need. We can look at what sort of services might be used.

Karyl Spiller-Walsh – What we do have to date is an existing ARCPUD that has offered to allocate funds to the senior center for expansion. We all agree there should be some consideration for the non-profit, religious aspect of your organization and your use of your own facility.

Bill Proia – Our money would have to come from the people who buy it. It would be easier for us to do it incrementally.

Eric Alexander – The timing would be something to be negotiated. Incremental payment is reasonable because the impact is incremental.

Bill Proia – We will make that a part of our proposal. We will look at 6 months.

Karyl Spiller-Walsh – We are envisioning a per unit kind of concept.

Chan Rogers – The senior center is very activity oriented. It is the first thing that gets cut in the budget crunch. There is a real scarcity of funding.

Bill Proia – Just another note, connected to that. I know you know this but senior communities tend to generate net tax dollars to the town, rather than having to use the funds for schools.

Rich Coppa – Because of the nature of our community with our own spiritual life center, many activities will occur there. We have an exercise room, library, full commercial kitchen, nurses for health checkups, etc. I don't believe we will need the senior center's van for visits to doctors. I think there will be interest in fee based trips.

Matt Hayes – It would be helpful if you could describe the uses you have on site.

Eric Alexander – We aren't looking to be punitive.

Rich Coppa – And we want to be fair.

Chan Rogers – Will your facility accept non residents for those activities?

Rich Coppa – No. But the facility is open to others for retreats.

Matt Hayes – In speaking with another attorney about mitigation he noted that because of the non-profit nature of the community and your request for so many waivers, we could ask for your financial information about the construction and sales prices you anticipate.

Bill Proia – I feel it is fairly propriety information.

Susy Affleck-Childs – This is standard information for any type of 40B application.



Eric Alexander – They have to put that together for any funders. We are asking for your proforma.

Bill Proia - We will take a look at that. Many of the waivers are to accomplish a low impact type development. We will come up with a list of the waivers that may be actually saving us development money vs. those that are mutually beneficial.

Matt Hayes – If you could provide the information, it would be helpful.

Andy Rodenhiser – That would also give us the basis for why we did something for this project, and what was the basis for the decision.

Karyl Spiller-Walsh – A lot of the waivers we have granted thus far are of a big financial savings to your community, related to road width.

Bill Proia – We will try to be fair when we look at this.

Matt Hayes – Anything else?

Susy Affleck-Childs – The plans that will be coming in will include what?

Rich Coppa – It will be 100% of the package – plans, hydraulics, architecture and landscaping. They will cost about \$150 a set.

Susy Affleck-Childs – Let Matt Hayes and I talk about how many full sets we need to circulate to other town boards/departments. Who really needs what?

Karyl Spiller-Walsh – DRC wants to see the whole architectural set. They don't necessarily want to meet with you but they do expect to see improvements. We want to see you step up to the plate on the building design.

Paul Carter – VHB wants 2 full sets.

Matt Hayes – Susy will get back to you on Thursday on the number of plans, etc.

Bill Proia – The ZBA is waiting for the Planning Board's recommendation on the bridge. Could VHB look at that first?

Paul Carter – Sure. We can do that as a priority.

A motion was made by Chan Rogers, seconded by Andy Rodenhiser to continue the public hearing to Wednesday, February 15, 2006 at 7:35 p.m. The motion passed unanimously.

NOTE – The meeting will be in the library at the new high school on Summer Street.

***Public Hearing Continuation – The Maids, 149 Main Street – AUOD Special Permit***

8:15 p.m.

Robert Goodliffe, applicant  
David Faist, engineer

Matt Hayes –Welcome back.

Robert Goodliffe – As a result of some feedback we have had from neighbors and info that has come to light, we are still keen to move the business to this property and ultimately to move the Maids into the building that the day care center is presently located. The existing lease is not going to be renewed by the current owners. I am aware of the concerns that the Board has expressed around the issue of the two uses together – The child care center and an office for The Maids. It might be prudent to move to plan B and explore getting a permit to run The Maids out of the barn and use the existing house for a 2 family residential. I would rather just discuss this fully.

Matt Hayes – Would you be seeking to extend the lease for the day care operation?

Robert Goodliffe – My priority is to find a location for my business. So my short term plan would be to move The Maids into the day care center space. Ultimately I need to protect my interests as well and recognize your guidance as to what is acceptable.

Matt Hayes – The traffic patterns were a major concern for a number of us it with the day care schedule and your operations schedule. I think that The Maids in the barn and residential in the house solves the problem. If you would go down that route, I would certainly be pleased.

Eric Alexander – I think it makes it much cleaner.

Robert Goodliffe – I am on a drop dead time schedule for the purchase of the building. If I am going to have to stop and start again, that would be difficult. I would be looking to change my application and not start over. I would just hang on in at the Mill where we are presently located. The day care center's lease is thru May 31<sup>st</sup>.

Matt Hayes – Part of the permit would have to be specific that The Maids operation would be in the barn.

Mark Ccrel, Trustee of the immediate abutter at 151 Main Street - I would go along with their amendment. What is now being proposed is in the best interest of my mother who is the beneficiary of the trust and lives at 151 Main Street. There are a few conditions that I would be glad to discuss. Originally, from the 1950's on, the house was a single family house. It was sold, and resold and then they asked for a business use. There were a series of special permits for business uses. Then the current owners (Paul Yorkis and George Papodopolous) came in with a request to use the house for 2 families and the barn for 3 families. We adamantly opposed the barn being used. The ZBA allowed the 2 family in the house and restricted the barn to no habitation. Another condition of that permit was closing off the driveway from Main Street. On the way out of the door after that hearing, Mr. Yorkis said he would come in with an exempt use for the barn. That was the day care center. They were able to put that in and do all the paving work with no oversight. It has been a nightmare for my mother. The playground was put on the old driveway. The echoes are terrible. What is being proposed now is infinitely preferable.

Matt Hayes – With any of the special permits that we grant in the AUOD, could any of those people add a day care center?

Gino Carlucci – I believe they could as day care centers are an exempt use.

Mark Cerel – It is use that you cannot require a permit for, but you can have certain regulations for setbacks, parking, etc. That is something that Medway hasn't done. It's too late for this property, but it is something you should do.

Andy Rodenhiser – What if we were to grant the permit such that if the day care use came back, it would extinguish the special permit for his business? Can we condition the issuance of the special permit?

Mark Cerel – The barn was done to be a day care center. I would question whether the main house could ever meet state standards for a child care center. In the interim you could establish some minimum standards.

Robert Goodliffe – I understand that the child care center has a variance to use the upstairs without an elevator.

Robert Goodliffe – I am planning to live on the second floor of the house.

David Faist – We can modify the site plan.

Eric Alexander – I am supportive of the idea of that. But I am not entirely sure that we can significantly alter this project without a new petition/application.

Gino Carlucci – During the public hearing process, a project can change. I don't think it is necessary for them to withdraw and resubmit a new application.

Mark Cerel – There is some risk, the classic thing with zoning is once you get by the 20 day appeal period there is a question of who has standing to appeal. Other than other town boards and an abutter, no one else would really have cause or standing to appeal.

David Faist – With the switchover of uses, we have rearranged the parking yet. It becomes less dense from a zoning requirement. Now we would be looking at 8-10 spaces total, much less than first proposal. We can widen some of the aisles and make it work better and allow for a turnaround. I did talk to Dave D'Amico (Medway DPS director). All the drainage now goes out to Evergreen. Our intent would be to balance it with new landscape. The dumpster could be put in a different location. Would you still like to see a separate existing conditions plan?

Paul Carter – It is clearer when you have 2 separate plans. And if you have it, please include the topography.

David Faist – Should we tie it into the 88 datum?

Matt Hayes – OK

Karyl Spiller-Walsh – Eventually, there needs to be a landscape plan as discussed at the DRC meeting. That might include the whole space that is next to the Cerel property where the playground area is located. You need some sort of a concept or stone wall that would go across where those 2 parking spaces were on Main Street.

Andy Rodenhiser – How are you going to address signage?

Robert Goodliffe – We would discuss with the DRC.

Karyl Spiller-Walsh - We had a discussion about color at the DRC meeting. Robert is fond of yellow. We suggested that he use the same exact same yellow as the CPA house. It would look horrible otherwise.

Andy Rodenhiser – Yellow to match The Maids car?

Robert – No, no, no.

Matt Hayes – What architectural changes are proposed?

Robert Goodliffe – We are looking only to remedy, not make changes.

Karyl Spiller-Walsh – You might want an entry that is more appropriate for The Maids entrance.

Matt Hayes – Will you be closing the curb cut?

David Faist – The old curb.

Mark Cerel – There was never any curbing along there, just berm.

Robert Goodliffe – We will improve aesthetics of the front and we want a tasteful sign.

Susy Affleck-Childs – We should bring up the possibility of sidewalk construction. We did a contribution in lieu of sidewalk construction for 127 Main Street AUOD project.

Matt Hayes – Is there sidewalk now?

Mark Cerel – It doesn't look like it goes the full distance of the frontage. It goes to the west.

Andy Rodenhiser – There is interest by the Medway Business Council to have a sidewalk on that side of Main Street.

Susy Affleck-Childs – How about if we have Paul Carter prepare a cost estimate for sidewalk improvement/replacement.

Karyl Spiller-Walsh – Make sure there are no chain link fences.

Paul Carter – Can we ask Dave D’Amico look at the sidewalk and give us some ideas of what he would want?

NOTE – Mr. Goodliffe is scheduled for February 6<sup>th</sup> with the Design Review Committee and Feb 15 for PB mtg

Mark Cerel – Because of my work obligations, I probably won’t be able to attend the February 15<sup>th</sup> meeting. The conditions I want to see addressed are to have access from Route 109 be restricted. I would like to see a landscaped buffer between two houses where the old driveway was located and no vehicular traffic there. Reasonable hours of operation too. We seem to be in agreement on what that would be. Again, I don’t oppose the continued use of the main house as a two family and the access would continue to be from Evergreen. That is pretty much it.

Matt Hayes – We should have the plan into us ASAP, even if there are some more changes that come about at the 1/6 DRC meeting.

A motion was made by Andy Rodenhiser, seconded by Chan Rogers to continue the public hearing to February 15 at 9 pm. The motion passed unanimously.

Andy Rodenhiser – Those changes in regulations that you suggest, can you tell me more?

Mark Cerel – Within Chapter 40A, towns may establish reasonable regulations for exempt uses. You have a lot of authority if you get it in place. It could be done for the next town meeting.

Andy Rodenhiser – I want us to be prepared with some text for to amend the zoning bylaw to provide regulation of exempt uses. Also . . . changing the town’s bylaw to allow the Planning Board to have 3 year terms.

Susy Affleck-Childs – I will work on those.

***Pre-application Meeting - Charles River Acres Open Space Residential Development (OSRD)***

Robert Babcock, engineer from Dunn McKenzie  
Kip Derazonian, applicant  
David Baraducci, landscape architects

Robert Babcock – I was here before you 7 months ago with a preliminary (conventional) subdivision plan. At your suggestion, we explored the possibility of OSRD. The site is located off Village Street off Neelon Lane, Cherokee and Charles River Road. It is a combination of fields and woods that goes down steeply to the Charles River. Public water and sewer. We propose to build 550 feet of new road off the end of Cherokee. We propose 10 new single family lots ranging in size from 11,250 to 14,000 sq. feet. Lot 11 would consist of the existing house on Neelon; that is not being counted as part of the OSRD. For stormwater runoff, we are looking at drywells on roofs and underground infiltration. The final design would meet standards for Mass Best Management Practices. We expect a deep water table. We will do soil testing. The wetland edge has been delineated and has the Charles River bank, bordering vegetated wetlands, and riparian zones and flood zones. None of the construction would be in the jurisdictional limit of any of these zones, except for paths to the river. We would intend to ask for 3 waivers from

the Subdivision Rules and Regs – ROW width to 40 feet instead of 50 feet; road length for dead end street extension longer than 600 feet; and a reduction in paving width to 18 feet with cape cod berm. We would be happy to take comments.

Matt Hayes – What is the length of the street?

Gino Carlucci – It is about 1000 feet from Village to Cherokee.

Matt Hayes – At the previous meeting (on the preliminary plan), we had talked about emergency access with Neelon. Have you explored that?

Robert Babcock – The lots can be reconfigured to allow for an extension of Neelon Lane south. The ROW of Neelon is 17.64 feet. The paving is only 12 feet in width.

Eric Alexander – I have significant concerns about safety. I would want to see emergency access explored thru Neelon Lane.

Robert Babcock – Would a wider pavement in the street alleviate that?

Eric Alexander – Whether bad or good weather, this is a pretty dense neighborhood with minimal paved surface as it is. If we are going to consider adding units, there needs to be an alternative way in and out.

Matt Hayes – I think it would be unreasonable to ask for Neelon to be extended and used.

Karyl Spiller-Walsh – We can ask them to improve Neelon.

Eric Alexander – We need to explore that option.

Karyl Spiller-Walsh – I have a lot of trouble with the density. I would like to see you include more open space on the river side. You are showing very large house footprints that are very inconsistent with this neighborhood. I would like to see you pull 2-3 units. Where would those infiltration systems be located?

Robert Babcock – At the southern portion of the development site. We want to minimize disturbance. These house footprints are conceptual at best.

Karyl Spiller-Walsh – There is a big jump in intensity of size with what's around it. You need to better integrate it with the existing neighborhood.

Robert Babcock – We do show some proposed landscaped buffer that we would elaborate on further. The infiltration systems won't be that big. The soils are excellent. Roof runoff will be handled with dry wells. There are lots of ways to minimize the amount of disturbance.

Matt Hayes – All of the landscaping you show along the lot lines, is that existing or proposed?

David Baraducci – The thicker line is existing woods and the thinner line is new landscaping.

Robert Babcock – A lot of the area in the center is fields/brush. The heavy woods are down by the river.

Robert Babcock – One of the other ideas we had with this is sort of a long range. All of the lots that run along Village Street are long and narrow and people might want to divide at some point. We have left a section of open space so that the road could continue thru another 500-800 feet to the east and make a river side green belt in theory with an access ultimately out to Village Street.

Matt Hayes – The open space that you show there for the roadway – is that in addition to the required amount of OSRD open space?

Robert Babcock – No. That area is included in our open space calculation.

Matt Hayes – We have some review notes from our consulting planner Gino Carlucci.

Gino Carlucci – One concern I have is procedural. Does lot 11 have sufficient frontage to become a compliant lot? There is also the dead end issue. They do show pedestrian access to Neelon. Perhaps that could be upgraded to be wide enough to accommodate fire vehicles. They mention the possibility to extend the road easterly in the future. That might be a reason to not grant a waiver on ROW to 40 feet and paving to 18 feet. Under the current Subdivision Rules and Regs, an 18 foot paved width is only allowed for a private way of 3 or fewer lots (not for a public way with 10 lots). That strip of open space should be designated as future right of way instead of as open space. The OSRD bylaw has text that open space cannot include an area for future roads. One more item pertains to the trails. There are other trails down by the river. Make your trails connect to those.

Eric Alexander – I understand that topography is an issue but what I would like to see is for the trail to go along the entire length of the riverfront. I would also like to see a small canoe launch there if possible and some accommodation for public parking. We need to see direct access to the river down there. That may mean you lose a lot.

Karyl Spiller-Walsh – I have a question on the riparian zone. Is it legitimate open space if it includes the riparian zone?

Gino Carlucci – The formula for the yield plan excludes the riparian zone. You would want it to be in the open space.

Andy Rodenhiser – My biggest concern is the length of the dead end. I don't know if it is counter productive but would it be practical to make a loop with Massasoit?

Matt Hayes – That still wouldn't satisfy the dead end matter.

Robert Babcock – We explored that but it makes the house locations go too far south.

Gino Carlucci – They may be able to seek a finding from the Board of Appeals that it would not be any more nonconforming.

Robert Babcock – Our professional land surveyors feel that would be very doable.

Gino Carlucci – It becomes a new lot that does not conform with zoning.

Karyl Spiller-Walsh – I would advocate for a 40 foot wide roadway layout as long as there is at least 18 feet of pavement. The cul de sac should be landscaped.

Robert Babcock – The cul de sac works for fire equipment and school buses.

Susy Affleck-Childs – How do you feel about the need for a roadway width waiver. This would be in direct conflict with the new Subdivision Rules and Regs, which require 26 feet paved roads and sloped granite curbing.

Robert Babcock – I believe we could make the emergency access fit it quite nicely from Neelon. With a hard enough surface for emergency vehicles to go over but it could also be used as a walking area too.

Eric Alexander – I would echo Karyl's concern about the density. I appreciate the economics of what might be necessary. I can't commit to exactly what would make me happy, I just feel that the total of 11 lots is too dense there.

Matt Hayes – You need to speak with the Fire Chief about the emergency access off of Neelon.

Robert Babcock – The applicant doesn't want to spend a lot of money if the dead end waiver isn't going fly. We will reduce the density and do an emergency access.

Eric Alexander – I am not opposed to the dead end. It is just that the number of lots/houses proposed it still seems pretty high to me.

Robert Babcock – How does the Board feel if the number of lots was reduced? The OSRD allows for attached units.

Eric – I want to see less square footage devoted to housing.

Andy Rodenhiser – I am concerned about 600 foot issue. This is such a tiny neighborhood. Everything is very tight in there. What you will do is change the scale and the quietness. What would your alternative be if this waiver were not granted? Would we want them to even consider sole access to the site from Neelon and not come in off of Charles River Road at all. Is it possible?

Karyl Spiller-Walsh – It would be a very difficult job for his landscape architect.

Robert Babcock – It is about 285 feet along Neelon from Village Street to the site.

Susy Affleck-Childs – I believe you would still have a street longer than 600 feet.

Andy Rodenhiser – There would be a lot less pavement.



Karyl Spiller-Walsh – Another thing to consider is to consider the scale of the neighborhood in the style of the houses. The houses you would probably want to consider are all extremely vertical massive style. You should try more of a bungalow that would hug the ground more and not be invasive of the vertical space.

Robert Babcock – That would be doable on the down slope side.

Karyl Spiller-Walsh - I would want to see houses eliminated from the down slope.

Dan Hooper, 6 Naumkeag Street – Some of the questions I had have already been answered. The 18 foot paved width, how does that relate to the existing pavement on Charles River Road and Cherokee?

Robert Babcock – Very similar.

Dan Hooper – With respect to the contemplated emergency access, it would have to be plowable and maintainable to be useful. The first go at this site, you showed duplexes with the preliminary plan. We have a varied neighborhood of styles here. I didn't know about the applicant's thought on the efficiency of the land use going from duplex uses to detached.

Robert Babcock - We thought the duplex design was OK.

Eric Alexander – We did not encourage you to go to strictly single family houses when we suggested you look at the OSRD.

Dan Hooper – You have done a 180, why? Obviously there is some confusion.

Robert Babcock – We got the message on the quantity of duplex lots.

Gino Carlucci – At that time, it was not an OSRD but 6 duplexes that would have needed a special permit from the ZBA.

Robert Babcock – We also changed the roadway to come in off of Cherokee. This provides better access and less street length.

Eric Alexander – I would be willing to entertain some duplex units if it would reduce the # of lots and the overall square footage. The decision whether to permit multi-unit structures now rests in one place with the Planning Board through the OSRD option.

Andy Rodenhiser – When we reviewed the Candlewood plan (Village at Pine Ridge), the area that extended off of Candlewood Drive was to be a private road for the condo. Is it possible that this could be a privately owned and maintained road? From a consistency standpoint, that might be good approach.

Matt Hayes – I don't think it is relevant in my opinion. Do you have any desire to make it a private way?

Kip Derazonian – I didn't see any benefit for that.

Andy Rodenhiser – It could be an association type road.

Robert Babcock – I have seen this to be problematic. It is a great idea but practically it doesn't seem to work.

Robert Babcock – This is a special permit so what are the voting requirements?

Susy Affleck-Childs – 4 out of 5 affirmative.

Karyl Spiller-Walsh – It is important for you to think about architecture. You will need to go to the Design Review Committee with the multiples.

***Repetition Request - Ted Cannon on behalf of William and Amy Fletcher***

9:45 p.m.

Ted Cannon - We are here to ask for your permission to seek a variance again from the Zoning Board. The Fletchers brought an application to the ZBA for a house lot off of Lovering Street seeking variances from frontage and lot shape factor requirements. That application was denied. The Fletchers had a new plan drawn and expanded size and shape of the lot so it would comply with lot shape factor standard. We feel the steps that they have taken are material enough to address the ZBA's denial for it to be reasonable for them to come back. Your review is not about the merits of the request but whether they meet the requirements for sufficient and material change. The total lot frontage is 137 feet but it is not contiguous. The land acquisition makes the lot shape factor work.

Karyl Spiller-Walsh – What percentage of that do you evaluate as wetlands?

Ted Cannon – I don't know for sure. There is some.

Matt Hayes – Your hope is that the ZBA would approve it as a buildable lot?

Ted Cannon – If we are fortunate enough to get your approval, we will file immediately with the ZBA.

Gino Carlucci – They eliminated one of the non-conformities. It has changed. It seems to merit reconsideration.

A motion was made by Chan Rogers, seconded by John Schroeder to approve the repetition request of William and Amy Fletcher for \_\_\_\_\_. The motion passed unanimously.

Matt Hayes – That land transaction to enlarge the lot will need to come back to the Planning Board as an ANR.

***Informal Discussion – Possible Modification Daniels Wood Definitive Subdivision Plan***

Fred Sibley – I am back. This is simple. Much of the money that came from the sale of the other lot was spent in catch up. My kids still need to go to college so I am thinking how can I do this. Daniels is off of Brandywine which is off of Oak Street. Your subdivision approval included a condition that I cannot develop my property for more than 3 total lots. I am looking at all my options. I use my mom's house as a rental property. I want to switch my frontage to the cul de sac. That would allow the frontage for my mom's house to be on Oak Street.

Susy Affleck-Childs – This would be an actual modification to the subdivision plan because lot lines would be changed. So we would have to go thru the whole process.

Fred Sibley – Basically it is a temporary design.

Karyl Spiller-Walsh – I would recommend that you get it together and put a road in and do it right.

Andy Rodenhiser – It sounds like the premise of changing what was already agreed to is predicated on an economic hardship.

Fred Sibley – It seems crazy to have to go thru the entire engineering. Why couldn't you require that I would have to come back to you when I actually want to build the roadway?

Gino Carlucci – Under Massachusetts law, if you have frontage and area, you have a lot by right and can bypass the subdivision approval process.

Fred Sibley – I don't see why you can't put restrictions on it.

Matt Hayes – I think you would have to engineer it, but not build it.

Fred Sibley – I need to dig up the agreements, and covenants.

Susy Affleck-Childs – I will put together an info packet for you on all of this. This is hard as 3 of the 5 board members were not involved when you came in with your plan before.

It was agreed that Fred would come back at some point.

***OTHER BUSINESS***

***Construction Observation Estimate for Franklin Creek***

A motion was made by Andy Rodenhiser, seconded by Chan Rogers to approve VHB's estimate of \$6,640.20 for construction observation services at Franklin Creek. The motion passed. Matt Hayes recuse.

***Construction Observation Estimate for Hopping Brook***

A motion was made by Karyl Spiller-Walsh, seconded by Chan Rogers to approve VHB's estimate of \$5775 for construction observation services at Hopping Brook. The motion passed. Matt Hayes recuse.

### ***Informal Discussion – Forthcoming Site Plan Applications***

Ellen Rosenfeld, Ellen Realty Trust  
Dan Merrikin, Merrikin Engineering

Dan Merrikin – We are here to talk about 2 pieces of land tonight in the industrial park on the Millis line. This is an informal discussion. I have a sketch plan so you can look at it. The area is at the end of Marc Road. It is the current home of Fasolino Landscape. He has a yard there where he stores loam and other landscape materials. There is a firewood cutting business at the back of the site. The site began to be used for these purposes about 7-8 years go. Based on neighbor complaints, Bob Speroni (Zoning Enforcement Officer) inspected and issued a cease and desist order ruling that the uses were not allowed and that site plan approval had never been received. Ellen appealed Bob's determination to the ZBA, which ruled that the uses were permitted but that a site plan is needed. There are no structures on the site. There is a shed roof over the sand bin. There are a couple of trailers in the back with tools for the log splitting operation. This is all open storage earthen materials, loam, bark mulch, sand and in the back is logs and split wood. The property is owned by Ellen Realty Trust and leased property. The thought is that we have to come in for site plan approval. We do have a couple of issues with this lot. The back strip of the parcel is zoned residential/agricultural. The log splitting operation is there and will have to be moved to the industrial portion of the property.

Ellen Rosenfeld – I talked to somebody about rezoning some of that land.

Andy Rodenhiser – That was me. We are trying to expand commercial use. It would be nice to have an applicant to do this with.

Dan Merrikin – The second issue is that they do have plans to put up a building on the site but that is in the near future. We need to come in for site plan approval to address Bob Speroni's cease and desist order. The drainage swales on the site that were built in and have been there forever.

Ellen Rosenfeld – I have to propose a settlement to the judge. I have a joint conference with Town Counsel Dick Maciolek and the judge and he wants to know what I am going to do.

Susy Affleck-Childs - If a judge tells us to do site plan review, we will but there is nothing about this that would normally require site plan approval – no construction.

Gino Carlucci – You can come up with measures that would apply to the situation like dust control.

Andy Rodenhiser – Buffer areas could be added.

Matt Hayes – Show parking areas and add a vegetated buffer along the back.

Ellen Rosenfeld – The neighbors are concerned about noise and dust.

Dan Merrikin – This is the second site plan we need to file. We have 3 parcels and this is the one the neighbors are complaining about. This is all clear, outside storage. Matt Fasolino runs a lot splitting operation and on the other two parcels are for Rosenfeld Realty storage.

Ellen Rosenfeld – We talked about moving the stuff so it is not as close to the residential neighbors.

Matt Hayes – There are no buildings on any of these 3 lots?

Dan Merrikin - It has been this way for 15-20 years.

Ellen Rosenfeld – We won't sell the land as long as my father is alive.

Matt Hayes – This needs to be two separate site plans.

Karyl Spiller-Walsh – By us getting involved, we have to be concerned about the neighbors concerns.

Ellen Rosenfeld – The uses are permitted within the Industrial Zone. The only thing that would alleviate this a bit is dust control

Matt Hayes – How?

Andy Rodenhiser – Sprinkler system.

Ellen Rosenfeld – The sound of the dump trucks is a concern.

Chan Rogers – How long has this been around?

Dan Merrikin – Since the mid 70's.

Ellen Rosenfeld – The houses preceded the development of the industrial park. The neighbors are complaining because there is more activity than there used to be.

Matt Hayes - What is the buffer area? Is it evergreen?

Dan Merrikin – Deciduous.

Andy Rodenhiser – You could have an acoustical consultant to look at mitigation, even if they said nothing that can be done.

Ellen Rosenfeld – I can talk to him about his hours of operation.

Dan Merrikin – He is bound my daylight. Even in the summer, he is only here 2-3 days a week.

Matt Hayes – What we need to see in a site plan is fencing, increase the vegetated buffer to include evergreens, dust control measures, move some of the storage piles further away from the abutting residences and closer to the roadways.

Andy Rodenhiser – Analyze the uses and have the most activity and move those to the other site.

Ellen Rosenfeld – OK.

Dan Merrikin – Screening of the loam is the loudest of the activities.

Dan Merrikin – How do you classify this as a major or minor site plan?

Susy Affleck-Childs – It is considered a major site plan unless Bob Speroni determines otherwise.

Andy Rodenhiser – We want to increase our business tax base. It is important for you to hear that we would encourage business development. We are trying to designate some sites for a special program with the state for fast track permitting.

Matt Hayes – So how many site plan applications do we need?

Dan Merrikin – It is in common ownership.

Matt Hayes – It seems to me that you could do this as one application. If Bob is OK with it, then we would be.

### ***Lot Release for Lot 14B in Birch Hill subdivision***

A motion was made by Andy Rodenhiser, seconded by Karyl Spiller-Walsh to approve a lot release for lot 14B in the Birch Hill subdivision. The motion passed unanimously.

### ***Smart Growth Grant***

Matt Hayes – We have been approved about \$30,000 for 3 tasks

1. bylaw for mixed use town center
2. rules and regs for low impact development
3. finalize inclusionary zoning bylaw

We were notified in October. We did not act on it due to concerns about matching funds. The new Town Administrator felt the town's finances merited holding off. She has now said it's OK to go ahead but in going ahead we would have to spend the money by the end of June. It looks like we can get 2 of the 3 fully done. The mixed use town center district would take the longest.

Gino Carlucci – I think there is no problem with any of the public participation. Probably no problem with having a meeting with the BOS, Medway Business Council, IDC, and property owners, and ZBA and Affordable Housing Committee. We might be able to get in at least one public meeting and another one in June.

Matt Hayes – Do you think we can get thru the tasks we have outlined here?

Gino Carlucci – Yes . I think the only thing we couldn't get done would be to meet individually with the property owners. But I think the big meetings with the town boards and one big public hearing are doable.

Andy Rodenhiser – We can introduce the concepts at least.

Gino Carlucci – The proposed zoning bylaw wouldn't have to go to town meeting this year.

Andy Rodenhiser – Maybe it could go to a fall special town meeting.

Gino Carlucci – I think we should tailor this to be an overlay district. With an overlay, all you are doing is adding options. IF we draft it to comply with the State's new 40R program, just adopting the bylaw it would result in a zoning bonus payment and a preference on grants.

Andy Rodenhiser – It may open up financing opportunities for the developers.

Karyl Spiller-Walsh – It becomes like a gateway.

Andy Rodenhiser – Given all the problems that the town is facing this is a good news .

Matt Hayes – Susy, please give Eric Hove a call at EOEA and tell him we will go ahead with the whole thing. Get the paperwork to Suzanne for signatures.

### ***FY 07 Budget***

Matt Hayes – I was approached by selectman Glenn Trindade. He asked us to put together some ideas for a full time Town Planner/employee. They are considering an override and he wants to include this in it. I asked Susy to go ahead and put together some numbers for us. Here is a draft budget for a 2 person planning department.

Andy Rodenhiser – My own personal opinion is that we shouldn't go for an override until the level of the staff's health insurance contribution is addressed.

Matt Hayes – I want everyone to think about that a little bit. What would we want for that position?

Andy Rodenhiser – We need to think about what we are likely to leverage out of this position in terms of benefits to the community.

Chan Rogers – It seems like Andy Rodenhiser is doing some of the things a planning director would do with his visits to property owners.

Andy Rodenhiser – This community cannot afford a big override.

Matt Hayes – Just think about the position and what you would want it to be.

Chan Rogers - I feel we need to start doing that now. The pressures of developing land are real. If we don't start looking at other sources of income we are going to be in bad shape. It is tragic that the town is so grossly one sided in terms of residential tax base.

Matt Hayes – A planner that had a position could follow up on those areas.

John Schroeder – May I offer a suggestion. The master plan says that one of the main activities of a town planner is to secure grants.

Matt Hayes – That is something Gino does for the town.

Karyl Spiller-Walsh – Once you have a planner and an assistant, there is no envisioning to ever go backwards.

Andy Rodenhiser – I think it might behoove us to have a couple of meetings to talk about this stuff. We never really get to talk about this kind of stuff and form a vision for this board.

Karyl Spiller-Walsh – We have a lot in the past but it never culminates in any reality because it is a financial burden.

Matt Hayes – Another thing we can do is modify our fee structure. How much of this higher budget could be recouped with higher fees? At what point do our fees become obscene?

It was agreed to have a special discussion meeting on Tuesday, February 7, 2006 at 7 pm with pizza. We will include Eric and past PB chairmen Dan Hooper and Jim Wieler.

A motion was made by Karyl Spiller-Walsh, seconded by Andy Rodenhiser, to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 11:35 p.m.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant



February 7, 2006

BOARD MEMBERS PRESENT: Chan Rogers; John Schroeder; Andy Rodenhiser; Karyl Spiller-Walsh; Matthew Hayes

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant; former PB chairmen Jim Wieler and Dan Hooper

Call to Order: 7:15 pm

Citizen Comments: none

Matt – I have decided not to run for the board; my term is up in May; I will be glad to join as an associate member if there are any special permits pending but not continue as a permanent associate member

Susy – Also Eric intends to resign as associate member due to family and work obligations

Discussion on need for more participation on town boards

Hopping Brook Certificate of Action (Matt, Chan & Andy to vote)

See 1-31-06 draft – fill in the blanks for votes

Approved

Andy departs to meet with the IDC

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General Discussion – Planning Board issues

Chan – should we prioritize these? Master plan update is a subject of its own and devoted to the next time we have a free night – some of the other issues are things we need to resolve soon

Matt – the master plan is something we need to agree to update and we need to appoint a committee to do so –

Karyl – it has a far reaching influence in other departments – like in the DRC we are always talking about linking back to the mnastger plan – all encompassing nature – how much open space we want to get; how things look – all seem to stem from the master plan – it is integrated with everything we do

Matt – what needs to happen to do this

Jim – the PB can just appoint a committee to do this – Diane was the PB rep – we went to town meeting to get a warrant article passed to create the committee – it is a subject for another night – invite members from other boards – but you are empowered to establish the committee –

Dan – I might suggest some email correspondence with other boards – it may not require them to come here to discuss it – this is what we are going to do – just get started – I would be happy to shake down Dave Kaeli to come back

Jim – on master plan – send an email out like Dan says – who do you involve – keep it relatively small – Natick is redoing that –

Dan – have it have the feel of not being run by the PB –

Chan – 2 things woven into the idea for a land-use/open space committee – Open Space should be an active committee, especially with so much land available

Jim – I have been sort of charing the ad hoc trail committee thru CPC – working with Kaeli and Hoag – we have been very effective as an ad hoc committee where we don't necessarily operate with posted meetings, etc – I would be glad to have the PB linked to this – you may not want a formal committee

Chan – certainly people dedicated to understanding these issues –

Jim – one of the things I have been thinking – we have been focusing on the trail network from Wenakeening Woods down to the high school down to Adams Street to Choate Park – I am trying to make this work – I am thinking we ought to broaden our scope – whether we call it the open space trail committee – I have been doing the open space stuff with Bobby Briggs – he has kind of agreed to come to the town first before he proceeds with development – our little committee has to talk things over – you don't need much more of a plan than what Gino wrote

Karyl – Henry Wickett is going to be knocking on our door very soon – the whole thing is going to explode –

Chan – in my mind, that function is being very adequately handled right now –

Matt – better to stay focused on a goal –

Jim – this trails/open space committee – work both with CPC and Planning –

Dan – at one point, Dave Kaeli wanted to have an Open Space Committee – it could have its own mission – as it goes with chapter 61 lands – we are slowly losing opportunities for open space – a land use committee could discuss some of these things – I think the committee could have a general land use focus – increase industrial tax base, preserve open spaces,

Karyl – preservation of open space is linked to stopping residential development

Dan – the players at town hall are not talking about land use – everybody is caught up in talking about the budget – reacting . . .

Dan – Henry Wicket claims he has sewer capacity for 660 units – from the state - we have to anticipate a certain rate of growth

Karyl – we could have a huge rate of growth – it could be massive – we are far from

Matt – what about the growth moratorium/growth rate limit?

Chan – we had a discussion at our last meeting regarding the industrial land near the Millis line -

John – it seems like we want to accomplish a certain balance – and we are out of balance – can we set some limits on residential development until the other land uses increase

Matt – every dollar of taxes paid by residential costs \$1.30

Jim – today, you could argue that the best thing we could do is to try to do an affordable housing complex in the industrial park area – west side – you could get 10 acres down there and put in a senior complex

Andy – I talked to the IDC re: some possible zoning changes in east side – 400 feet no disturb area around the well – seek to change the Lally property to industrial condos –

IDC – Bill Wright, Paul DeSimone, Rick Kaplan, Marian Cole; Glenn Trindade; Dave Wallace (?);

Andy – the IDC wants us to do a sewer moratorium – issues of capacity of treatment plant – they want to reserve capacity at the plant for industrial

Matt – what is relationship between our water/sewer board with the Charles River pollution control authority

Andy – Medway is a member – Paul Desimone

Jim – we were talking about the Cliquot Club lots

Andy – I had a realtor come in to see me, stopped by town hall to planning and assessors office – he wants to develop apartments out there which can take the 40B gun out of our back – puts it out near the edge of town – and also developing commercial and retail along this stretch of route 109 – they want to work with us to develop it – they don't own anything – they said the town would have to do an RFP and they would respond to it – the biggest single property owner in that area is the Town; a guy named Williams is the second; power company is an owner – Britt from the assessor's office is prepared to do the paperwork for a taking if the BOS

Jim – there might be state funding available for economic development –

Dan – it would really have to be discussed whether residential development is what is really desired – somebody really needs to think about it – would this really co-exist – does it correct a real problem

Matt – could it be a mixed use zone?

Andy – what is going to happen there if we don't proactively work on this . . . only way to do it is with a taking

Jim – we would need to get sewer there

Andy –

Dan – I think dan might be right.

Andy – what is the mechanism to measure capacity

Jim – they know

Andy – with each connection a permit is pulled and a capacity is determined –

Matt – that plant was designed for a certain volume –

Andy – the convergence of arc puds here and there and 40Bs –

Jim – that might be a need to meet with Sewer/Water

Dan – you can't keep it in check by holding off for a better development

Andy – we need to understand

Dan – I think there is lots of sewer capacity for Medway – is the town obliged to provide the hook up

Andy – I will find out and provide some information for the PB

Dan – does it make sense in a residential setting to set up individual system like Wrentham village outlet – when you keep your water on site- recharging the groundwater – if that can be encouraged – to me that is the most ideal situation – then we aren't pumping into capacity – a major complex would have its own system – what size triggers –

Matt – no you won't be allowed to tie into sewer, you have to do your own on-site package plant

Dan – in a residential setting, you don't have the parking fields to bury treatment plants as compared to commercial or industrial settings

Chan – I feel we have to reach some conclusion tonight on the budget situation that has been raised – there is no way we should try to put forth a town planner as an over-ride – I think susy should have an assistant and then raise her to another level – more realistic than our preliminary proposal – for a full time planner and a full time assistant

Andy – I don't think the town will support it; I don't think it is fair to other town boards and departments who need help too

Chan – I think the situation is such, some activity is necessary – the full boat may not be justified but there should be some additional

Andy – but whatever you come up with, health benefit component; space component;

Matt – a 20 hour a week position is

Jim – could you make the argument now that Susy could seek some of the grants – that is a justification

Andy – what is the return on investment? What is the revenue side of the equation –

Chan – it would be too optimistic to show cause and effect – but if this activity never goes on –

Matt – we do need some ideas of some of the benefits –

Chan – that can easily be projected

John – what towns have?

Dan – find a town that has an admirable growth management strategy – based on what we see, when we drive thru –

Dan – people will tell you it is in the worst of times, it is when you need to get the preventive medicine in place – it can't be done in a clerical fashion – focus day to day to a list of 10 activities –

Andy – I think Suzanne, and kent would support a planner – I would too but it just isn't the time

Dan – what are the legitimate plus benefits of hiring a planner -

John – I am looking for tools to sell it –

Matt – susy, can you send out something thru the mass planners to assess this? GET IN TOUCH with Matt on this – cost benefit analysis

Jim – get back to glenn's question – there is a huge problem – if we are going for an override, then let's put forth

Chan – this proposal is essential; doing nothing is only going to make things worse –

Jim – if you are going to

Andy – I don't think the public is going to support an over ride

Karyl – how do we project what a positive effect a planner would be

Andy – features and benefits – what is the benefit to the residents?

Chan – this is as important as a school teacher is,

Jim – focus on the value

Andy – how are we going to justify it and pay for it and how does it help solve a bigger

Dan – long term financial benefit for a planner – you are going to always need

Matt – susy and I will send out something – have you gotten a planner, have you seen results, what is the daily function – typical day in the life of the planner;

Dan – we could probably get Roland Bartle to come down from Acton

Chan – I would call this person a facilitator – coordination with other boards -

Jim – Should we call this an economic development position?

Dan – the number of houses has not been out of sight – but there is an aging Briggs, aging Wickett; Cassidy family with lots of kids – it is close – and Panachelli

Chan – economic development specialist

Jim – if you went to the BOS with that, and we couched it as an economic development planner – that might fly –

Andy – if we did anything, I would suggest that we did it in such a way that Kent could lay it on the table, so it doesn't come as a PB proposition

Andy – it can be presented by them in a manner that is conducive to the town, in the town's best interest, not the PB's best interest –

Jim – you get the BOS to propose it, and IDC to support, and PB to support

Dan – the position needs to work on preventing single family growth/slowing – and encouraging economic development to become more active participants in our tax roles

Jim – it is zoning, really what this town could use is a true continuing care facility – 600 people living on 10 acres – Shrewsbury – my inlaws live there.

Andy – fees could be used – you can't charge more than what it costs to provide the service – but I see an overhead function that needs to be considered – all need to share in the expense of the planning department –

Andy – let's apply the same principle to how we charge on our permits/fees;

Susy – DOR book on how to price municipal fees

Andy – the lack of communication that existed 3 years ago was the cause of a lot of problems – we are better off to cooperate – this person could be the convenor of the Development Review Coordinating Council

Andy – I wonder if there is state money to fund this type of position?

Karyl – it leaves the whole issue of the PB operations unaddressed –

Andy – you need to give people a reason to vote for this – managing growth for the benefit of the town is the way to frame this – encourage growth that we are looking for that provides the maximum tax benefit – framing the- prevents the erosion of our community

Jim – it really should be brought forth by the BOS – I think the IDC would support it –

Dan – Would the administrative assistant be a shared person with the new eco dev person and the PB

Andy – Keep Susy, get her an assistant

Matt – we need to flush out what we believe this higher person would be, what the assistant would be,

Matt – other items on this list that are generating interest

Jim – what are you doing with any of the open space from river bend, and other projects

Andy – river bend was concerned about the town having the funds to maintain it

Jim – upper charles would be hesitant to take anything – Mark Cerel is also on the Upper Charles – Dave Hoag has resigned – we are talking with Mr Hoag about them donating their woods as conservation space for the town - 14 acres –

Jim – if concom owns it, you can have another entity hold the conservation restriction on it -

Andy – we put forth an effort to change the terms from 5 years to 3 years –

Susy – I spoke with Dick and he says it can be done via a warrant article – doesn't have to be a general bylaw – nothing in state law that says the terms have to be for 5 years . . . .

Matt- I will contact Diane Borgatti to see if she would consider the associate member

Meandering Sidewalks for Scenic Roads – Deviations to miss trees, distance between edge of sidewalk – low impact – scenic quality - new standards

Dan – wayland, route 126 -

Matt – add to rules and regs

Susy – add in special provisions for sidewalks for scenic roads

Matt – we may want to revisit the curbing requirements –

John – the cost of the curbing varied greatly from development to development

Matt – the nature of the street requires certain types of curbing –

Mitigation measures – linked to waivers to impacts . . .

Susy – I think we need to learn more about this – what grounding are we on – on what basis – waivers, impacts –

Karyl – even if an applicant meets the minimum open space requirements, ii think we should ask for more

Matt – town counsel said we couldn't ask for mitigation that wasn't directly linked to wht was going on at this site – I mentioned a monetary donation to the senior center - van -

Dick said that would be OK as it was a sufficient link to the impacts of the development

Andy – if we were to change our rules and regs to reflect any development that consisted of more than 10 units to contribute

Andy – we have a duty to think about the potential of being sued – and the cost of special counsel

Jim – you need to present a united front to these developeprs – we are going to ask for mitigation – this is a formula we are going to use – if you have members exchanging various perspectives in front of the applicant – then they see there are cracks

Karyl – there are no standards for what waivers we grant –



Andy – I would like to know whether we even have to consider granting a waiver – some of these projects won't even fly if we don't give them the waivers – then we say what is the alternative.

John – I am uncomfortable tying mitigation to the waivers

Karyl – it is about the dance . . .

Matt – we should be looking at waivers as what is the benefit to the town?

Chan – there is a quid pro quo – you have to look at that . . .

Andy – there is an economic benefit to them for the waiver request – so we want the town to share in its economic gain

John – compensate the community

Dan – you only have so many levers as a PB member – waivers are the one . . . – if they need/require a waiver in order to develop, then you have a lever – it does affect the whole background- you may be making something possible that would not be possible otherwise -

Matt – anything else to bring up . . .

Matt – thanks to dan and jim for coming in tonight

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Handout CPTC conference in March 2006

Matt – handout re: Avellino property at 126/109

Motion to adjourn – karyl, all yes



February 28 meeting

No matt,  
Karyl, chan, andy and john

Open at 7:36 pm

We have a continuation on the Applegate Farm-

Karyl – motion to continue to March 14 at 9 pm – seconded by John - all yes

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Take 13 Franklin Street ANR out of order –

Bill Halsing from Land Planning – I did want to discuss a few of the items from Gino's review letter –

13 ranklin street – approved in 1966 as a subdivision – mr walsh purchased a few years ago –

when we met with the PB a few months ago, we discussed what would be required for the board to endorse – it was agreed that we should meet the requirements of the covenant from 1966 – the client is willing to do – they are going to dig up the whole road to put in a sewer service and upgrade water service – we have also submitted to concom for all the work within 100 feet of the ede of wetlands including house construction on the new lot – we meet with concom on Thursday

andy – can you explain the covenant?

Gino – the original subdivision approval covenant specified that no more than one single family residence would be erected on the 4 lots; the wetlands part was separate – I had some concerns that that the covenant – is that being violated that by putting a house on that second lot – the road construction standards had been reduced to allow for just 2 lots and now you are adding another residence – it was never built according to the reduced standards tht were approved in 1966 – under theh PB rules and regs – you can approve an anr plan on a subdivision road if it was built or a performance guarantee – the access has to be in place at the time the ANR is approve3d, and not done later – I believe this should come in as a subdivision – and you have provision now for private way servingonly 3 lots with reduced standard.

Karyl – those were exactly my thoughts – to what standards was it built – it should be built to our minimum size subdivision standards – and now I heard tonight that utilities are being added to the road tonight

Bill – re the house on the lot – the covenant did not preclude access - there is no gain in the overall lots – simply add two pieces to make it buildable – for the roadway . . we are gong before conservation where we have the roadway and the lot – if the board wants to hold off on the anr until the road is built and then would it be possible to sign the anr then.

Chan – will you be asking for street approval

Bill – no

Karyl – the ANR standards . . we have this ongoing conversation – is it an anr if it fact you have to cross a wetland to

Gino – if wetlands is the only impediement, it is still eligible for an ANR

Chan – you are moving the line to make the lot buildable

Gino – I don't know if the rules and regs in 1966 had a time limit on construction? But they do now – it may be that the subdivision approval expired – if we assume it didn't have any restriction – clearly had the road been built accorlding to the subdivision plan, today it would be eligible for anr endorsement except for that one condition – but that is a grey area – there are now provisons for this kind of subdivision – cleaner process – that was my suggestion

Chan – I think we should forget about what happened in the past and just move the line

Andy – aI think it is important for the road to be built to today's standards – I think it should go through subdivision approval

Karyl – yes . .

John – there was a covenant in 1966 that we need to respect –

Bill – by going thru a new subdivision that would negate the old covenant

Andy – do you want to withdraw or have us vote? I would suggest that you withdraw

Bill –

Gino – another option is to do it as a modification to the 1966 plan

Bill – all we would be looking to do is to modify – would the board waive drainage?

Paul – you need to provide drainage for the pavement surfaces

Andy – you would have an increase in impervious surface to 18 feet

Bill – I think they would like to pave – all the walshes want to do is put up a house for their daughter

Bill – so we will withdraw . . .

Estimate for Rolling Hills – PGC – andy and all  
Estimate for Rolling Hills – VHB – motion by chan, karyl – all yes -

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#### Pay Invoices

1. motion to approve \$200 for CPTC – by chan, seconded by john – all yes

#### Committee Reports

Chan - Presentation of MPO Plan in Framingham – same presentation as was at the last SWAP meeting – lots of interest in pedestrian ways – rails to trails – 4 year plan – the Summer Street project was part of a past TIP – now scheduled for 2007. I made another pitch for improvements to Franklin and Worcester commuter rail lines

Brief break – 8:05 p.m.

Some informal chatting about State of the Town briefing last night – reaction to Route 109 redevelopment plan.

Andy – handed out master plans last night and smart growth in Medway flyer –

Put that Smart Growth flyer on the Web - talk to DAVE . . . .

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#### Budget Proposals

Handouts for part time office clerk, change PB assistant to Planning Coordinator and master plan

Chan – I move we approve them as presented – seconded by Karyl – all yes –

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River Bend Village – request a continuance

Subdivision approval, special permit and scenic road – we are aware that the alternate member is not here –

Rich cornetta – we thought we would just continue

Karyl – are you through with the DRC?

Bob – we will be before DRC on march 6<sup>th</sup> – lots of detailed landscaping plans

Motion to continue to April 4 – karyl and chan

Special Meeting on April 4<sup>th</sup>

Motion to extend the deadline for subdivision and scenic road – to May 1 – Chan, and Eric – all yes

Bob Duchesnes – after we met with Charles River Watershed and DEP – we pulled out some structures that were encroaching on the 200 foot buffer we have preserved the walnut grove – and we pulled some homes in as well – we have gone to predominantly swale systems to drain water back into the wetlands and gone to pervious pavements for driveways – that is what our focus has been on the last 4-6 weeks – to accommodate those constraints – remainder of the site has remaining very similar – we have made some changes to the elevations of the triplex units – have been able to accommodate some side entrance garages – more streetscape – and we are taking some of those elements and adding to the 3 story building as well – overall landscaping plan around the clubhouse is linked to the scenic road work permit – within the next 2 weeks we will be wrapped up with engineering plans that we feel comfortable giving out VHB – for next meeting – the current plan right now – which was at 133 units is now at 125 units –

Eric – how has that effected the affordable

Bob – we are still proposing to do 10 affordable units as we had presented earlier

Eric – driveways will now be pervious pavement

Bob – pervious asphalt – the main drive

Bob – one remaining issue is the open space – and how it will be decided . . . one option is to retain the property to stay with the condominium trust

John – there would be a restriction on it – that would get signed off by everybody –

Andy – I remember that you wanted to maintain the system

Karyl – one thing I can see there is certainly a gain by stripping some units – but give some thought to a real green space in front of the 3 story building – the mall area – what about the circle?

Bob – two mature pine trees we hope to maintain

Susy – parking

Paul – swale type drainage system does require more room so you can adequately drain the pavement

Karyl – this is a low impact development approach

John – back between the houses –

Eric – concerned about what people can do in those area –

Bob – in our condominiums restrictions

Karyl – how did you arrive at using swales

Bob – encouraged by charles river watershed – they are concerned about water quality – it is somewhat facilitating poorly drained soils on the site – this seems to kind of work to our favor for both issues

Andy – have you done this before

Bob – we have not –

John – we have – Kingston athletic field

Karyl – we have seen it used done nicely and attractive – but it will take some planting concepts –

John – I don't think there is going to be any rock on the site at all – there are a lot of constraints on this site –

Eric – there are a lot of parts here to break –

John – we are basically building on the ridge line –

Karyl – make sure they look good – part of a landscaping plan

John – they have an independent landscape architect – DRC will see it on Monday –

Karyl – one more comment if I might – thinking about the public – we have had discussions in the past – some details that we are interested in – what is happening on the back of the structure – all the charles river folks will be able to see the back through the woods

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Pre-Application Meeting – Barberry Homes re: Siderski property

Jim Williamson with Barberry Homes

Kenny

Jay Scruggs from Devereaux Associates

Jim Williamson – just by way of review – 51 acres – the bylaw requires that 40% be kept as open space – there will be 20.4 acres kept preserved – of that, we have 11.3 acres of uplands – contiguous with other open space of Evergreen Meadow – can make it out to Winthrop Street without going across the wetlands – we would be building on 30.6 acre parcel – we are not filling in or crossing any wetlands – we understand and comprehend has 25 foot no disturb zone – we can respect that – the zoning requires a 50 foot buffer around – we have a variety of housing types which is called for in the bylaw – promote rural character and an additional component is affordable housing for seniors – our plan is consistent – the site is served by town water and sewer – infrastructure is in good shape – sewer line is 10 inches; water line is 8 inches – both along Winthrop street –

Jim - Jay Scruggs works for Devereaux associates – red mill village in Norton got the gold award at the international builders show as the finest adult retirement community in the us – they have also done some work in Pine Hills in Plymouth – we feel we have one of the finest land planning companies working on this – once we get an overall consensus, we will turn it over to GLM Engineering -

Jay Scruggs – Devereaux associates – in one way or another has been around for about 30 years – we have worked all over the country – I will walk you through the plan first – Village Green off of Winthrop Street – with a community building and a small general store – orange blocks are triplexes that are 106 feet long with 3 units – each unit about 1600 to 2000 square feet – in addition to being on both sides of the green, they comprise the inner portion of the site – the outer portion of the site in the yellow would be single family detached houses – the community building is about 3200 sq. ft. to house certain amenities – fitness room, kitchen, small assembly room, bathrooms – this design was based on principles of New Urbanism – Traditional Neighborhood Development – the goal of these type of designs and developments – one goal is to create beautiful communities that encourage people to come out into the street and interact with each other – the other goal is part of a scheme to alleviate suburban sprawl – according to the principles of this system of design – a comfortable community needs several things

1. get cars off of main roads – frees up front road – gets garbage cans in back – alleys – allows you to enjoy your street more freely –
2. circulation should be easy to get from one place to another – psychological feeling like it is not taking you forever to get across the area – five minute walk
3. the other aspect of TND – the height of the building relative to the width of the street – and the density – the concept is that the buildings along the street form a space that makes you feel comfortable – the fabric is dense enough that you feel comfortable and you want to walk through the neighborhood – it encourages people to get out and walk around and meet with one another – mingle like people used to
4. density of streetscape – we understand there is a requirement for a 20 foot setback from the street – in communities like this it is not uncommon for the houses to be closer to the street – we might want some flexibility to bring things closer than 20 feet



Stems back to the way the towns used to be planned – based around a village green and people walking to where they needed to go . . .

Looking for feel of an old new England town – tried to emulate that – show examples of triplexes

26 triplex buildings

1 duplex building

38 single family detached

118 total –

andy – it looks very dense at first blush – concept of getting a trash truck down the alleys – these kinds of development and this type of developments have been used very successfully in the past

andy - is this concept used in Red Mill in Norton –

jim – they have used a similar approach – they do have the common driveways and you drive into the garage from the back – if the board was interested in visiting there on a Saturday

our actual density is 2.3 units per acre which is consistent with the River Bend project

we are trying to come in with a good realistic plan right up front – and fight it out for 3 years – we are coming in with an appropriate number –

all roads to be maintained by the condo association – trash would be contracted out by the association

jim – I have looked at some other over 55 projects – in southborough and one in Sudbury – some of the people who live in these don't live there year round

chan – some kind of an easement at the top –

karyl – I have to tell you that I have a lot of trouble with the density factor – but one thing I think that initially I find very annoying right away – the grid system of the internal just smacks of the Midwest – smacks of flat topography – I would not want to see such a nice perfect alignment – I find that uncharacteristic of our town and other towns in massachusetts – if there was some density reduction you could have some more movement – but from the onset I have a lot of trouble with that – in the architecture that you have proposed so far – the roof lines could start getting more varied

jay – we are showing just conceptual footprints

john – I want to go down and see

chan – bedrooms?

Jay – 2 with a den or 2 with an office

Jim – first floor master suites – one bedroom and a loft on the second floor –

Karyl – I think the density issue is very important – the single family homes need to be blocked in to show the massing – it shows as a green area now –

John – what I understand you to say is that the closeness is what is desirable

Andy – this would create some diversity in our housing stock

Exit 10 off of 495 – route 123 go left – and ¼ mile up on the left – Norton

Karyl – how wide are the surfaces?

Jay – 22 feet big enough for cars to pass

Andy – affordable housing?

Jim – the board did mention that to us before – we will do whatever river bend is doing – I would like the board to keep an open mind on this project – a lot of the over 55 projects are very boring and look the same – this is something very unique – precedent setting- I think your fears of the design will be relieved

Andy – I would ask you guys to touch base with the water/sewer department – big concern about water availability – we are getting close to our water limit –

Jim – I was assured there was sufficient water and sewer by Sandy

Jim – the only waiver we would request is the setback requirement on single family homes – Would that need a variance from the ZBA or can the PB do that under the ARCPUD provisions

Paul – I think the comments about the two means of access

Karyl – another thing I think it would be helpful, some kind of open space beach or fresh area within the development –

Eric – pocket parks

Andy – is it your intention to build these?

Jim – yes

Jim – we will be visiting with the design review board on March 20<sup>th</sup> -

Andy – grateful for good architecture -

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149 Main Street – The Maids

Robert showed a drawing from Fasolino Landscaping of proposed landscaping plan –

Andy – we need to know details on materials and quantities –

Karyl – where the fence is by the playground

Robert – we are not prepared to extend the granite wall at this time –

Andy – I am concerned about the wall about when it happens . . . I think you had a schedule out 3 years

Karyl – why do we need a wall there?

Robert – we don't have to do that

Andy – there is a retaining wall that is indicated at the back of the barn? What details

Karyl – something we are looking at is a poured place concrete with stone veneer –

Andy – should have an antique appearance to it

Robert – yes . . it is merely being considered . . . –

Andy – part of this process is to specify what is going to happen – we need to have accountability in place and how it is going to end up being and to make sure it is done that way

Robert – it is not urgent, in the context of everything else that is being done it is not visible from Main Street –

Karyl – what we are mainly interested is that when you rebuild it, and that is visible, we would have a concern that you would put in concrete block which we don't want to see

Robert – we understand –

Andy – maybe Mike could make up a detail sheet of what

Robin – are you placing a time frame on the rebuilding

Mark Cerel – conditions of a special permit are clearly enforceable so whatever you spell out in terms of a time frame, it becomes enforceable – we are comfortable with the time frame that

Robert has proposed, the most critical thing is that he not commence his business until the day care center is out of there.

Paul – Karyl, are you interested if that wall needs a guardrail or a railing and what that would look like?

Just remove it from the plan –

Mark – put it as a condition, if it is rebuilt, then it shall be natural fieldstone or cultured stone

Paul – you may want a guardrail on it to avoid people from driving over it; potential safety issue  
Not ideal aesthetically, but it could be done in a different material – probably 2.5 feet

Gino – maybe a curb stop

Mark – I would think there would be a stop type thing that could be installed to

Andy – how about a vehicle stop or precast concrete curbing –

Paul – I don't know if a vehicle stop is sufficient for an abrupt change of 4 feet

Andy – so you would recommend some sort of guardrail

Paul – yes,

Eric – it is not as though the pavement ends and there is an immediate 4 foot drop – there is a shoulder – it is to be cleaned up, no plans for landscaping

John – if it were landscaped that might prevent some vehicles

Andy – maybe a 4 by 4 guardrail –

Paul – wood rail would probably be fine – it is a safety issue

Karyl – if we have to request that . . . then

Andy – how about some bollards

Paul – just make sure the spacing is correct to prevent a vehicle from going through

Andy – every 4-5 feet

Eric – we could draft language that would give him some flexibility-

Robert – I am quite safety oriented anyway – I think I would want to put a guard rail in anyway – doing something in wood.

Andy – roof material – just matching what is existing –

Andy – Sidewalk estimate

Paul – I talked to Dave D’Amico – he recommends granite curb be provided because it is on Route 109, also he says the sidewalk can be bitumnioujs, it doesn’t have to be concrete – no grass strip – since there are utilitypoles there, he recommends the sidewalk be 8 feet wide – the existing sidewalk is about 4-5 feet wide – the current sidewalk doesn’t extend all the way to the east property line –

Karyl – are we suggesting that he actually build this?

Robert – this is certainly nothing I ever considered in the outset – I am looking for your guidance throughout this – however, when it comes to \$6,000 to either do it or pay into a fund – I don’t disagree should it one day happen that is one day becomes a sidewalk –

Eric – I have to confess that I think – by focusing on the sidewalk, we might be losing sight of the primariy objective of the adaptive use overlay district which is to make them more usable – I don’t want the sidewalk situation to act as disincentive

Mark – first of all, I don’t know where the right of way is – the sidewalk used to go in front of my mother’s house – the town took it out at my mother’s request because it was causing flooding I would speak in support of keeping the expenses down –

Eric – I don’t want to foreclose the possibility of the PB having sidewalk improvements where it is appropaite – I don’t mean to contradict our DPS director – I think from my perspective that granite curbing is just excessive and very costly – if we were looking for a payment in lieu –

Mark – it is a huge difference when you are dealing with subdivisions – but you are sitting as a special permit body under zongni – I don’t think

Andy – how strongly did Dave feel it needed to be done –

Paul – the context of my discussion -

Could we look at what we did for 127 Main Street/Reardon on a per foot cost –

John – we need to be consistent with what we did with before

Eric – we did require something and that is what we need to look at . . .

Andy – usable space within the barn – what is the square footage

Robert – Susy called me today, how much of the square footage are we talking about – the 1328 sq. ft is the footprint – I don’t know if there is any wasteage upstairs – for this submission I have doubled it, workingon the assumptioin the basement is unfinished – the parking calcs is that we

would be needing a total of 13 required against the 12 that we have proposed – looking at earlier versions of the plans – there are two alternatives – we could squeeze another space on either side of space 3 and 4.

Robert – we have 7 operational vehicles – rarely are they all parked on the premises – 4 to 5 leave at night –

Andy –

Robert – 23 – 24 employees – 4 drivers go down to Woonsocket to pick up the employees and drop them off – it works well. A couple of others have their own cars – I am sure we have ample space. We haven't got everybody parked all at once –

Robert – the solutions are to give us a variance or to limit the square footage

Mark – the way the bylaw is worded you have the authority to reduce the parking requirements – he would not need a variance

Andy – can we restrict the parking for his employees so there isn't a propensity for his staff to come in and park there

John – I don't believe it is an issue

Eric – I think we are OK to go with the 12 spaces

Karyl – OK

Mark – the summer house has lights

We need to continue this to after the DRC –

Andy – we are looking for from you is some wrapping up of details and resolution on the sidewalk stuff –

Continue to March 7 at 4 pm – here in

Mark – I have agreed with Robert that 7 am is OK for opening time– any external lighting be directed into the property the property –

Andy – read Mark Cerel's letter of February 14<sup>th</sup> – into the record – attach and make a part of these minutes

Schedule for listing the items to be done and the schedule –

Eric – keep us on focus about what our purpose is . . . .

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Other Business – Discussion on

Karyl- I have had an informal discussion with the Avellino brothers – it seems as though they are very dependent on this second element – ExtraMart would do all the site work that would benefit Medway Gardens – the gas station is willing to do all the excavation work for Medway Gardens they are hopeful we will look favorably on this.

Chan - I don't think it is allowed.

Gino – The question is whether to let it slide

Karyl – The question is if we let it slide, would it mean therefore that a gas station would be allowed elsewhere.

Gino – is this the only possible commercial use that would allow them to do what they want –

Chan – the zoning enforcement officer made a determination that is not

Susy – if the ZBA overruled on this determination then they could seek a use variance

Susy – the other option is for us to propose a change to the CV district to allow a gas station by special permit just like CI, CII and CVI.

Susy – how do you feel about a gas station at that corner?

John – I like it.

Karyl – it might not be so bad .

Chan – I don't think that intersection can handle that kind of intensity of use if the access is from both summer street and route 109.

Karyl – flavor of the conversation was that it would be at the southerly part of their site with access only from

Chan – right now the board is not unanimous in terms of appeal

Andy – I think we should

Chan – I think the board has no alternative but to appeal the decision – we want a rigorous interpretation of zoning

Karyl – in essence, I agree with you on this –

Chan – I would wait to defer until Matt can pipe in on this –

Discuss again next Tuesday

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Motion to adjourn – karyl, john – all yes

11:05 pm



March 14, 2006

BOARD MEMBERS PRESENT: Andy Rodenhiser, John Schroeder, Chan Rogers, Karyl Spiller-Walsh, Matt Hayes

OTHERS PRESENT: Paul Carter, VHB; Gino Carlucci, PGC Associates; Susan Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:05 pm

CITIZEN COMMENTS - None

INFORMAL DISCUSSION – Possible Modification to the Daniels Wood Definitive Subdivision Plan

Time: 7:06 p.m.

Fred Sibley, Applicant  
Paul DeSimone, Colonial Engineering

Paul – when we came here on the first plan we always talked about no more than 4 lots – See explanation – total of 4 – we need to extend daniels road another 127 feet – we would reconstruct the driveway to Fred's house and move it easterly along the lot line to make as much room as possible – no driveway off of the daniels wood extension – that is the nice part of the land

Fred – it is a privacy issue; I need to generate some income somehow

Matt – you are proposing a common driveway to be used by all 3 lots

Paul – the new lot could come in off of Oak Street and wouldn't need to use the driveway

Matt – what issues do you see?

Gino – I have a little bit of a concern is that the purpose of the subdivision control law is to ensure vehicular access – you are creating a lot without actual frontage; you have a common driveway being expanded to a third lot now- you have subdivision control provisions for a 3 lot private road subdivision – technically I think if you waive a number of requirements It might work

Paul – we aren't extending the driveway any further into the property

Fred – you are saying serving 3 houses off of one easement – you don't have to have the new lot have access from the driveway but from Oak Street – just move the existing right of way easterly

Matt – it is a paper street

Fred – I liked the summary that susy did. I can only do 4 lots on the entire 8 acres. But I am trying to generate some income to educate my kids – I have made a fairly large compromise in

respect to what I could have done on the property – 6 duplexes and that would have been legal – what I am asking for is just a different configuration

Matt – you are proposing this as an ANR

Fred – the new lot would be an ANR

Paul – but it would be a subdivision because of having to extend daniels road for the frontage

Susy – I think this might need to be a whole new plan – not a modification

Paul – I agree that it would need to be a new submission – we always said in the entire piece of land would only be four lots

Matt – creating frontage on a paper street that is not intended to be built – does that go against the spirit and letter of the law

Gino – definitely the spirit, if not the letter - you are counting it as frontage but by the letter of the law,

Matt – you do plan on changing the driveway as it crosses the lower lot

Fred – with the new lot, it is very tight, I need to move the driveway all the way to the property line

Matt – it is an easement now, you would move the easement – what is it like now

Fred – sort of paved, 10-12 feet wide; a do it yourself kind of thing

Matt – the idea of not going with a full subdivision with a private way is strictly a monetary issue? Have you considered doing that? Improve the driveway to private way standards

Fred – my thought is at this point, I have a window of 7-8 years to get my kids through school – I would like to continue the rental income from my mother's house; but I can't see that continuing in its present use for more than 8-10 years; then I would take that out of service and rearrange back to what I had originally envisioned.

Paul – 50 foot ROW for a private way would not allow enough room on the new lot for a house.

Andy – if the frontage is on daniels,

Karyl – there hasn't been engineering in terms of water for that new lot; there may need to be another parcel to take into consideration wetlands – when engineered, it may be very difficult, that lot may need to be a bit bigger – where is the water going?

Fred – basically, you are talking just about the roof.

Paul –into the wetlands mostly –

Fred – not steep at all.

Andy – if this would come before us as a new application, what would it be?

Matt – subdivision, no roadway construction,

Fred – the width of the existing driveway would be shifted east

Matt – I would come back as a private way subdivision and request a waiver on the ROW – I am not so comfortable with this

Fred – the driveway has been working for 50-70 years. If you have problem, then make the access to the new lot from Oak Street

Karyl – lets assume that lot 2b1 is left as it is and it is 2.8 acres – under that zoning, they would be allowed and fred sold it – would the new owner be required to adhere to the limitations – would the covenant

Fred – I signed this thing and I believe that parcel, that chunk of land cannot be further subdivided into more than 2 lots – how could that be construed in any other way –

Gino – does each deed reflect that – the covenant refers to those properties –

Fred – I would be glad to attach anything to each future deed. I feel that I am acknowledging what we discussed before – and I agreed to it as a compromise – the parcel I would like to be protected – the integrity of the parcel would be preserved and its primary features –

Matt – this isn't the general way we get a subdivision in, we tried to develop our regs in a way to help applicants develop a parcel with a private way option with reduced standards – I really think that we can't go below our minimums in most cases.

Fred – you mean you would rather have a 500 foot driveway come in off of daniels road

John – legal frontage on the cul de sac – you are requesting that because you don't think a private way would work coming in off of oak street?

Fred – it seems like you are making something much more difficult than it needs to be and you are taking the nicest part of the lot and taking more of it than you need to and making it almost not buildable

John – putting the legal frontage on a paper cul de sac is complicated to me – it seems better to me that

Fred – my choice

Matt – the subdivision of land goes on beyond you -

Fred – I could bring a driveway in off of Oak Street extension and mak

Andy – concerned about precedent of using a 10 foot driveway as access to 2 lots

Fred – the 50 foot ROW is the problem for the new lot

Karyl – I question the whole ability to keep the protection in perpetuity – the whole property – I could easily see this being designed to its max

Fred – the driveway easement/row is already on the deed.

Fred – if the frontage is granted on the bubble, then whoever buys it can choose to do it either way.

Matt – we have given you some information – this isn't an application yet

Chan – who is objecting to what he wants to do?

Matt – when he comes back in with an application, this is what you want to come back in with an application –

Fred – if I am limited to what I can do, I am not sure if it is even worth it – it would be simpler to develop the lot up near Todd's.

Chan – I would like you to show us what you want to do. go up to the board and show us.

Matt – we have to end discussion on this – you have some input from us, some feedback, if you want to come in with the subdivision, I would suggest you have covenants

Paul – should I come in with a preliminary?

Paul – what would you be looking for in terms of engineering?

Matt – this would need to be a very air tight covenant

Fred – if the road was engineered would that be OK?

Paul 0 the board needs to decide if it wants to allow a paper street for frontage?

Karyl – he could engineer it to the max and then keep parcels open –

Paul carter – with a preliminary the board could see

Andy – from hearing the discussion, there is a potential problem with two lots accessed through a driveway – you would be giving tacit approval to something that is not normally allowed.

Paul – we could do the new lot as an ANR plan

Matt- back to their next step? Do you want to see a preliminary plan with a roadway accessing the top – and include something re the driveway

Andy – yes

Karyl – I would like to see it maxed out.

Matt – come back with a preliminary plan and covenants re the entire site –

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**PUBLIC HEARING – Rolling Hills Definitive Subdivision Plan  
3-14-06**

Paul DeSimone, Colonial Engineering

Andy read the PH noticed – attach and make a part of the minutes.

Matt – there was a preliminary plan on this back in June

Paul – 3 acres of land; 3 lots; existing house at 25 milford street + 2 lots and one parcel for detention basin – fill 805 sq. ft. of wetlands – CONCOM suggested we move the road as far to the left as possible. It is kind of cut and dry – the road pitches down – the lots all perk well – town water – sewer is too high – we will replicate about 1800 sq. ft. in the corner – we are showing 80 by 40 boxes – but I don't think that is the size of the homes – we designed the runoff based on that

Matt – You received the review letters from VHB and PGC – have you addressed anything

Paul – not yet, I thought I would wait – a lot of paul's comments we can clear up pretty quickly – it would be a permanent private way – the rest of the stuff is trees and drainage questions

Matt – can you explain the drainage back in the middle of the road here -

Paul – we might fill in the pocket area – wetlands have already been walked – we have requested the ANRAD from CONCOM, we are meeting with them on Thursday night on our notice of intent

Letter from CONCOM – attach and make a part of this record –

Karyl - what happens to the drainage easement –

Paul – we are not touching it at all – 20 wide easement – the pipe is under the ground –

Matt – it slopes down to the west, there is an outlet onto the property

Andy – it stays right where it is.

Karyl I-driveway

Paul – it goes right over it – we aren't touching it or anything

Matt – anything you want ot highlight

Paul carter – more detaisl on infiltration , berm , channel how water gets from the sediment forebay to the infiltration – things are missing

Karyl – I would like to see the detention basin more naturalized, and more buffered

Paul – when we go to concom, we will discuss plantings for that and also for the replication area – the concom will give us some input

Matt – Gino, any comments

Gino – mostly technical details, but one of them was sidewalk along the frontage

Paul – look at sheet 4 of 6 on the – there is a retaining wall with a concrete sidewalk that just ends – we don't know wht you want to do – we are proposing granite curb on the corner rounds – what doyou want ot do

Matt – condition

Paul – usable, but kind of beat up

Matt – we would want to see wheelchair ramps –

Paul – would you want me to extend it? What do you want ot do there?

Matt – can you fit he sidewalk behind the tree?

Karyl – a meandering?

Matt – you need a path to travel across the roadway – you need to design the wheelchair ramps –

Paul – extend it through the curbing or turn in into the street –

Matt – go straight through – don't send pedestrians out into milford street

Andy – this is a sidewalk that doesn't go anywhere?

Matt – are you planning on doing anything with that guardrail

Paul – if we are putting in the widewalk, it would have to be right up against the roadway,

Matt – discuss sidewak with dave

Paul – so straight through with handicapped ramps – and crosswalk

Letter from Board of Health – dated 2/3/06 attach and make a part of this record

Matt – there were some letters that went with the preliminary plan that you need to address

Paul – do we need to request a waiver on the street lights?

Chan – how does the

Matt – the applicant has moved the road as far to the east within the ROW but it sounds like the

Matt- any comments?

Vincent packi – 6 families street trust – I would like to find out what they are going to do with the tree lines and how far away is the house from the lot line which is the stone wall – we don't have anything to know how far away the house is – there was talk about moving the wetlands over

Matt – they can't move the wetlands but they will need to replicate the wetlands that are being removed.

Paul – we are going to put a 15 foot buffer line along that wall

Matt- the zoning bylaw requires at least 15 feet

Matt – the houses are located schematically,

Vincent – you don't know how far from the lot line the house is going to be?

Paul – I won't know until she gives me more specifics – I can't answer that question.

Vincent – 15 feet is going to be in my back yard –

Paul – I can guarantee you that it will be at least 30 feet.

Vincent – the first fellow tried to do this – he ran into some money problems –

Matt- as long as they come in with a plan that meets the requirements

Matt – it is not a requirement for the approval of the subdivision that the actual house locations have to be shown – he will have to go to the board of health for a septic permit –

Vincent – can we get a plot plan

Andy – when they go for a building permit, the lot has to meet

Vincent – she is not going to do anything

Paul – she will put the road in and then look to sell the lots – she did tell me the houses are not going to be that big.

Matt – this board acts on the subdivision itself, what goes on in the individual lots is the building department and

Rob peral, 4 fales – I was involved with some of the arguments with the ZBA – the road location is a swamp in the spring – it was denied before because they tried to put a road thru a swamp – my concern is also on lot 6, the drainage easement – will the 4 foot septic system have an impact on our drainage system . if that grade changes, I want to know that the water isn't going to flow backyards

Matt – the drainage in and thru the pipe is not going to be effected by this.

Paul – when we do the board of health plans, we can't run off onto your property – we will maintain the buffer between the two properties of 15 feet side –

Matt – you are protected from not having water come onto your site that is not already coming on.

Andy – there are setback rules for the septic systems

Rob – as far as the trees that are on the land – whose jurisdiction

Matt – within the buffer zone of wetlands – conformed – we are doing a 15 foot selective cutting zone around the perimeter of the lot – developer cannot remove healthy trees, there would be no need to cut those trees as they cannot pour the septic in that area.

Jess doud, 5 fales street – what is pictured up there – the boxes shown are 40 x 80' – the pipe goes under fales street into my yard

Paul – the construction is monitored by the towns consulting engineer during road construction

Jess doud – is there a requirement to extend the sidewalk

Matt – west on milford street for the full frontage.

Moiton to continue to april 11 at 7:35 pm – karyl, john – yes

Paul – any other problems you have?

Karyl – the plating plan on the detention pond

Paul – we are going to save the 24 inch oak for the landscaped island –

Karyl – naturalize the shape of the detention pond



Paul DeSimone – we will do some heavy planting around detention pond

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8:40 p.m. - five minute break -

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## PH CONTINUATION – Restaurant 45 Site Plan

Paul yorkis  
Mark smith  
David faist  
Jay melick

Paul yorkis – applicant is here mark smith, david faist, engineer and jay melick, the architect – what we would like to do this evening, is go through the changes to the plan as it relates to engineering first and then changes to the plan as it relates to architectural features – I believe you have in your possession comments from Sergeant Watson – and Fire Chief Wayne Vinton –

Paul read the letter from Sergeant Watson into the record – attach and make a part of the record -

Paul – because the roads are not accepted . . . any . . . check with paul on his comments –

Paul – letter from Fire chief wayne Vinton –

David Faist – we received comments from VHB last Friday – my handout is the latest version – the grade along the southwest corner will be raised 2 feet and be 8 foot high – dumpster location has been relocated away from the home and further east on the site – the fence alignment was adjusted a bit and we are providing a 6 foot wide landscaping area on the outside of the fence to make a nicer buffer in that corner – some of the other minor – VHB comments have been incorporated – we have added curb stops –

Jay Melick – the last meeting we were at last month, we had a color rendering I presented to you, I have taken the working drawing and applied the color to it – the same building with color on it – neutral tones – bone/beige color vinyl siding, asphalt roof shingles, and we are looking at brick on the lower level/kick base on first 30 inch of the elevation – the restaurant addition had not been shown or provided in any detail – this will show you in a bit more form and contrast – for the actual addition –

Andy - does the roofline on the front show the mechanicals? Rooftop equipment

Jay – they would be beyond the ridge – you could see the tops of them from the north elevation but it will be on the back side. – the only element of the front elevation that is any different than what exists now is the roof structure of the addition at the back. The door into the restaurant now will be replaced with a bay window.

Karyl – well, I think that I would have liked to have seen some sort of stone suggestion on the foundation – as you are entering Medway, that is apparent – that is a real strong thing that we felt would fit this architecture – whatever material

Jay – I think the decision to go with brick was mostly driven by the economy of the project

Karyl – I understand, but the drc wanted to

Matt – could you describe the brick base?

Jay – the lower level – at the tallest point it would be 3 foot height down to one foot. It would be where you would expect to see the building foundation – we felt it was something that would be impervious – no block any more – concrete or clay brick – we discussed a bit – it hasn't been selected yet – I think mr. smith is thinking of a grey brick

Mark – not atypical red brick but a grey brick – small brick sizes – I did look again at the stone products – a friend of mine sells stone in Milford – he said you cannot afford to do it – the labor cost was staggering – upwards of a \$30,000 job. I would love to be able to do this – but I am starting to get nervous about the costs of this – that is my reality – I feel like I have presented a great project – starting to get fearful from a construction

Matt – traditional brick size?

Jay – probably a smooth brick

Andy – the area under the foundation under the new window on the existing building is concrete?

Jay – yes – existing

Andy – is that going to see some plantings or anything there?

Jay – there will be about a 5 foot area being curb and building so it will be planted area.

Karyl – on the westerly side elevation – what is the height there 36" – any room there for plantings

Jay – that side has a 5 foot sidewalk directly next to the building – so no –

Matt – we received two letters back in February that I don't believe we read into the record

DRC letter dated Feb 14<sup>th</sup> – Andy read – attach and make a part of the record.

Disability Commission – Feb 15<sup>th</sup> – Matt read – attach and make a part of the record.

Matt- were those comments addressed

Jay – I did look at each of those. HP locations. In each case, the handicap spaces are as close as they can be to the entrances to the restaurant and the new store. There were a few mentions to the men's room – we have reversed the door swing. We did check out – the dimensions would

be shown on the building permit plans – there was mention of the ramp at the rear of the building as not complying – I don't know exactly why that doesn't comply – I haven't looked at that yet.

Matt – when you add the new handicap access at the front, will you need the existing one at the back

Paul – when it gets to the construction phase, the building inspector is very rigorous in making sure that any proposed changes conform to the AAB as well as the ADA requirements. I am sure Bob will scrutinize it before he issues a building permit.

Matt – the parking area in the front corner that is within the town's right of way – I know we discussed the desire to have an agreement with the town on using the ROW for parking

Paul Yorkis – do this as a condition to the site plan

Landscaping plan for area on route 126 – mark – we are committed to landscaping that

Paul – there is an obligation on the applicant's part on route 126 – we would request that that the installation of it be deferred.

Karyl – where do we stand with the total number of parking spaces

Paul – we are right on the mark –

Karyl – so those 7 spaces are part of filling the parking

Mark Smith – I understand that if I had to lose those spaces in the future, that I might have to reduce the number of seats in the

Paul Carter – I would say is whether you guys have final approval from Dave to tie into the drainage

Paul – Dave Damcio is out of town and I am meeting with him tomorrow morning – he wants to look at this set of plans and as soon as he does so, he will prepare a letter

Paul Carter – is the number of trees acceptable to the board

Matt – gino, do you have anything

Matt – I think this is an excellent plan, -I think it will be a big improvement to the plans

5 little tree road – just to clarify – you have included some of our discussions - we also talked about some trees outside the compound on the abutter private property

mark – I am more than happy to commit to doing that on your property

citizen – are there any guidelines or type of business or establishment of the type of business that can come in there –

gino – it is limited by the zoning – for this district, - it is more restritive than the shoppiong area in route 109 – retail, office, restaurant type uses

citizen – last time there was talk about meeting with the concom

mark – we are at concom Thursday night at 9 pm – 3/16/06

matt – does the board have any questions or comments

Andy – the memo from March 9<sup>th</sup> from Susy to us, some items that need some more detail that need to be addressed –

Andy read the letter – attach and make a part of the record

Andy – we would like the landlord to specify plans for signage

John – I need to be at ease with the parking situation – how many are there now and how many will there be – how many additional

Mark – 42 increased parking spaces without adding any new seating -

John – the outflow form the parking lot is that something that needs to be addressed?

Paul carter – the area in the front, they are proposing to tie into milfor dstreet – they need to get final approval from DPS

Paul yorkis – the system that David FAsit has designed will improve water quality above what it is now, it will be Mark Smith's resoonsiblity to maintain his part

Karyl – I have trouble with the surface e – they had gone to a lot of trouble with the bulding design – it is too bad that they are falling short by not using a better product –

Maqtt – we need to keep the public hearing open to wait for DPS' comments –

Continue to march 28 at 8:30 pm – chan, andy – all yes

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Applegate Farm – PH

9:40 pm –

Ralph Costello  
Rob Truax, GLM Engineering

Motion to waive reading of PH notice – andy, kary – all yes

Rob Truax, GLM engineering and Ralph

Costello - This is a definitive subdivision plan entitled Applegate Farm - located at Coffee and Ellis streets across from Goldenrod Drive that Ralph is finishing up - 15 acres of land in the back - back in the fall, you signed an ANR plan that carved off the front lots - 10 lots on Coffee and Ellis - we are proposing to develop the back land for 12 lots - the proposal is to have a road across from Goldenrod and line up with that directly - the other access would be off Coffee Street at a pretty level area - this site has some open field and some wooded areas - the top on the site - slopes from Ellis down easterly to the wetlands to the east of the site at the bottom of the hill - those join up with the Great Black Swamp - the wetlands are along the eastern boundary at the bottom of the hill - the layout that you saw - Road B comes in from Coffee Street - flat in nature - uphill from Coffee Street about 150 feet - Road A comes in from Ellis Street and runs a slope of 8% down to cul de sac. Houses are shown on the plan - the line up along the roadways - we did look at some of the existing stone walls and tree masses to preserve - try to align the lot lines to keep the stone walls and trees - the roads are located in the clear areas - wooded areas as you come out to Ellis Street for the last 200 feet - service by town sewer on Coffee Street - water system would be a loop system would come in from Ellis and down to Coffee - drainage system is a series of catch basins and discharge to a retention/detention basin - the area that we are proposing the basin now is an open field right now - we selected a low area in the lower fields on the site - set it down - good soils, gravels - groundwater is deep enough - not too deep - 3-4 feet - blend in quite naturally - outfall discharges to the wetlands - the treatment is forebays - some recharge that will take place to handle increased flow - when I went through the new regs - we would need a waiver to allow for a cul de sac at the end of the road - we have looked at other options - also, you require a 100 foot leveling area - if we could reduce that to a 50 foot leveling area - the approach to Ellis Street is uphill, not downhill so it works OK . . . something to consider . . . we have seen all the comments from Mr. Carlucci and VHB - most are engineering items - the big one is the dead end street - the other big item is sidewalk construction on Ellis Streets - do you want sidewalks on that or the money instead? We have gone thru the comments - the key one is the dead end street - I will admit that I did misread that -

Matt - what is the length of the dead end?

Rob - 450 feet or so . . . I do have some other options if you want to see them

Karyl - is there a possibility to look at this - but could you look at this as an open space

Rob - I did look at that - I don't think it works on this site - we want to do something upscale - I did just run numbers - if you took the land area 15.8 acres on the back land and took out the road and the

Rob - we would prefer to do conventional with 1 acre zoning and upscale homes - the idea is to come in with a high scale project

Matt - the streets are awfully straight - isn't there a requirement for a maximum length of a tangential street -

Rob - I believe it is the board's preference -

Matt - it would make for a more attractive subdivision

Rob – we worked up another scenario – another option – alternative layout #1 – 11-20-05 date –

Ralph – part of the thing, if we can follow that grade aesthetically, we will preserve more trees, stone walls, etc. – we want to design houses to fit onto the site – better for a road to follow the existing graded as possible –

Rob – we have to get up to Ellis streets – you have to make a decision about waiving that leveling area standard –

Matt – that leveling area standard is more for sight distance concerns –

Matt – Paul, could you touch on anything major

Paul – we need a copy of the soils map with the site on it – the groundwater depth – you need percolation tests –

Rob – I have all the information we can provide on your drainage questions

Rob – how do you handle streetlights

Matt- driveway post lights as part of the neighborhood covenants

Paul – access to detention pond – access easement – more details on the basin – landscaping and planting around the basin

Rob – we will deal with tree issues with part of the scenic road – we are taking down a 20 inch tree –

Paul – need sight distance calcs –

Karyl – relating to the detention pond – should be naturalized – look like a pond, not like a scar – it looks like a rectangle – free form shapes to soften to the rectangular appearance e- we want it to look like a pond, not a detention basin

Matt – where are you at with the con

Rob – we met with them already to walk the wetlands line – we meet with them again this week. They

Karyl – you mentioned that you have an existing stone walls, trees, if we could get a copy of that –

Matt – gino

Gino – there was no erosion and sediment control plan – grass strip needs to be 6.5 feet – tree species shown weren't from the list but they need Tree Warden approval – then a bunch of technical issue

Paul – you aren't showing any house foundation perimeter drains?

Rob – the town requires that the cellar floor be above groundwater – technically there shouldn't be foundations in the groundwater . . . we did not do any leaching pits

John read letter from Jeff Watson – dated February 27<sup>th</sup> – attach and make a part of the record

Letter from abutter at 34 Ellis Streets – dated Feb 28, 2006 from Sue Rorke – attach and make a part of the record. – read by Andy

Letter from Jeffrey and Cassandra Grenen, 16 Coffee Street – attach and make a part of the record – ready by Matt

Matt – any abutter comments? Identify yourself

Billham, 25 Coffee Street – I am right behind the retention pond and a bit below it – I just want to make sure I am not going to get flooded out – my basement floor is about 12 feet below that pond – what can you do to make sure it won't come thru to me

Matt – where is detention pond

Rob – the contour of the land – it bowls down and up and the detention is in the down – I can do some shootings – to give him some assurance - maybe we can put a liner in and go straight down to give him a better feeling about it

Elisha Verosha, 2 Spruce Road – for the gentleman who is the engineer g- we have lived there over 30 years – there is quite an amount of water that comes across Ellis Street and across the apple orchard and it goes toward northeast – it seems like you are trying to get the water to drain to the southwest – is that really possible

Rob – the natural flow right now would take the water to her house – but I don't want to do that – we will redirect it to the southwest –

Elisha – where Virginia Road cuts into Ellis Street – there has been a pipe that goes under there and dumps into Mr. Fontanella's property – what is going to happen to that? – somebody should look at that .

Rob – I didn't know about that. We will want to deal with that

Elisha – as one drives west on Coffee Street coming up the hill, the Fontanella land is quite high on the right, with a street coming out, you are going to have to cut into the land somehow so that your Road B will – as you exit B Street, are you going to be able to see the cars flying down an up Coffee Street - how wide would the road be? That would be a concern

Rob – 26 feet wide with the opening would be larger

Kalryl – any retaining walls needed?

Ralph – it is at its closest elevation at the point where the road would come out

Rob – coffee street itself is not centered in its layout – we could do some grading and clearing in there and improve the sight distances –

Karyl – it needs it

Rob – I think the roadway does n

Delores carpenter 3 coffee street – are you planning any kind of alteration on coffee street in terms of widening it? School bus exiting

Rob – no we are not proposing to widen coffee street

Matt –how wide is it

Rob –I can scale 18 – 20 feet. We have large curb radius coming in – 40 foot radius

Mr. ????? near detention pond – the road could potentially be much wider than it is

Susan wood, 23 coffee street – one of the concerns is the width of the street – going up the hill in winter on coffee street – going up the hill and stopping to take a turn to the left – school kids walking to school – there are some real issues about that

Matt – perhaps we can do so meandering sidewalk on coffee street behind the stone wall . . .

Susan wood – has the road department discussed the grade of coffee street and icing concerns

Matt – we haven't received any comments from DPS yet, they usually do.

We submitted the letter from 16 Coffee Street – can you respond to our questions

Rob – alignment – at this point in time, that is pretty much what we have drawn up – as far of the runoff – we have catch basins at the roundings at coffee street – and catch basins along the street to carry

Rob – I don't know what the town does for snow plowing

Mr Grenon – we are concerned about cars overshooting

Rob – the road is offset slightly

Matt – you are more lined up with the traffic going into the street vs. the traffic coming out of the street.



Mrs. Grenon – too bad it couldn't have been located further

Karyl – would you be interested in some landscaping buffer on your property

Mrs. Grenon – that would block our sight lines

Matt- I do like the alternative alignment

Elisha – as one option for the exit on road B – to put flags where they think the road would end so these people could see where it so they could see where – stake it out now so they could see

Ralph – what I would suggest would be a line of shrubbery across the front – that would delineate where the property is – it would also help at night with lights –

Mrs. Grenon – the only problem is trouble we would have

Elisah – is there a light pole at that intersection now

Matt – the road is between the two existing street lights

Rob – we will show the existing street lights on the plan

Matt – any other questions or comments

Rob – how do you feel about the curvilinear

Karyl – I like it

John – does that alternative follow the topography?

Ralph – the alternative layout – even though another 150 feet of road there – if the preference is, I suppose we could consider doing that – there might be a few more trees cut – I think it would work if that is your preference

Rob – we would ask your feeling on the waiver for the leveling area –

Matt- given the changes to the topography I would be willing to consider a waiver to allow for 50 feet leveled area

Rob – there was a comment from neighbors about people cutting thru the neighborhood – a curvilinear layout would reduce this

Karyl – I do have concerns about the detention pond – could it be like Fiske Pond Road in Holliston?

Ralph – near Sherborn?

Rob – that is full all the time – I don't think it is a detention pond

Karyl – it has doubled in size in the past two years –

Matt – on the ANR lots on the corner – you have a common driveway

Ralphg – we wanted to try to cut down on the impact on Ellis Street – this is one of the way to do that – rather than have driveways come out on every lot – we figured we could have one cut to come in and serve 3 lots – the stone walls

Matt – we don't have any rules about them – not part of the subdivision

Ralph – the only tree we are cutting

Elisah – what safety issue does that present?

Rob – the only issue may be the address

Sue wood – if you would do a meandering path?

Chan – have you done common driveways in other projects

Ralph – The Preserve at Kingsbury Pond in Medfield – 6 houses off of a common driveway – it works well – we have made it work

Andy – I prefer the curvilinear – but I would like you to work with the residents across the street on some mitigation – it would slow down the traffic -

Andy – it would meet our regs more – by

Chan – straight

John – whatever is least invasive to the property

Karyl – could you look at the center part of the site to keep some of the features with an open space alternative?

Continue to April 11 at 8:15 – Karyl, Chan – all yes – and do the scenic road public hearing

John – do I have your permission to walk the site?

Ralph – you are welcome to anytime

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Thomas Geyser – 121 Main Street – Possible Adaptive Use project

I would like to use it as a 2 family home and 2 small businesses –

Matt- how is the building used now?

Thomas – corner of Elm Street and Route 109 -

It is set up as a two family now

No addition

Bringing the building back to its

Antique store and maybe a beauty shop as possible uses

Put a fence around the place and paint it – I am trying to restore the house as it looked originally  
–

Gino – there is enough room to have the two residences and have businesses

Thomas – in the basement –there is a walk out

Susy – how many parking spaces there now?

Thomas – 9 or so now

Paul – we would want to look at access

Thomas – I think I would need 7 for the basement plus 4 for the apartments

Matt – an on paved surface could be adequate for parking

Andy – talk to the building inspector regarding what egress requirements he will have for the businesses.

Susy – who needs to prepare the plan

Andy – at a minimum, a surveyor to create a document that can be referenced.

Matt – we need an accurate site plan that will show your proposed plans – landscaping

Gino – if there is no real drainage work . . if he is not adding pavement, a surveyor may be enough for now – if the only changes to the ground are to add pervious surface parking –

Matt – are you working with an architect

Thomas – not yet

Chan – go with an engineer

Andy – get yourself some help and it will get thru this faster –

Paul – the other AUOD project, we wished we had more information . .

Matt – sounds like to get an engineer would be helpful – better at outset . . and make it move more smoothly. A surveyor may be enough.

Karyl – we have done these without an engineer and it takes longer . .

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#### Informal Discussion – Medway Gardens redevelopment project

Conrad Decker, ExtraMart – handed out concept plan and proerty – we are lessees corner of milford – 3.6 acres – at corner of summer street – involve demolitoinof all buildings on the site – 10-11 buildngs –houses, greenhouses, etc. – a regarding of the site – total redevelopment of the site – we are proposing to do a 15,000 sq. ft greenhouse and a 4,000 sq. ft retial and 4,200 retail/gas station – property is CV – everything you see does meet the setback requirement sin the zone – parking for all uses would require 66 cars – we are showing 70. totl building coverage is 17% - the canopy and gas islands are set back about 70 feet. Trying to minimize using retaining walls, - one of the issues here is the driveway locations – we propose move the summer street access 280 feet and the milford street about 330 feet easterly

Matt – these roads are not state highways in medway – route 126 reconstruction project

Conrad – convenience store – lots of possibilities for design options –

Matt – DRC will give you some guidance on architecture

Matt – the other retail building

Conrad – it would be related to the avelinnos

Conrad – we would be leasing some space from them.

Our retail space would need to be be at the front

Conrad – Millbury on route 146;

Conrad – 6 pumps canopy

Karyl – right off the bat, it would have to be a lot smaller, the scale is huge -

Avellino - we want this to look nice –

Kalryl – my outside riding area is 180 feet – and the canopy for these gas tanks is 170 feet

Gino – the Cumberland farms, june’s and dominos is 5200 sq. ft total

Conrad – architecture is up in the air

Andy – how do you handle the gas tanks? What type of protection; is there a liner that keeps the gas from going down into the water table

Conrad – the avellino family had a developmetnplan – as they proceeded to look at it and looked at costs of rock removal –

Chan – from an engineering perspective it doesn't make any sense to do a gas station on that sight – the economics – but what you propose debunks that completely – I am very pleased with seeing what you have done at the sight.

Andy – have you talked to the bains?

Avelinno – yes, they like where the Garden Center would be located –

Andy – joann bains would like to be part of the CV district

Andy – how do you as a corporate entity handle sign and design issues

Conrad – newer stores are big enough to not have to have lots of junk outside

Avelinno – it will look beautiful that is our intention – we will do all the landscaping

Chan –what doyou envision in this green strip

Conrad – landscaped to your standards –

Susy – traffic analysis will be needed

Conrad – I don't think this will trigger a MEPA review- trip generation will not be enough

Matt – did you receive a corresondance from bob Speorni – we had some questions on whether this was an allowable use

Avellino – yes, we have – diswtributed copies of Bob's letter

Conrad – are we going down the right path

Karyl – I think the scale is way off – when I was initially was informed that a gas station was in the works, I understood it would be smaller in scale and location – number of pumps, and size of the canopy – I think the whole scale issue is inappropriate for that corner – the traffic studies 0 I think we are going to go around in circles on traffic – this isn't going to help

Conrad – typically, we would deal with the state highway department –

Karyl –I see this as a four tenant – gas station, convenience store, greenhouse and extra retail

Chan – I was opposed to a gas station for the conerns I mentioned earlier – with entrances back from the intersection -

Susy – you may need to combine and then reconfigure the land for tax purposes - ANR

Chan – I would challenge the building inspector on his decision to allow gasoline sales as a permitted use – I like combining it with the greenhouse –

Conrad – we are meeting with Design Review and try to get some direction from them –

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6:45 PM ON 3/28 to meet with Paul on LID stuff – pizza

Gino – 109 Main Street Redevelopment Plan

Looked at existing development in C1 and C2 districts – Gino's draft 3/14 evaluating

Andy – would you meet with the Medway Business Council on this

Gino – sure

Chan – it should be scheduled with as many groups as possible

Great work . . .

Andy – is there money available for the developers?

Gino – medway is already an economic target area which allows us to negotiate TIF agreements  
– if we adopt a zoning overlay district that fulfills 40R, then we receive higher priority for grants

Andy – try to organize the circulation within the sites –

Chan – might there be some help for medway block to make a transition to another location?

Gino – I don't know for sure, but I believe so

Invoices

PGC – 112.50 for Pine Ridge – chan and karyl – all yes

Check contract dates for Gino

Matthew Barnett \$518.18 – karyl, chan – all yes

SAC – 309.94 for purchase of – chan, john –

PGC associates – \$ 625 – chan, andy – all yes

VHB – 1152.37 – andy, karyl – all yes – matt recuse

VHB – 230 – karyl, chan – all lyes, matt recuse

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Andy – I asked Mark Flaherty to give us a letter on utility capacity – distributed

Water/Sewer has to show how they are trying to conserve waters –

Letter from

Concom meeting on the 16<sup>th</sup> – rolling hills project;

Motion to adjourn – chan, karyl – 12:50 am 3/15/

March 28, 2006

Board Members Present: John Rogers, Chan Rogers; Matt Hayes, Karyl spiller-walsh; eric Alexander

Board Members Absent: Andy Rodenhiser

Others Present: Gino Carlucci, PGC Associates; Paul Carter, VHB; Susan Affleck-Childs, Planning Board Assistant; Dave D'Amico, DPS Director

Meeting called to order at 6:55 p.m.

Time: WORK SESSION – Low Impact Development Techniques

Paul Carter and Bethany Eisenberg, VHB

As part of our Smart Growth Grant – looking at how best to incorporate LID techniques into your regulations – asked Bethany to come in and go over

Bethany – Land Engineering department – I will try to focus on actual site development matters – GET HER power point presentation . . . .

7:35 pm – Eric Alexander arrives

Time: 7:40 p.m. Public Hearing Continuation – Betania II Definitive Subdivision Plan  
Public Hearing – Betania II ARCPUD Special Permit

Bill Proria, attorney

Rich Coppa, Marian Community

Bill Proria – We want to open the hearing and ask for a continuance until the board would be here in full to consider the action - reference Andy's absence

Request a deadline extension until June 1, 2006 for Betania II subdivision – chan, motion seconded by john schroder

Waive reading of new PH notice on Betania II ARCPUD – chan, karyl – all yes

Continue to April 4 at 8:45 p.m. – next Tuesday – chan and john -

Continue public hearings to April 11, 2006 at 8:45 P.M.

Time: Betania II/Marian Community – ZBA Request for Recommendation on  
Applicant's Request for a Special Permit to construct in the Flood Plain

Bill – IN connection with the concomm, they walked the site on Saturday, and they have some



comments on the bridge portion – we submitted some additional information to VHB (dae ???) I understand that there isn't enough time for VHB to review it by tonight.

john spink – the discussion was as we go across the flood area riverbed – concom has a fairly significant opinion that they would love us to do a one way road structure across that area – the difference is that we now we have a two way 22 foot road, 18 inch abutment on each side to hold the guardrail and a 5 foot – for a total of a 30 foot swatch across the area – what concom has requested is to reconsider is to bring it down to a 16 foot lane and cutting it all down to 19 feet for the length of 235-240 feet for the distance across – bring two lanes down to one with a stop at either end – clear view across the distance –

karyl – concom would love this because of the reduction in roadway

david travalini – we were at this site on Saturday, and what we were looking at is – there is a lot of impact here that could be alleviated – fire chief would be happy with 16 foot wide roadway – we would like to get this down as much as possible – a lot of sensitive habitat around chicken brook area – our research has shown us that vernal pool habitats can be as much as 400 feet away – anything that could be done to minimize the roadway would be good – there is a long sightline approaching the bridge from either direction – and I have been to Elm Bank for soccer tournaments and they run a single lane bridge into that thing and it flows smoothly cause everybody knows

Christine Linebur concom – in the vein of a picture can save a thousand words – Elm Bank south Natick Wellsley line – function rentals – to handle high traffic – my proposition is that this would slow people down – showed photos of entrance to bridge at Elm Bank – maybe 120-150 feet going across –

Eric – is there a surface change?

Tony – metal

Christine – I would like to think that we as boards could come together and design something that would be quite nice – the medway site has much visibility – if elm bank can make it work with thousands of people going in, that we in Medway can make this work –

Eric – do we have any idea of what the cost differential would be between 30 foot and 19 foot

John – 70 sections vs. 100 sections on the culvert – I can't tell you

Eric – my preliminary comment is that I would think this would buy an awful lot of pretty for this bridge

Karyl – I have seen on the Cape, in Mashpee, a lot of bridges that have single lanes – one in Rhode Island

Matt – I haven't seen any around here – where I have seen them, they have been very short – I still have the same concerns – access to the site for fire apparatus is not an issue – but what I can see here especially with this distance is people not seeing what is coming – weather, glare, poor eyesight – you start across the bridge and meet halfway and somebody has to back up – I just can't see putting a single lane access for 77 homes . . . I know there would be a fair amount of impact to wetland habitats

John – a couple of step down options – the bridge and 10 culverts is 150 feet – we could do just those – we could make it more severe – the culverts are 12 foot x 10 plus 32 feet

Chan – this is a lot different – this is a controlled community, private road, not a public way, just serving the community at hand – not for access for any other community – you are using a one way system for most of the access thru the neighborhood – I am pointing out that there is plenty of room for exceptions – less than 2 miles from this site is a similar situation – in Holliston – Fisher Street to route 16 – that has a place exactly like what is proposed here – one car at a time and you can't even see around the corners and there is no sight distance and Holliston has been able to manage it

Tony Biocchi, Concom – it is one way route for most of the road system – the bridge has to go there – with it being one way, I can't believe that we couldn't come up with signage that would help the safety – also, we have a chance to do something very unique here that could be a very nice, decorative bridge because it is down to one lane, it is something unique – something I think could work – you do have an emergency exit out to Kimberly – with those things, and I do realize what you guys are supposed to do

Matt – the one way roads and the narrower roads we are allowing throughout the rest of the subdivision – it may be confusing

David Travalini – confusion concerns – basically this is going to be a closed community – some visitors – but not talking about continuous traffic or using this as a cut through – 95% of the travelers on these roads will live there – they will know that there is a bridge coming up – if you are worried about the occasional traveler, maybe a speed bump to slow them down – it seems there is too much asphalt on this thing

Karyl – are you aware of the religious site that is just beyond the bridge that will gather

David – Yes, I know that. I expect people will be walking to the shrine from the worship center parking lot.

Matt – Are we still providing sidewalk

John – Concom wants us to have a separate stone dust trail with a pedestrian bridge and no sidewalk on the car bridge itself.

Chan – all of these exceptions apply because these are not a regular subdivision – town will have no responsibility for the street

Eric – I think those observations are the same, regardless of the nature of the community – even if it was an open subdivision – I am not convinced that the unique nature of this community really matters

David – look at this as a trial and see how it works out – we are looking to minimize impact on wetlands – what we prefer to do is to minimize impact as much as we can – helps whatever subdivision is going on – big roads are just unattractive – smaller roads look more rural – makes for more attractive – I hate going to see subdivisions that have been cleared out – knock down all the trees – this is an opportunity to make this place look like what it can be – if it doesn't work out, it is the owner that isn't going to suffer, not money out of Medway's pocket – the town should be willing to give it a shot

Bill – the ability to make the road shorter by 100 feet – how do you feel

Karyl – yes

Matt – I would be more comfortable if the portion just over Chicken Brook is one way – would be more open to considering this if just the bridge were one way – more favorable to that

Chan – what was the suggested proposal?

John – 240 feet that includes

Paul – concerned about the safety of the driving public, visitors, people going to the shrine, safety of elderly residents, making decisions to take turns, - usually, you see these up in Vermont where that is what they built across the river – but whenever they upgrade, they make a safety improvement to 2 way – I would be very concerned with a one way roadway that was signalized – same issue even if the crossing length were reduced – there are going to be people doing this at night – all types of weather conditions, snow, rain, fog, I would be concerned about safety – I would be interested in what the town safety officer would say

John – let's talk about a signal – on the side of the road, a red and green light signal for a first come, first served, alternating mechanism – or activated signal – not a big huge –

Paul – it is done commonly for temporary construction – don't know if it is done for a permanent installation – sacrificing safety of the drivers –

Chan – there is a request here from another board – and we want to work with them – I don't see this as a safety issue - not an open public subdivision –

Chris – just to address one of your concerns, - the Elm Bank is the headquarters for the Mass Horticultural Society – it is something that is not a vestige of the past we are stuck with – it is something that is used by every element of the public visiting this – sledding, soccer fields, annual flower show and a huge vintage car show – far greater quantity than what would be

coming in here – anything that slows people down is a good thing – this is the perfect opportunity for us to be forward looking – this is such a straight entrance

Matt – any consideration given to making a one way loop through the entire project – make this a one way bridge?

John – can't do it – we are at a 15 mile per hour limit

Tony – everything we are talking about tonight is public places – Elm Bank – this really is a closed community – signage – most of the people will know that bridge system is there – this is unique place – I don't look at this as a public place – I do believe that in a private way, you can get the safety handled to get this done and to save wildlife

Gino – I was going to suggest a possible compromise – 2 way roadway at 18 feet with traffic calming mechanisms – we allow 18 feet for 3 lot private way subdivisions –

Susy – arcplan bylaw requires 22 feet for a 2 way street.

Bill – the ZBA is waiting for a recommendation from the PB on this flood plain issue – but not in the context of asking for a variance from the ZBA from the 22 foot requirement. That has to be a separate petition

John – is this variance material?

Bill – I think it would be

Matt – I would like to get your take on 18 feet width vs. 22 feet

David – we would take any reduction – we prefer the least amount that can be done there – that is why we came up with the one way bridge –

Matt- you need us to write a letter to the ZBA

Bill – yes, but we need to know from you where you are with this

Karyl – with 150 feet I would consider it a one way and preferably with some kind of a signal –

Chan – what is the applicant's position on the whole matter

John – we think the 16 foot wide one way with stop on either end is fine – secondarily, shut it down to 150 feet, or two way at 18 feet, last 22 feet at end –

Matt – conplan is advocating 16 feet –

Bill – police is OK with the 16 feet –

Matt – I would consider it if the ZBA would grant a variance for an 18 foot 2 way bridge for 150 feet

Karyl – I don't disagree with you but at the same time, I don't find it that aggrriefous- I think it would work

Matt – day to day traffic that is my concern

Matt – letter to ZBA

I think the board is comfortable with a 16 foot width with alternating traffic for 150 feet portion .

John – I am struggling a little bit that I would rather go with an 18 foot two way depending on the safety officer's opinion

Karyl – I think that would be more convienet, but more almost more dangersous

Matt – would a variance be required for a 16 foot - I think we need a little more input from the safety officer on these options

Bill – we will need to continue with the ZBA since there isn't a recommendation yet from you

Karyl – this is a very good topic of conversation – w

Susy – will talk to Jeff Watson to see if he can attend next week

Bill – perhaps we can try to meet with Jeff during the day – perhaps with Gino,

John – I could meet

Chan – I could meet

Tony – I think the applicant should request a variance on the road width – get it started . . .

Eric Alexnader leaves

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13 Franklin Street – David – their proposed detention pond sits in wetlands – we could not approve it – they could make a narrower road – I think they could widen it about 4 feet to the northern side – how can they fit the drainage in??? would you allow a current driveway to be used for another lot – is it allowable without drainage?

Matt – there is no actual application in hand

**3-28-06**

**Time: 8:50 pm      Public Hearing Continuation – Restaurant 45 Site Plan**

Paul Yorkis – Mark Smith was here earlier but he had to leave due to a small electrical fire

Our goal is to try to close the public hearing tonight – david faist and jay melick, the architect are here this evening – I know you are running behind

At our last meeting, - we showed you a color rendering – we are leaving a set with you – we are trying to compoly with the checklist – I would like to read the letter from Dave D’Amico, DPS – attach and make a part of this record - several conditions per Dave’s letter. We have reviewed this and it is certainly in the applicant’s capacitliity to comply with what is stated here.

I have additional information – to submit – first two pages show additional light fixture info - Traditional light fixture for adjacent ot the buldnigs and

We are not prepared to submit an overall signage plan – future tenant will be required to comply with the town’s sign bylaw – it is their responsibility to conform with the bylaw –

matt – any conclusion to the spaces within the town right of way – it would be our hope is that the PB would require that the BOS/TA address

karyl – you stated you would do brick = that is not shown on these plan s

paul – we expect you would make a condition

paul – the last item I want to address – review all the inspections that will be required – DPS street opening permit; DPS license to connect to stormwater pipe; the building inspector will be doing all the normal inspections for the construction addition and new bldg; we are in a position to indicate that our engineer can provide a letter to ensure that the stormwater system is constructed per plan – we know DPS will require a bond – we are trying to ask the PB to recognize that there is gong to be numerous inspections and to try for us to not have overlapping bond and overlapping inspections – dave will want to inspect the connections to the town’s line – either he or jimmy will be there – water and sewer department will be inspecting both of those connections as well –

Susy – We would just need to see if there is anything that is in the plan that is not being inspected by others

Paul – david’s letter could various items

David – we could provide an as-built plan and a letter re: stormwater system

Matt – any comments from other boards –

Matt – is there any additional information the applicant would like to provide

Paul – we have given you everything

Matt – any abutters

None

Motion by chairman, second by karyl to close the public hearing – all yes . . .

Have a draft for the april 11 meeting – and try to vote that night –

Paul – Susy was able to share a draft of that WORKSHEET in trying to understand what you need to

3/28/06

Time: Public Hearing - Minor Site Plans for Marc and Jayar Roads – Ellen Realty Trust

Dan Merrikin  
Ellen Rosenfeld  
Marc Rosenfeld  
Matt Fasolino

Waive reading of public hearing notice – karyl, chan –

Jayar Road – 3 separate lots located on Jayar Road- used basically as a contractor's storage yard for a better part of 20 years – building inspector issued an order for site plan approval after the fact – side open site, industrial park built in the mid 70s – fairly flat property – two tenants on the site – fasolino landscape – firewood operation – stockpiles of loam – the other half of the property is used by rosenfeld realty – storage of earthen materials – loam, rocks, excess fill – sporadic uses - firewood operation runs 3-4 days a week –not labor intensive activity – two guys at the most – cut it up, stack and haul it out in dump trucks – there is not much really to say – existing site – in this condition for a long time – I did review the comments from the town planner – there is a question about drainage – swale runs about 2000 feet north and then east and out to Millis – I don't see any signs of erosion and sedimentation – it dates back to the 70's –

Matt – any accumulation in the basin

Dan – probably some – part of the street runoff is piped into the basin – it primarily takes the site runoff

Gino – street drainage system empties into that system

Matt – are you proposing any changes on the site?

Dan – storage shed to be installed; existing wheeled trailer will be removed – shed will be a home depot size shed – 14 feet by 14 feet – fully enclosed – requires a building permit – we proposed adding some trees down at south corner of site at Coffee Street – there is 30 feet width buffer zone with the AR1 zone on coffee street – there is an area where we could add some vegetated screen – I understand the neighbors would like a fence – the owner is agreeable to do a 6 foot stockade fence – about 800 feet long at the property line – no parking provision – we do have a list of waivers that we would need – mostly relate to things that would pertain to a more formal use – see Feb 10<sup>th</sup> letter outlining waivers – list out

About a 100 foot area where we propose to put evergreen growth

Idea – spec on shed and fencing - catalogue cut please per matt

Matt- what does road have as edging

Dan – bituminous curb

Matt- any photos of the buffer

Dan – yes – showed photos taken today – decent buffer

Looking for waiver to not have to do perimeter planting to the border with Swenson and the south between industrial uses

Gino – most of my comments he has addressed – the main ones were that the proposed screening of the 8 evergreen trees could be beefed up – some sort of permanent plan for erosion and sedimentation control though that could be difficult on this type of operation – also dust control - and then my concerns about drainage – I suggested that the system may be overrun with sediment

Condition possibility – clean detention pond

Matt – does board have any other questions?

John – sedimentation control?

Dan – the basin and the 2000 feet of swale handles things – we can look at it a little further – from what I saw, there isn't any problem with sediment leaving the system – the swale system and detention basin are doing their job – we can clean out the basins

John - it seems like there are areas that are used – would it be possible to seed with grass some of the area

Dan – not really practical cause areas that are used change depending on what they have – when they bring material in and out – much of site is used to stockpile products – stuff comes and goes



Chan – do you have an architectural cut of the shed

Dan – we can give you a cut sheet on that.

Matt – abutters?

Paul desimone, 38 coffee street – I am so fr removed from this – in my discusin with the abutters about a fence – you brought up a good point on seeding areas where the vehicles would not be using – the neighbors are getting dust from the site into the homes – I would like to see the fence extended enough to deter anybody from using the secondary informal access to aboid any additional dumping – in general, I thing things like dust should be handled in such a fashion that the neighbors wouldn't be disturbed –

Todd Thompson, 46 coffee street – I took some pictures myself – this is a view outside my window - I can see this site from my property on the south side of coffee street – the buffer isn't as full – my main issue – two things – dust comes in on dry days – being able to see everything – sound- having bulldozers working stuff on the edge of the property – the fence is a good idea – it would be great if it could be built up

46 coffee street – Pollack – our lot is where the barens – we don't want to stop anybody from doing business – our biggest problem is dust and lack of a buffer – it is only full during best part of th season – equipoment is running all year and blowing dust – because we abut, we have dust that comes in thru the screen door and settles on the pool – noise is gotten better matt has replaced equipment – when there is noise, sometimes it is early – nobody wants to stop fasolino and rosenfels from using this proerty – I played out there – it has been used to this level of intensity for about 8 years – these are not little piles of wood chips, loam - 20 foot pile on a property line – we are looking for consideration – move the piles to be as far away from the property line – we don't want to have to put up with noise, dust – stuff being stored is also broken up concrete blocks and muck – lot of noise when big trucks are dumping so early in the morning – dust, noise and eyesores . . .

ed barnes, 43 coffee street – last year there was a fire near my property – I would be happy if they planted some trees planted all along – last week, they put in a road in up near the ledge- now a bigger truck can come in and kids will come in all summer – I want to know what you are going to be doing up there and is there s gate

matt – road to drive up to dump materials –

Marc Road site – across the street on the north side of Mark road – 2 lots – this site is similar situation – used for 9-10 years – same situation with the building inspector – used primairily by fasolino and tim ryan firewood – similar operation – cuts firewood, fasolino has a few bins where they store and process materials – screening of loam – excavators, trucks, - part of the site is ARI zone – tim ryan is using some of that area dn that will be rectified – same swale system that runs to Millis – swale loclatin divides parcels – we have proposed alongthe zone lines some tree plating along the zone lines – I am not even sure that is really necessary, but there is a tremendous amount of woods back there – we listed out waiver requests – very similar to our

first set of waivers for the Marc Road – salt shed will be removed and newly built - we will close one of the curb cuts – electric is all overhead in this subdivision with outside plugs to allow trucks to plug in during the winter – no need of planting between similar uses – less of an issue here with neighbors – not as intensive of a use

Matt – I don't see a need for the trees at the back of the lot – put that money into trees

Donna 49 c offee street – the metal buildings – the grinding sound comes back at me twice – bounces off the metal buildings

Matt – sketch of that please . . .

Karyl – we keep hearing about all this stuff running out to Millis – how does it look when it comes out

Dan – it looks pretty clear - not buried in sediment

Gino – pretty similar to previous comments – one is moot now if the plantings are moved – to help noise on log cutting, some sort of wall to have the cutting happen behind it – same concerns for dust, erosion – I also suggested that the storage bins could be backed off from the road

Matt – would the calcium chloride help

Paul – yes and water

Dan – we have a note on the plans that the tenants will have a water truck on site to keep the dust down - calcium chloride is very effective – apply as needed

Resident – in most construction you see haybales surrounding the site – never has there been any haybales to help filtrate - is that something that should be there with all the diesel fuels and gases that are there to help prevent something from happening – right now on one of the sites there are 2-3 barrels of diesel fuel or oil – concern about kids – could end up in the water and there is nothing to prevent from going into the swale – I just don't know if that is something that should have been there –

Matt – I think if there are fuels stored on the site, they need a permit from the fire chief and some sort of containment

Dan – I will check that out

Matt – barrels of fluid will be removed – there is no diesel fuel stored on site –

Matt – I don't think haybales would prevent diesel fuels – generally use haybales and fencing on a construction site to prevent washoff –

Matt – we will have them clean out the detention road

Susy – is it your intention to keep these as private roads

Karyl – what can you do about some of the noise – might there be some plantings on the residents side of the fence might help –

Dan – you really need to put the fence on the property line

Karyl – so what about some landscaping sound buffer on their property –

Dan – we could take the trees that we were going to put on our side, and put them on the neighbors

Ellen – any difference from a sound perspective

Karyl – I am talking about some lower shrubbery

Dan – fence is going to be more effective than anything else for sound –

Matt – the trees that will be growing up

Ron Pollack – I think only from experience – evergreens and spruce trees are excellent dust barriers – we want to make sure that the extent and amount is sufficient – fence is a good means of a sound block – whether or not 6 feet is going to be enough – maybe 8 or 10 foot range taller would catch that much more noise – the more evergreens and the thicker they will be they will naturally solve the dust problem –

Donna Barnes, 53 Coffee Street - we are up high – for us the fence would be a good visual – we don't really get the dust that they get further down Coffee Street – I like the fence idea to block –

Susy – calls re concern on condition of Marc Road??

Ed Barnes – I want the fence and trees; - I would not put your new shed where it is now – kids are throwing rocks at it –

Paul Desione – fence does not have to be put on the property line – it could be put on the buffer line and put it back farther and then plant more trees in the buffer area – Rosenfelds would own the fence – adversity . . . claims

Dan – it is not good practice to put a fence off the property line – people tend to think they can use the property up to the fence – I always tell all of my clients – liability issues –

Ellen – just because the 30 foot is a buffer, it is still our land – practically it doesn't work

Ron Pollack – putting fence at buffer line would function to send the sound back sooner -

Continue to 9 pm on april 11 –

Action deadline Extension to May 5 – karyl, john – all yes . . .

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Time: 10:30 pm      Pre-Application Briefing – Jim Williamson for Winthrop Street ARCPUD

Jim – we just wanted to keep you abreast of the changes we have made - just a quick review – bring a few things to your attention – connections to open space at evergreen meadow – susy said the interconnectivity - hook them up with Jim Wieler

I did meet with the Fire chief – they kind of reflected the comments you made about a month ago and we have incorporated them into the design – among the things that will be done – we will hook u cul de sac – to get back to the preserved land – it is an area of priority habitat according to national heritage – we have had a couple of meetings with them – area of possible spotted turtles – we have

Matt – I should mention that my wife worked for the company SES that did some work on this –

Jim – general store – concern it doesn't look like it will be possible – white hen, Cumberland farms 7-11 – none are interested based on demographics and traffic – they don't feel it will work – that might have to be removed from the plan –

Handout – showing alternative – 106 units -

I did want to get some feedback – we would appreciate any comments, esp on new layout and unit

Karyl – what is your stormwater design?

Jim – there are areas where we can put retention ponds

Karyl – are you proposing any in the open space?

Karyl- we want to see an overlay of existing conditions – stone walls, site features – on your new plan is everything in the middle is going to be cut, leveled and graded, right?

Jim – yes in some form, it is a hay field now –

Karyl – the DRC wants to know what is going to be kept on site –

Gino – if the walls can't stay where they are, perhaps they could be moved –

Jim – there is no trees or anything –

Karyl – I think we need to do a site check –

Group walk – this saturday morning – 9 am -

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No construction observation reports

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Motion to authorize the treasurer to close out the candlewood bond to a new account in the name of CLAFCOI – Karyl, chan - all yes

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Community planning act – susy to draft something up for the PB to endorse

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Building cap limits – Mendon example

John – specific reason and time frame

Gino – if it is a reason like water supply, you have to take some action to solve problem

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Cvs – motion to authorize minor modification to cvs site plan to alter the proposed cupola to match the existing upolas – karyl, chan – all yes

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2-4 Main St – site plan modification

have occupancy permit rescinded on July 16<sup>th</sup> if as built plans - also recommend the BOS not renew their business license would not get renewed

matt – insurance bond and rescind occupancy permit by July 15<sup>th</sup>

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Invoices

VHB construction observation – 2634.95 – chan, karyl – all yes – no matt

VHB – plan review – 7500.74 – chan, karyl john, – no matt

Vhb – plan review – 5730.69 – karyl, chan john – all yes, no matt

Vhb plan review – 1860 – chan, karyl, john – all yes – no matt

PGC – all yes . . .

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Endorse plans for 149 Main Street – all done

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Susy – plan review \$ for

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Gino – did a map showing the properties

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Motion to adjourn - 11:25 pm

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Special permit in C1, 2 and 6 – add it by special permit in CV – prohibit in C3 and C4 -

Maybe wait a year . . .

Matt – write it up and then decide whether we want to pursue a zoning change

Matt – if we do go ahead with any zoning change, I don't want it to effect midway gardens plans.

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Check into wording on auto service station -

April 4, 2006  
Special PB Meeting

BOARD MEMBERS PRESENT: John Schroeder, Chan Rogers, Matt Hayes,

ALSO PRESENT: Paul Carter, VHB; Gino Carlucci, PGC Associates; Susan Affleck-Childs, Planning Board Assistant; Phil Smith, Tree Warden

Meeting was called to order at 7:07 pm

Citizen Comments

Discussion – Warrant articles for 2006 Annual Town Meeting – see notes in folder

7:30 pm – eric alexnader arrives

7:40 p.m. – Andy Rodenhiser arrives

7:45 p.m. - Karyl spiller-walsh arrives

Public Hearing Continuation - River Bend Village ARCPUD, Def Sub Plan, and Scenic Road Work Permit

Rich Cornetta, attorney  
Mark Deschenes abbott real estate  
John Spink , coneco engineering

3 applications pending before you – scenic road, subdivisiion, arcpud – we are prepared to present the scenic road info0 we want to bring y o up to speed with our meetings with concom and DRC

Mark Deschenes - we were asked to take a look at an alternative tree analysis – turned rail fence along village street – along front elevation of club house and return on either side for entryways – granite posts at 8 foot on center and a double turned rail 4 x 4 wood post – we did look at possiblility of resuing some of the existin grante for the posts – real challenge to use that – intent is still to use new posts that will age over the years – create the most uniform appearance – we were asked to look at grante from exisitn home – we have cme up with some creative ideas – we would like to make several 18 iunch high seating walls off patio and at pool area –

John – we were sitting out there after the concom walk on Saturday – there are no trees left – power company has cut off tops of the 7-9 trees in the right of way – we are reporting that and suggesting that we might want to recalculate the numbers – I think we are going to have to end up taking them down

Phil Smith/Butchy (Tree Warden) – the trees that were marked were coming down anyways

John – they were chopped – the main ones in front of the building but some others got chopped

Phil – they need the clearance for the wires – state law, nothing we can do about it – but the trees that are coming down for this project – I told them to not worry about how to prune them cause they were ocmig down – I had gone down and remeasured the trees – there is no provision in the scenic road permit process to consider the quality of the trees – we really aren't discussing the quality of the trees were or not – whther the utility company touched them at all isn't going to change anything in terms of what has to be replaced – I don't see the reason for wanting to change the number of trees that have to be replaced –

80 tree replacement asmitigation for tree removal

karyl – is it a consideration that the board might be willing to install more substantial trees vs. 80 tiny trees

matt – is there room for larger trees along the right of way

matt – village street wouldn't benefit from putting larger trees behind larger trees

andy – is there a species that could be chosen that tops out at

john – the full right of way for the full length of it is treed with nothing smaller than 6 inch –

matt – butchy where would you like to see the trees replaced?

Butchy – walk the site and see the existing trees . .maybe there is a place where they could take a tree down and plant something that is more aesthetically appealing to the road and the development – in front of the building – clear out

John – we are going to take out most everything in back of the front row – those will all be dead up to 10 feet anyway –

Dan hooper – naumkeag street – this is along the frontage of this project – the tree cover is as dense as you could ask for – since it is mostly evergreens – essentially tapped out in the right of way – no room in the right of way – I would like the board to consider compensatory usage of tree fund to improve the scenic way of village street in other locations not directly associated with this right of way – the terrible condition of the sidewalks across the street on village street – I can envision people having dogs and trekking the village street sidewalks en masse down to the dog park ½ mile to the west – either that or the compensation be in lieu of trees to the tree fund 0 I think it would be better to have a direct application of funding to scenic - it could be in the way of trees planted elsewhere on village street – condition of the sidewalk there is of prime concern

Mark deschene – previous proponent had agreed to do repairs on village street sidewalk – we intend to honor that commitment - there might be a way to add some trees in the right of way there as well



John – I have a sneaking suspicion on that there you may have 3 feet behind the sidewalk

Karyl – it might be good for us to relook at what is there and what is going to be taken out and if not then do some specimen replacement s- please spray the trees that would be coming down – we need to keep and improve what's there – the ones that we proposed are all signed or taped –I would like to go back and reevaluate –

Mark - We need to repost the trees in question

Matt – scenic nature of village street needs to be maintained - if we are not adding ot the scenic quality – trees should be planted elsewhere on village street – if you reduce the value in one area it is reasonable to request that it be improved elsewhere on the street

Andy – if the power lines may cross over to – buttress some areas with new species – do we expect them to survey where the public way is so they know where the right of way is

Phil – I can determine where trees can be planted in the right of way – I lean more towards maybe having the money to maintain some of the trees in that area – prune them and get some large deadwood out – I think that would be good - village street is pretty well planted with trees, there is some areas we could use some trees but the pruning is more important thing – they would see more for their money –

John – is the funding go to the general fund ?

Susy – no – it is a separate revolving fund

Matt – main issue before the board tonight is to agree to or adjust the number here so the developer can go along and either offer to do something or pay into the tree fund

John Schroeder – some of the trees that are on this list are no longer quality trees?

Eric – if you took them down and replanted, you will be in the same boat in the future – anywhere in the right of way will happen

Andy – I think dan was saying instead of planting trees in the right of way, to extend that sidewalk instead of putting money into trees

Dan – yes, that is pretty much what I was saying – but I was looking at this more a negotiating – what has been proposed for sidewalk installation is woefully inadequate – part of scenic quality of village street is being able to walk on village street without being clipped by a car – the road is somewhat healthy in terms of tree coverage throughout – maintenance would be number 1 issue on village street – the previous tree warden was not too hip to plant in the right of way – we are burdened by utility lines and maintenance responsibilities – if we are going to plant 80 trees somewhere, someday, that is a fiscal responsibility that I don't think the town is prepared to handle

Karyl – I would still like to start with a little walk and see what is coming down – if in fact, the trees remaining are going to be inadequate, then we could look at planting some major stuff \- lets look and see = before we rule it out

Rich cornetta – if it is appropriate for the applicant to make a proposal – we might seek some leniency on the compensatory amount on tree replacement – in lieu of that we might look at extending the sidewalk replacement in some of those damaged areas

Karyl – I don't want to jump to that conclusion yet –

Matt – butchy, how do you feel

Phil – what we came up with I feel we should stay with that – that is what was there prior to anything happening – because the trees were cut by the utility doesn't change the value of that tree

Matt – I agree completely – but karyl wants to see what removing these trees does –

Rich – how would you like your dollars placed – I think he would prefer to see some value that would impact the project – beautify the area by improving the sidewalks

Matt – I would rather see an extension of proposed sidewalk work as well as maintenance of trees in the area and then planting of trees to fill in

Andy – I would agree – is it possible that between the tree warden and the applicant they could come up with a proposal –

We need to check on the draft special permit for the distance on the sidewalk improvement

Matt – I think we want the applicant to come back with what you think you can do –

Butchy – on the sidewalk, that is money that is spent by the town or the applicant?

Matt – applicant

Butchy – money goes to the trees and money goes to the sidewalk – so why can't they just divide it

Matt – need your help on an estimate for maintenance of trees in this area of village street – getting a price on the number of trees that you would want to replace

Butchy – I could spend it all

Rich cornetta – we will take a look at it and come up with

Matt – we can take another look at village street to take a look at what might be replanted

We need to look at sidewalk/curb specifications for what we would require for sidewalk work – check with DPS –

John – on each side you have 4-5 feet to play with – there is literally no place to plant anything

Dan – there is no room to plant even if something comes out –

Rich – we did have a site walk on aturday with concom –

Mark – we opened public hearing with concom on 3/16 – we did site walk onsaturdya – they had a very good review of overall plan for the site – we showed them the new road alignments – we took the road and homes out of 200 foot buffer area – we discussed some ideas about education on vernal pools and enviornmetnal sensitivities – concom is looking for some details on wetlands crossing and some signage we might want to be putting up in some areas – I have drafted a conservation restriction that I would expect to get to them this week –

Mark – we have written a conservation restriction for 33 acres and then a second piece on the vernal pools and a third area for the walnut grove – restrict ability to cut and build within that area – we will maintain – the one we may have to change is one wetlands crossing – 300 foot of fairly wet area to cross – woodwalk or raised walk – trying to

Mark – the other board we have beenworkingwith is the drc – we are pretty close to wrap up – by the end of the week – back to the drc on April 24<sup>th</sup> –

Mark – and last on my list was the affordable housing component – I had started an agreement so that it will comply with the LIP program for the town

Matt –any commetns or questions

Rich – we want to discuss future progression of public hearings – we anticipate that we could – we would like to close that night – subdivisoni I don't think there is a lot to elaborate on – the subdivision proposal is to conform with the ARCPUD bylaw

Paul carter – we are still waiting for drainage calcs

Karyl - I am eager to go there – some real hot spots – we need to know what is going to happen with those swales – flowage easements? What happens with those – Mark knows what they are – we had concerns about them in design review – we haven't discussed what is happening with the water

Andy – is it the intent for the water to drain thru the grass?

John – the structure of the drainage is that the sidewalks and driveways are pervious asphalt, the rest of the area between the roadway and the back of the houses is a grassed or landscape area of some form – the flow of the drainage is the roof drains which go into leeching galleris in the

ground and the remaining of the nonroofed pervious runoff and road runoff goes into a series of swales which run between the buildings into the existing contour elevations at the back of the houses – running the drainage back – it drains through but not quickly – it is a flow thru constant draining

Paul – is there going to be infiltratin between the buildings

John – no

Paul – detention purposwesA?

John – slope of them leaves flow to a fairly slow rate –

Andy – when will these drainage calcs be turned in - this is a unique desng – I want to make sure it works

John – very soon . .

Paul – we cant review the plans without the drainge calcs –

Karyl – drc discussed this matter because mark brought in a landscape plan for these swales – I want to know what kind of water, how much, is it going to drain – it was something we wanted to see a finalizty to – we aren't done yet - the PB needs to be comfortable with the drainge

Andy – your concern

Karyl – swales on 3 sides of these buldings

Paul – you need to have your hydrographs that show intensity and length – so you canlook at what specieis can be flooded – you need the soils – if you are going to assumeanything for percolation rates – you need thesoil info

Karyl –every board member needs to look at those swales around those buldings – not little rain gardens and ponds – these are big –

Susy – do not close the public hearing

Andy – what happens in the winter time? Low impact development technique

Paul – if they are going to use it for detention or for infiltration - then the soils have to justify and the deisgn has to justify and has to be detailed and calculated – where groundwater is? these things are not addressed on the plans at this point – the more a complete submission is made,

Rich – we have made so many changes and we will provide them –

Paul – we did review for the traffic report – we held off on doing this until we had some plans in hand

Paul – major comments relate to – there are a number of things that weren't submitted as part of the regs – main thing is a 3 day traffic count – ATR on village street – this discussion about intersections, does the board consider any iintersectins that are close – they haven't looked at any –sight distance calcs need to be compared to the 85% speeds on village street – some numbers were givenfor traffic capacity without any backup - . . . . were you proposing a left turn lane at the exit?

John – lots of history on the traffic – the proposed convenience store generated a lot of traffic

Paul – traffic report should be updated based on current plans

John – feeling was that this development was not going to impact the school intersection site and the charles river road bus stop – felt that our traffic does not impact the bus stop issues so that was dropped

Paul – it sounds like the traffic report needs to be updated per the current proposal plus our comments here –

John – the trip genrationfor this projectd is very small compared to the traffic flow by – didn't require the expenditure of funds to do

Paul – to put out an ATR for 3 days counts is not an expensive – if you have any questions on this letter, please call Rob Nagy in our office – any background info on intersection impacts – so update thepropsal based on the traffic report as well.

Continue all 3 public hearings to 8:15 on april 25, - motion by andy, seconded by chan

6:30 on Monday night – River Bend to look at trees

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April 11, 2006

BOARD MEMBERS PRESENT: John Schroeder, Chan Rogers, Karyl Spiller-Walsh, Andy Rodenhiser, Matthew Hayes

ALSO PRESENT: Gino Carlucci, PGC Associates; Paul Carter, VHB, Inc.; Susan Affleck-Childs, Planning Board Assistant

Meeting called to order at 7:07 p.m.

CITIZEN COMMENTS – None

INFORMAL DISCUSSION – Andrew MacDonald and Jonathan Fryer, Metro West Housing Initiative

Andrew MacDonald  
Jonathan Fryer  
Vincent O'Brien

Jonathan – we are developers of affordable housing we are doing projects around the area and would like to do something in Medway – we have spent about 9 months looking – we have put an offer in on some land on Franklin Street – it has been accepted – Franklin Creek subdivision property – what we have done in Holliston is a project with 36 units – use as a model for this piece of property – 3 stories with 12 units per floor with a parking garage underneath – that is a fairly expensive feature – makes a big difference with a smaller lot – this parcel has been approved for you for 3 lots with a roadway thru wetlands – we would probably need to widen the roadway – other than looking at the drainage, building fits well on the site – feeder street route 109 and village street – we are pretty excited about it – we had our engineer take a look at the site – 45 total parking spaces - - showed two options – one with underneath parking and one with parking all around – all 2 bedroom units – 1,300 to 1,600 sq. ft – price point below \$400,000

Matt – building dimensions?

John – 205 feet by 158 by 72 feet

Matt – your parking under, is it completely under?

Vincent – parking would really be open underneath due to site features

Jonathan – have to go thru conform on roadway thru wetlands

Vincent – we would probably want to do 24 feet

Chan – this totally changes the concept of the site from 3 homes to 36 units –

Vincent – the approval process would be before the zoning board of appeals as a 40B project

Jonathan – advice, help, comments

Matt – there is a culvert under the road, was it being replaced?

Paul - I don't think so

Vincent – culvert has to be structurally sound to support the roadway;

Paul – corrugated metal culvert; they were going to raise the road

Susy – roadway was quite snug

Vincent – in this instance,

Joe Musmanno – what is dimension of the site?

Matt – about 300 feet

Joe Musmanno – so there would be parking; what fraction would be affordable

Jonathan – 9 units

Joe – give me the size

Andrew – 1290 to just under 1600 sq. ft –

Vincent – we had been able to do in other towns, we designed them for 55 and older, apparently the state will not approve anymore of those – this will be conducive to young couples and older .1 children per unit with a 2 bedroom

matt – are those available to town employees

joe – depends on the contract

Vincent – town can segregate 70% for town folks of the affordable units –

Susy – overall site is 2.8 acres

Susy – site in Holliston is much different than this one

Karyl – is this Ron Margolis project?

Vincent – yes

Chan – location in Holliston?

Andy – winter street –

Karyl – would you say that this building was designed to fit into a more vertical

Vincent – yes . . . this might not work on a flat site

Karyl – density??

Vincent – we would need to file with the state to determine if it is even viable – construction costs are unbelievable – the cost of constructing the garage is 20,000 per parking space

Karyl – have you done exploration as to whether it is possible to go underneath from a groundwater

Vincent – elevation seems to work there –

Andrew – all indications are that the soils are sufficient to do it . . .

Karyl – when we did the subdivision, the residents were concerned about natural quality of the lot – desire to leave some natural sense so that every square inch is not filled –

Vincent – vegetated barrier would make a huge difference

Karyl – there are some good sized trees there now – folks will not be very cheery about this . . .

Vincent – dollars and cents is what it comes down to

Joe – you have some choice in what you construct – 40b is set up in such that value of the project – you could equivalently elect to build 5 homes with 2 affordable . . . and it would work out – not a defensive claim to say that the economics force it to be so big

Vincent – the price of the property is reasonable for a 3 lot subdivision; I would need to be convinced that it could work

Andrew – very aesthetically pleasing building . . . with features

Andy – I am horrified at the scale and density – I could never imagine 36 units going in there

Karyl – isn't the term friendly 40B an oxymoron

Chan – I kind of feel the same way, is this new configuration even doable

Matt – it would have to go thru the 40b process with



Karyl – I think you are going to have some difficulty on the roadway – your architecture already has a palatability to it – if you are talking fewer units – it is jammed on the site – with fewer units and leaving something of the integrity of the site – of what was there originally –

Vincent – what was there originally?

Andrew – was it chicken farms?

Paul DeSimone – chicken coop –

Matt – this is purely informational – it is not our purview

Andy – they are just taking

Joe – are you going to do this as a LIP

Vincent – we were going to go under the New England Fund program

Andrew – we looked at the other medway site on Main Street – but it just didn't work

Joe – the comments we made last year still apply – when it comes to affordable housing, we would like to see this kind of proposal that is somewhat inline with the intentions of a 40B – when we talked last year, it seemed more in line – parcels that were larger and densities that were lower – you are talking about 36 units in 2.8 acres – that is a huge difference

Vincent - statewide is 8.8 units per acre – different elements come into play – septic, wetlands -

Vincent - thank you

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Rolling Hills Subdivision – pH continuation

Paul – we are here to ask for extension – we are approved thru ConCOM and they are just waiting for some planting plans

Matt – did they make you move the road

Paul – that was really out of character – now we can incorporate – we are putting in some retaining walls and will take Paul's punchlist

Matt – retaining walls to – no replication –

Paul – plantings around the detention pond –

We will submit in 2 weeks –

Extend to July 1, 2006 – Karyl, john – all yes . . .

PH continuation to May 9, 2006 - motion karyl , john -0 all yes – 7:35 p.m.

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Bob Potheau, 2-4 Main Street

Bob – the bond becomes an issue – I propose to do a passbook account with the town – that would make it easier – and I can move forward -

Matt- the issue is they need an occupancy permit for new building, the site plan requires that all work be done, so bob is here to offer to do a cash bond

Bob – I have a guestimate of \$20,000 – drainage system to treat water before it goes into the brook; we didn't get our building permit until November 2005 – frost on the ground, asphalt plants have been closed – we expect this will be done in the next 2-4 months – burden if we have to wait longer – just tell me how much and we

Matt – single largest expense is the vortex unit in the back – what size? The prices I got for vortex installed is 20-30,000 for the smallish units – do you have the sewer connection? Is the sewer manhole in?

Andy – lot of ground water there – hard to estimate

Bob – you pick the number

Karyl - \$60,000 sound good to me

Matt – I could do a more detailed estimate, I would be quite comfortable with \$60,000

Andy – motion to set \$60,000 as the bond – chan seconded – all yes –

Matt – I did have one concern

Bob – you are concerned about the lights we installed – they are not new lights, they have been there

Matt – I am concerned about the light on the street

Bob – I would like to have a board member meet me there in the evening

Matt – I can do that - early next week . . .

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PH Continuation – Betania II – Marian Community

Eric Alexander joins meeting

Bill Proia  
Rich Coppa  
John Spink

Distribute review letters – 2 from PGC and one email from Rich Coppa

Bill – road width – Rich Coppa met with John Schroder and Chan Rogers met with Jeff Watson – he had 2 suggestions he could support – one being a 20 foot wide 2 way road or a 16 foot 1 way road with a signal on either end to regulate traffic – our preference is the 16 foot wide roadway for various reasons – looks nicer, fits in with overall design of the arcud – less expense, we were prepared to file for a variance tomorrow and want the board's input on that

Matt – at 150 foot length?

John – the arcud bylaw says 22 feet for 2 way or a one way at the PB discretion – this solution doesn't quite fit anywhere – you do not have the ability to change this

Matt – we discussed some of these roadways with the VHB traffic engineering department

John – an alternating signal with a sensor – red/green on each end – with enough time to pass –

Chan – just like 2 cops at a construction site –

Paul – we are not aware of it being used for permanent traffic control – we aren't aware that it is approved by the manual for uniform traffic control devices . . we would not recommend it for

Chan – I said in the meeting, I am a traffic engineer, I am not going to contest the town's safety engineer on town business –this alternative has been given to us by the safety officer – I feel the same way myself personally as VHB does – but in medway, I will take my lead from the safety officer

Andy – it is private property,

John – private, 15 mph speed limit, 77 units only – low traffic counts

Karyl – the statue is located on the other side of the bridge

John spink – we are at 12 parkingspaces at the statuary – most people will park at the main building and walk there – separate walking bridge

John - jeff was aware of the parking at the site, he said he would go back and dig up more info before he sent us the letter – I go with his choices – kind of surprised that the mechanical choice has been made

Karyl – did he go out on site

John – yes, he was aware of where the parking lot would be located

Andy – paul, is this just not an orthodox way of looking at this; is there a specific disallowance

Paul –not viewed as an acceptable means for permanent access and transportation, because there are other alternatives – in a signalized intersection you have an alternative of a roundabout – with a straightaway road, you have alternatives to make it wider – but it would require wetlands filling – it is not something that is covered by the standard – it is only used for temporary construction – it needs to be designed by a traffic engineer and stamped by

Andy – if it is not an acceptable method, would somebody design it

Paul – vhb would not design it

Chan – Notwithstanding the fact that this does not meet the traffic signal standards, the fact that this will be a private way, and the fact that this is a religious organization which gives them special status under zoning

John spink – it is not a negative determination on this in the standards paul cites. The standards paul refers to are adoptive standards, not legal standards – vhb has chosen to not support things outside the standards.

Eric – to andy's point, I would like the applicant to provide something signed by a traffic engineer

Andy – where vhb is standing by the uniform traffic control standards . . but if they can find an engineer will stamp it – I am fine with them doing it because it is a private – as long as it is stamped

Karyl – just as a definintoin, I think Paul is saying it doesn't meet the standard, this is a solution – I personally would defer to the safety officer in this situation – if a problem emerges, it will be dealt with by the community

Eric – we need to address maintenance of the traffic signal light and include

Matt – I am not in favor of a 2 way single lane bridge even with traffic signals – jeff's reco does carry some weight – but I will let the will of the board

Bill – mechanics of getting a recommendation to the zoning board on the flood plain special permit

Matt – what does Paul need to finish the flood plain

Paul – we were waiting until there was some resolution on the width issue, if you are going to go with the narrower width, that will effect the culvert lengths and calcs

Bill – the zba may not grant the variance but they need your input on the special permit – I am requesting that

John – there is a very slight change in the calcs because of the length – but in neither case will it make or break the viability of it working it – because we are going

Karyl -0 they are going to need some elevations

Paul – you might want to meet with the ZBA to see if they are amenable to this alternative

Bill – the ZBA is amenable and encouraged us to proceed with the design -

Paul - make a proposal for what you want to do

John – let's do the 16 foot and the path

Bill – can the recommendation say that we have analyzed the 16 foot bridge and a separate sidewalk and we are recommending X . . can we get a recommendation from you if it has to be bigger –

Paul – I don't have the details

Matt – submit a signal flood plain analysis of what you want to build

Matt – one more submission on the flood plain stuff

Bill – I know Gino was going to go back and look at the notion of the coordinated units 0- he has responded to that . . .

Eric – I believe we may need to seek the determination of the ZEO if their current proposal –

Bill – I would make this suggestion, - it really is our problem, if it is not the second kind of housing -

Matt – you are asking us to consider it, that makes it our problem

Bill – the PB can interpret the bylaw – you do it all the time . . . I am asking you to make that decision . . . but if you won't,

Matt – I would like to defer to the ZEO as he will be the final arbiter . . . – it would be better if we all come to the conclusion early on –

Bill – were any of you on the board when that particular –

Bill – we will ask if the ARCPUD coordinated uses are considered an ARCPUD residential units . .

Bill – and I think the last item – conservation restriction . . I will go back and read this –

Gino – I reviewed the documents you gave us awhile ago – one big item is that that document includes part of lot 3 would have some restrictions on it – we need some clarification on that

Bill – that was submitted under the last special permit bill – that document does have to be revised

Gino – does it show that it meets all the various requirements, there was no construction specs for the trails themselves – provision about Wenakeenung woods access if the upper Charles

Bill – a lot of this will be addressed on open space plan that will be provided

Andy – this lot 3 thing which we have decided to not talk about, you guys have provided us with the option to talk about it – would it be wrong for us to consider discussing the open space on lot 3 – you had offered it up as part of the discussion – is it something we should reconsider

Chan – right now they have stated they will not include lot 3

Bill – we said the trail will be part of this – easement across lot 3 for the trails –

Andy – do we need to talk about that stuff at all

Matt – we will talk about the easement for the trail –

Bill – it will be part of the open space and the easement that will be granted to the town – will be addressed in the conservation restriction

Karyl – I would like to have that conversation – I am not rolling over about including lot 3 into the open space for the arc pud – I would advocate that strongly

Bill – we already said last time and we have said it before, we are not making it part of the arc pud – we offered up the walkway thru- that is where we came down last week – if the board wants to make it a condition of the permit

Karyl – it makes perfect sense for you to take it off the table and it makes perfect sense for us to keep it on the table – I think it should be included as part of the package for the arc pud – as an all inclusive open space

Matt – any one in the audience want to speak re: the Marian community arc pud

Nancy Maxwell, 20 Diane Drive - I know lot 3 has been a contention – you need to look at it as a whole as a town – impact on school systems, more taxing on the town – we need to think about that as a town – and our greenspace –

Andy – while that is our desire, we are limited to what we can and can't do based on what they are willing to put forth in the plan, they have said definitively they are not willing to put this land into the arcup scenario

Andy – people fear you are going to do a road coming in off of summer street thru lot 3 – her fear is that you are going to come in off of Diane Drive and come in the back way – if you come in off of route 126 you are going to separate

Bill – we already talked about that – you will have great authority with an open space subdivision

Andy – You can come in with anything for lot 3

Bill – OSRD makes the most sense

Karyl – we have to go there

Chan – we can't force them to do it – it is at their peril

Eric – it is mystery until we have a proposal before us – that is what we are getting at

Karyl – we are bending over backwards to modify something that is less than clear,

Andy – there is a lot of anxiety in the community about planning

Bill – we're being as honest as we can – we don't want to lose our ability to develop that land for people of our community under 55 years of age.

Bill – we are esponding to the arcup – we are not asking for things that are out of line

Matt – this board will act on the application before us and whatever outside parcels that are necessary for the open space on the proposal to connect – but we are not considering lot #3

Bill- just one more point, last time, we talked about the ARCPUD coordinated units and the subdivision component, it goes to the level of detail that we have to provide on the drawings, and a lot of what vhb sent us related to the subdivision rules and regs – I want to get clarification so we can move forward

Bill – what exactly does the board need in terms of a use permit for drawings – we are not trying to build a subdivision – we are trying to do open systems and preserving features – it is confusing to us –

Matt – it is slightly confusing to us

Matt – if there is no subdivision of land,

Gino – you would want to require as a condition of the special permit, that they would have to submit detailed plans . . . .

Karyl –

Bill – can we come to some sort of checklist of what we need to provide for the ARCPUD use permit and then make a condition that the detailed construction drawings - the detailed structural analysis of the bridge will come from the manufacturer – what do we need right now to provide you will the flood plain analysis, the arcpud special permit –

John Spink – the bridge is a manufactured product

Paul – you have provided pieces – I would recommend that the board would want to review how all the pieces would go together – that is not a lot to ask for the flood plain recommendation or for the special permit

John spink – the details of the manufacturer –

Paul – you provide plans that included rebar for the bridge, for the box culvert, but you didn't provide plans for the retaining walls at the ends or above the boxes and how it relates to the existing brook

John spink – the question is on the structural analysis –

Paul – that is not the issue, it is how all the pieces go together . . . make the plans readable – how much wetlands, floodplain, how it all goes together that is all . .

John spink – on the use permit and construction drawings, there are 2 distinct levels of detail – and that please give us direction as to what level you want for the arcpud permit – all now, or phased

Matt – shop drawing details would not be reviewed by us, but by the building inspector

Andy – he needs building permits

Matt – where are the walls going, size, shape of culvert, we don't need structural drawings of the bridge itself – what is going to be built and how it will all go together

Paul – My understanding is that the PB wants to see the level comparable to subdivision rules and regulations

Paul – you are saying the concomm wants construction level drawings



Bill – have we submitted the waivers to them

Rich Coppa provided us

Bill – maybe we can all talk about this . .

Matt – we need to look at the waivers you have requested and determine what items we can waive

John – the arcpud says we will design to the subdivision standards,

Bill – what standard are we supposed to show you now so we can get our use permit

Gino – as much of the detail as they can provide now – can make conditions

Andy – as a point of clarity – you have made in your letter, a reference that the ARCPUD bylaw refers to the subdivision –

John – we are trying to figure out the level of detail and when –

Andy – the same level as a subdivision

John – that is not what the bylaw says

Bill – if the board reviews the waivers and determines which ones you want to grant – we will have a better idea of what the plan set would

Paul – your plan set reflect the desired waivers . . .

Bill – so the analysis will be . . if you want more detail then you would deny the waiver

Matt – we are not at the denying waiver state yet, we need to look at what you want ot request –

Rob Truax – there is no second step built into your arcpud bylaw –

Chan – you are building a road but you have to start at that and you need to show all that . .

Bill – the model that you suggested will work – I know Paul it still working

Bill – the thing we did not talk about mitigation

PH conitnaution to May 9 at 8:30 pm – andy, chan – all yes

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9:05 pm – break

Applegate Farm Def Sub Plan and beginning of the PH on the scenic road

Distribute letters from VHB, PGC, DPS

Rob – at the last meeting, we had two roads – we have now revised the plans to have one roadway – we think this did turn out to be better from an preservation perspective - tree clusters and stone walls – it worked out quite well from a position of the houses – the houses are not lined up in a row – we are happy with the layout – we did go through all the comments for Gino's office and VHB and address them – we did receive comments from DPS – we did look at abutting property owner near detention basin – we will use a liner on the detention pond to keep seepage from going thru to them – Hummel ??? on Coffee Street – we showed some landscaping around the basin = more on neighbors side to screen – the roadway entrance is still across from the Grenons house – I did call them last week to try to meet with them – we would like to meet with them to look at landscaping options – I have read through the comments from VHB, I think the VHB comments are all pretty minor – there are some requests from DPS that need discussion – he is asking for stormceptors – we didn't go with that approach – we provide 83% removal rate – I don't know why we would have to provide additional treatment – we meet the requirements –

Matt – please discuss Dave Damicos concerns and copy us on your response

Gino's comments – letter dated April 11, 2006 –

Paul's comments –

Kalryl – see what can be done with your landscaping there at the detention pond - it is not naturalized looking shape – it is very straight

Rob – it isn't very deep

Andy – is it possible that the street layout where it intersects with Coffee Street, could it be possible to shift the street

Rob – he would lose a lot on coffee street – for area purposes –

Matt- curl it enough to get to a 90 degree angle at coffee street –

Cassandra and Jeffrey grennon, 16 coffee street – across from exit of road B

We saw the centerline stake that was installed – I measured 13 feet on either side – it is offset from our driveway - the road is very narrow and icy in winter – could they move the road easterly – down further so it comes in across from where our portable garage is located away from our driveway . . the road as drawn now exits uphill – it would be better to have a 90 degree turn

Ralph Costello – your main concern is cars sliding into your property – we had hoped to discuss with you to look at options to put in some granite pillars and then landscape around them – pillars would stop any cars from coming into your yard –

Jeffrey – from the last meeting's proposal that the whole shape and contour of the road was easily changed,

Ralph – if we moved down further, it would come in right across from your driveway -

Rob – we can move it 10 feet, without losing anything

Ralph – we have seen some wonderful looking granite looking pillars

Jeffrey – wont it look kind of odd, granite is nice

Ralph – people buy them and make them part of landscaping all the time – part of new England – we would do something tasteful that you could agree with

Matt –I think it would be best to make contact with them again –

Rob – I think if we move it down 10 or 15 feet, it is worse and closer to your driveway,

Matt – please discuss options with them

Linda drew, 1 virginia road – are they going to remove the stone wall?

Matt –hold that for a minute

Sue roarch, 34 ellis – just the traffic on ellis street – no speed limit signs – people go 40 – it just doesn't make sense – I have asked for signs – it should be 25 – it is 30 – narrow and blind spots – could we get speed limit signs

Matt – that is an enforcement issue

Andy – wouldyou be willing to put up some speed limit signs

Sue roarch – coffee street is posted at 25 mph – what is planned for stop signs?

Rob – at goldenrod

Sue – there is an unfinished house in The Meadows – with a portopotty – that has been there for a year - lot 20

Ralph – we were held up by the concomb a while ago – that house completion got interrupted – it will be completed within 90 days -

Trisha Jones on Green valley road – I did a little traffic study of my own – about one car – would it be possible to shift the stone wall to the east and a sidewalk added between the stone wall and the trees

Ralph – in terms of the scenic nature – that wall has been there for many many years – the wall is on the lot line

Rob – you will never preserve the rustic look of the wall if you move it – we have eliminated as many driveways as we can

Trisha – when you add in these 22 houses – you are creating additional traffic – that is going to make this intersection much worse – Ellis Street will not

Sue – when we have asked for sidewalks on Ellis Street, we have been told the sidewalks would have to be inside the wall

Ralph – my opinion is that the character is lost if you move the wall

Matt – we can talk about the scenic road

Linda Drew, 1 Virginia – I thought that the scenic road should be kept – it is a sin to tear it down – I walk it everyday – to see the wall uninterrupted and houses put in and put in a driveway –

Matt – could you do a common driveway for the 2 middle lots on Ellis Street?

Rob – didn't we look at that?

Ralph – it think it had something to do with the way the houses would be facing and the way the driveways would be come in – we will really be looking to design the house to fit each lot – we would do that with consideration for look of Ellis Street – there are very few sites that are as beautiful as this – our intent is to make it as beautiful as possible – we have gone over this we have looked at every tree- we didn't want to cut down any trees – we are only taking down 1 tree –

Trisha – where will bus stops go?

Karyl – I like the idea of a common driveway for the 2 middle lots – please take a look at

Ralph – we can look

Sue – when you did goldenrod, you said you would keep the character of the wall – but what you put in does not preserve the character of Ellis Street – it is very nice but it isn't in the character

Matt – we will be looking for it to continue in the character of the existing wall – it will follow the existing character –

Andy – there is a construction inspection process that will include the stone walls –

- blond – if we are going to tear down scenic walls, this is beautiful – medway is going away, every piece just keeps being taken away – is this just a start of more being taken away,

matt – when they are built on, we are going to try to

karyl – the town doesn't own this land- it is our job to provide an overview to see that it is developed within the characteristics we want to continue with . . .

paul – I would suggest that a construction detail be provided and included

karyl – there is a difference between rubble and rustic stone wall should be – there is some construction to it

sue – the wall varies in quality – just don't make it quite as improved

matt – we will improve

sue – look at the Hills on Ellis Street, they improved their wall and it is a good – 35 Ellis Street – that is a good example of a good job –

karyl – that is important – in deciding what we want to see in medway as an ideal farmers wall – I think we could establish thorough photographs some excellent examples of farmers walls –

Matt – I would like to discuss the tree replacement figure

Rob – do we want to show that as part of this process - where would you like to see them

Phil Smith – I would rather see the value of the trees put that money toward some structural dead tree pruning along Ellis Street – start at Coffee Street

Ralph – I would be OK with that –

Matt – sidewalk construction – I am thinking on Coffee Street where there is the room for it –

Rob – I would put the sidewalk behind the stone wall – that would eliminate the need for edging

Matt – 5 foot asphalt – meandering path for the portion behind

In lieu of constructing a sidewalk on ellis, install a sidewalk on the north side of coffee street from ellis

Ralph – there is another basic question, whether we would have to do a sidewalk at all, because those are ANR lots

Susy – requirement per new subdivision regs – even thou there are ANR lots -

Ralph – if you are asking for a sidewalk on ellis street, we would probably build it – it seems to be that you shouldn't have to pay for something

Matt – we are allowing a sidewalk along coffee street that is meandering with no curbing required . . it still has to meet ADA requirements with ramps –

Sue – why don't we want a sidewalk on ellis street?

Rob – it would have to be inside the stone wall,

Matt – there isn't enough room in the right of way –

Marcia Kramer, green valley road – there is a sidewalk along granite street – meandering path -

Matt – we will look into doing something on ellis street – a meandering path of some sort

Karyl – grennan – what he is offering isa good offer – maybe a fragment of a stone wall similar tohte development –

Mrs grennan – wehave a stone wall on part of the –

Ralph – I can draw on a paper print of your front yard -

Matt – any other comments

Continue to May 9<sup>th</sup> . 8 pm – regular and scenic road - karyl, john – all yes

Extension – June 15, 2006 – motion by chan, andy – all yes

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4-11-06

Jayar and Marc Road Site Plans – Continaution

Dan merrikin  
Ellenrosenfeld

You asked for a detail of the fence, storeage shed and salt shed, - handout materials –

As I understood it that was all we needed to do

Donnelly brothers – wasn't it an 8 foot fence?

Karyl – 10 foot fence

46 coffee street – I think we discussed that 6 feet would block anything –

dan – in his area, anything over a 6 foot fence is considered a structure

46 coffee street – any way to do a berm and put the fence on top on that – the industrial park is at a higher elevation than the houses – it will take some time for the trees to grow

dan – you have to plow out existing vegetation to build a berm

is this any sort of sound deadening fence – did you find anything

dan – no, we volunteered a 6 foot fence –

matt – that should reduce some sound and visual impact

john – was it clarified that the trees are being moved

matt – there are going to be additional trees that were to be planted at the other site that are going to be planted near you

matt – what is the total number of trees

dan – we had 8 originally, and we are going to take another 16 from the other area – pines,

has anyone from the board gone out and looked

ed barnes, 43 coffee street – so how many trees will be planted

john – 24 trees

matt – those will be in the open areas

dan – the fence will do a lot for him – his property is below the fence – achieves more for him than the lower

ed barnes – I would like some trees behind the fence

andy – white pine or similar variety

dan – there is quite a bit of vegetation in this buffer area

ed barnes – I can see everything through the trees – I would like trees to screen –

it is very bare and open – I look out my back window and see

john – there were a lot of very young trees toward the edge of the property that will grow very fast –

mrs barnes – there was a discussion about where the fence was going to be – property lines, -has that been determined

dan – it has to be about a foot-18 inch of the property line – we will avoid taking down any trees to put in the fence –

citizen – the road that fasolino – we had asked about blocking that off at night to prevent the kids from driving around up there – any thoughts – way to block it so kids wouldn't go up and have a party – if they could block it off at night with a bulldozer –

ed barnes – now somebody can drive up there now –

this trucks are going in a dumpitng stuff – wht is being dumped – where is it coming from – trucks form out of town – uxbridge, Marlboro – it si rotting leaves, there is rotting order – where is it coming from –

matt – if there are hazardous materials being dumped there, contact eh board of health and bulding inspector

citizen – men urinating in public – not rosenfeld or fasolino – they think they are not noticed – it should not be accepted

ellen – we could get a port o john – I will ask matt to put in

another citizen – is the town still building a well up there somewhere?

Dan – I think it is still in process of being approved

Matt – as far as after hours partying on private property

Citizen – bololcking the roadway up would help –

Ellen – if you see kids up there call the police

Gino – were all your comments addressed?

Gino – I had suggested more trees, sounds like it happenidng now – theother thing I thought might help – the logging operation – is that done in a specific spot – maybe there a short section of fence right where the cutting is being done, might deflect the sound –

Echoes off the metal buildings – I get it from when they cut and then it bounces off the –I get the sound twice –



Karyl – I don't think tht any of these changes are going to make massive changes in your life – what is going on there isn't going to change

Andy – these are all allowed uses – this is an industrial zone

We just want to be in the same neighborhood

Change hours to not begin until 7 am –

Are hours 7 to 7 for noise??

General lbylaw or zoning bylaw –

Gino – besides noise, we talked about dust and erosion control – cleaned out detention basin – apply calcium floridge to keep the dust down –

Citizen – time frame on the fence

Dan – we would od it within the next few months

Citizen – I appreciate the trees going into the open area – if trees could be put on a little hill behind the fence – I would appreciate it very much –

Dan – you could word a condition – install trees on mounding that does not impact existing tree growth -

Ed barnes – back to the trees again – I would like to have some trees where there is burned spot from a year ago

Ellen – we can look at that

Close thepublic haring - andy, chan – all set –

Extend deadline to june 15, 2006 – andy, chan -0 all yes

To discuss at the May 23 meeting – we will work on a decision then –

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Restaurant 45 – draft site plan decision

Finish up at next meeting

Gino to do findings

Sac to wrap up conditions  
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Tuesday night at 7:00 pm special meeting on warrant articles -

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Matt cant make meeting on May 23<sup>rd</sup>

Motion to adjourn – karyl, andy – all yes

12:25 pm

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April 25, 2006

BOARD MEMBERS PRESENT: John Schroeder, Karyl Spiller-Walsh, Andy Rodenhiser, Matt Hayes, Chan Rogers

ALSO PRESENT: Paul Carter, VHB; Gino Carlucci, PGC Associates; Susy Affleck-Childs, Planning Board Assistant

Meeting called to order at 7:07 pm

Informal Discussion – Possible Subdivision at 88 Lovering Street

Paul DeSimone, Colonial Engineering  
Mr. and Mrs. Koudinya

Paul DeSimone – we were here before with a preliminary – now we are back looking at just 2 lots – we looked at 3 lots before – 88 Lovering Street – we are looking to get a second lot with adequate frontage, area and shape factor – we would like to waive paving – and do crushed gravel bluestone drive – there are catch basins out on Lovering Street – maybe add one more 4 foot sump at end of road – looking to make this like a driveway type of thing – existing driveway for 88 Lovering Street – the existing house will be turned down –

Matt – we can't create a subdivision where one of the created lots would have a house that is nonconforming.

Paul – right, the house will have to be razed or moved.

Matt – would that have to be done before

Gino – approve it but not release any lots

Chan – what does the applicant intend to do

Paul – not sure if he wants to build a new house or turn it 90 degrees – it will depend

Mr. Koudinya – it would be nicer to build a new house or an addition – that depends on the cost effectiveness of the project – it is still a beautiful house

Paul – I want to see what I can waive

Susy – what about the private way standards

Paul – I am trying to get less than that – the flow pattern is out to the street – we would do culverts on the roofs of the houses

Matt – what are you

Paul – gravel, bluestone – width is negotiable – I have talked to wayne, all he cares about is 14 feet high and 14 feet wide –

Andy – what did we do at candlewood

Matt – 2 7 foot lanes on either side of a 4 foot sidewalk - - I would think we would be looking to have it paved – we have gone so far away

Karyl – wait a minute, first of all – you are creating frontage for a seoncd lot by putting in a road – what do the 4 drainage easements consist of –

Paul – when they did olsen circle they cut out this lot – there is a brook that comes down the east side of the street – there is nothing in the easements from ohlson circle – no pipes were installed – never utilized – they had 3 coming from olsehn circle

Karyl – can they propose a roadway over a drainage easement – could they actually build a cul de sac

Matt – you cant build a house on top of it \

Karyl- any setback requiremntns for easements?

Matt- I don't think so

Paul – roadway layout 50 feet, 60 foot cul de sac; upland areas conforms

Karyl – what is house setback to proposed roadway layout

Paul – about 11 feet, the minimum is 35 feet

Matt – permanent private way?

Paul – yes . .

Paul – why build a road for one more lot –

Susy – would board entertain alternative materials to paving

Andy – I would not support that – having dealt with that – who will pay for things, maintenance difficulty – we have the rules and regs and that is why they are there – cant see any good justification for waiving the paving of a small stretch –

Paul – if we do pave it, we will need some sort of detention area because we will be increasing impervious area and do drainge calcs, etc.

Chan – The hammerhead?

Paul – typical for your rules to do this for a private way

Matt – Gino, any comments

Gino – it is running toward the road and gravel would be aq maintainence isswue – with the house moved, it would certainly meet everything looking at it preliminarily

Paul Carter – I am not sure what is happening with the wetlands area there?

Paul – it is a big area northeast portion of the site - it drops right off to the wetlands – that drainage easement area may serve some function – there are no pipes there

Karyl – I think they are flowage surfaces

Paul D – if you were to go out – it is high and dry on the northwewt corner – all uplands

Andy – do those easements continue onto the adjoining lots in Oholson circle

Paul – no,

Gino – where would you put the detention basin?

Paul – probably in the front yard toward lowering street – shallow basin

Gino – detention basin would have to be on a separate parcel

Matt – I am not comfortable with gravel – what other waivers?

Paul – no sidewalk anyways; just the pavement basically

Karyl – I think the pavement waiver is the least of our worries – I think there are lots of water issues

Chan – I don't have a problem if that is the only thing, lot of concern and argument about maintenance – I don't know what else they want

John – I am inclined toward the pavement over the gravel

Paul – so pavement, what about width

Matt – I would be more willing to give up a few feet in width – I would like to see the berms to catch the drainage -

Paul – so a couple of feet in pavement is possible

Paul – thanks guys

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## Village at Pine Ridge – Definitive Subdivision Plan

Matt – read the public hearing notice – attach and make a part of these minutes.

John Claffey, CLAFCO  
Paul Yorkis, Patriot Real Estate  
David Faist, Faist Engineering  
Dan O'Driscoll, O'Driscoll Land Surveying  
Lowell Robinson, LA

Matt – Welcome

Paul Yorkis – I would like to introduce – john, dan, david, Lowell robinson- we would like to proceed in the following manner – we have received a letter from VHB which we would like to respond to, we have received a letter from PGC Associates which we would like to respond to – we would also like the opportunity for David to do a brief overview – we would like to have Lowell go over the landscape plan – that is new and complete – and we would like to have a discussion with the board regarding in particular, the open space area and the trails within the open space area – both letters raised questions about

Paul distributed a 4/25/06 response letter to

Paul – I will try and be brief – there are a number of items that the VHB letter notes – technical revisions to the plan – we have responded to those as to be provided by Faist on next revision – I will skip over those -

NSTAR is the lead utility in Medway – they do not provide any info to the applicant until the PB endorses a plan – you might want to change your regs so that this is to be shown on as built – we cant meet this requirement –

Andy – do you have a letter that says that

Paul – that is how nstar operates – once we get their plan, then we give it to Verizon and Comcast – their utility lines are in the same trench – nstar lays it out – it has been that way

Andy – let's just have a no

Paul – why propose something that the utility controls

Paul – I think the regulation is what is wrong, we will request a waiver on that

Paul – this is not a street, it is a driveway, it is not a public way

Matt – does it have a name?

Paul – the abutters have asked that there not be any sign

Paul – no sidewalks are proposed within the project- there were no sidewalks shown in the special permit – this is where we are requesting some guidance – it is unclear whether waivers are needed for a driveway –

Matt – if the special permit document specifically calls for no sidewalks, then you wouldn't need it

Paul – so we will request a waiver on the sidewalks

Paul – re connection of roof drains – this is not a public way, it is a private driveway – condo association – we have no argument with technical aspects of the comments –

Paul carter – the board regulations are very clear that foundation and roof drains should not be connected – the reason being is that we don't want to take roof water and have it empty out near the foundation – that is why they have to be separate systems

Apul – we agree that a perimeter drain is required – the question is that the PB regs are there because the Town of Medway in its municipal storm drain system does not want that occurring – but this is not a municipal storm drain system – private and owned by the association – that is the distinction I am trying to emphasize

Paul – the water will go into a detention pond as part of the whole drainage system –

Paul – we need some guidance back from the Board on what waivers you want us to request – we are happy to request them – this isn't a street –

Andy- but doesn't this have to follow the road standards –

Matt – I think a waiver request is the way to address –

Susy – plus an explanation as to why

Paul read a letter from Wayne Vinton dated 4/24/06 – re: fire alarm box – payment in lieu of installation – agreeable to waive the requirement - \$1,000

Paul – the retaining wall will be 3 feet or less – it falls under the jurisdiction of the building commissioner –

Karyl – the plan says 2-4 feet

Paul – we can modify that to 3 feet –

Paul – we feel this is not subject to the tree warden because it is not a public way

Paul – technical issues will be addressed for the next plan – including the issue of the height of the retaining wall

Paul – with respect to the PGC review letter – we have a separate response – there is some overlap in them – so that we have

Paul – I would like to discuss the open space matters – the OSRD permit talks about trails in the open space. We have met with CONCOM; they have indicated that they are interested in the possibility of acquiring the property subject to the approval of the BOS; would like to do a joint site walk with the PB and through that site walk, which would be public meetings – I think some disucciosn could occur relative to the trails – I am not looking for closure this evening – I want to make sure that the full scope of this issue is addressed so that we can develop a satisfactory plan that is acceptable to the PB and CONCOM and is in compoliance with AAB and ADA – we are in somewhat of a conundrum – 3 boards that we need to satisfy – we are not sure how to do that – partly because there are wetlands on theproe;ryt- the existing trails cross wetlands – partly because of AAB/ADA and concerns of abutters – we are confrident that the PB has some very distinct ideas of what it hopes to have happen in the open space – we would request we try to schedule a mutually convenient site walk for PB and CONCOM so site can be looked at and assess potentnitlna and give us osme direction so we can –

Matt – susy, can you arrange to get this set up?

Paul – we are happy to work with you – sooner rather than later, - with the technical revisions that needs to be done to the plans, we would like to include results of site walk in next revision –

Matt – probably a Saturday morning – soon

Paul – re candlewood drive sidewalks – we did a walk with Jimmie Smith, DPS – we walked the entire Candlewood site and found that some of the site complies with ADA/AAB and some doesn't. This is something that is not included in the VHB letter attached to the special permit. That portion of the sidewalk that needs to be fixed will be done – Gino has raised an issue about a particular site – we think we are in compliance – we would seek input of the disability commission – so we are aware of the rules and regs and we are trying to comply – with respect to the question on the STUB – that small parcel of land will be conveyed to the condo association

Paul – there is one change from the special permit

David Faist – overview of the plan – civil engineer on theproject, involved in site design and drainage design – very similar to special permit – currently it is all – p arcel A will be retained by the wasnewsky – parcel B is the condo and parcel C is theopen space to be conv3eyd to the concom – one of the things we did was to shift the access road a bit to th east to save a pine tree – the cul de sac is round vs. oval shaped from the special permit plan – swtill 20 units that are there – the – we will be preparing an exiwsting conditions plan and an actual subdivision plan –



David – we have surveyed the whole parcel – we did not cut into the hill area except for a few feet – steep hillside that goes upward toward farm street – in the middle of the cart path, scrubby growth, and a small wetland area along the bottom of the site – we show the wetlands from the ANRAD – there is no existing direct channelized flow pattern – sheet flow now – there is standing water in the wetlands area – the cart path runs thru the wetlands area – we did 7 test pits out there – groundwater was a little shallower at the southern end of the site – more like 5 feet at the higher portion of the site – straight forward drainage system – one main drainage basin toward the sewage treatment plant – DAVID described the system – catch basins and – majority of roadway drainage will go to the basin and then to wetlands – drywells for roof drains where we can – 6 sets – also a small low area near access driveway – all water ends up at the same place – based on our calcs – we can control peak runoff and volume using the combination of the drywells, storage etc. – we will correct sizing of pipes leading to detention basins

Andy – can you show again the 100 year overflow –

David – to accommodate the 100 year storm event, we have extra capacity – water will flow underneath the roadway in culverts

Andy – Paul, you said that because this is private property, this is exempt from stormwater bylaw?

Paul – the comment we received from VHB questioned the appropriateness of tying in the roof and perimeter drains – I responded to that – I said that in the town of Medway, the town bylaw is to prevent perimeter drains from being tied into the stormwater system – what David has designed is a system with checkvalves that would prevent that from happening – there are 6 drywell units – the whole stormwater drainage system is going to be owned by and the responsibility of the association –

Paul Carter – the main comment is they are proposing a combined roof and foundation system and any overflow goes to the detention area – need pipe size info – and whether they would be underground or over the surface

David – perimeter drains are to keep groundwater from coming up into houses – we can accommodate splitting the perimeter and roof drains

Paul Carter – they do have one location where they propose to tie into the catch basins –

David – that was the overflow from two drywell units

Andy – are you relying on check valves to handle 100 year event

David – no

Paul Carter – you don't want to put the roof water into the perimeter drain – main concern

David – easy to solve

Matt – I would like them to continue their presentation

Paul – fire chief and safety officer have provided comments that they are OK with the changed shape

Paul – we did have the opportunity to meet with the DRC – very pleased, enthusiastic and supportive – they have not yet provided a letter to you – we also met with the Khalsas and the Sousas, the direct abutters – both families are here tonight – they have reviewed the plan and we have modified the plan to address their concerns

Loell Robinson – we had 4 tasks presented – first and foremost was to address concerns of the abutters for screening, earth of mrs – second was to provide an appropriate entry for the condo – third was to deal with the whole central area of the condos and the 4<sup>th</sup> was to address the detention basin - I stayed heavily with native materials – available and reliable – we put in some earth berms – area behind the souses . . . . - mix of plants – good for high water table - - fill in the gaps behind the souses with pines and other native plants in the area where the trail is behind

Matt – what are you doing at the detention pond?

Lowell – conservation mix around augmented by plant materials- I encourage you all to study this

Matt – adequate access for maintenance?

David – we will check that

David – it isn't a very deep pond – the bottom will be 1.5 feet above 100 flood elevation – in most cases it will be dry except for largest rain events

Karyl – I have a few issues – I want some clarification on this roadway vs. driveway – in fact are we accepting Paul's statement

Gino – I don't think it falls under the definition of a private road in the subdivision rules and regs

Paul – what I would like to do with the board's permission, when we have all the plan revisions, I would like to consult with Gino on what the waivers should be –

Matt – come up with your list and give it to gino

Paul – the bylaw doesn't speak to this condo option

Karyl – retaining wall, when we were discussing the special permit – we were told you would not – what is it going to be

John – it is going to be a real stone wall -

Richard sousa, 14 candlewood drive – question re; small detention area behind my property – you said it kind of was - could you elaborate? – that is

David – not very large, - by building a road and it goes uphill – you create a high point in this area – pipe culvert underneath the road from this small detention area – in a large storm event there would be some water there and then it would go down – not necessarily a pond, it is a low point – it is the end of the natural drainage pattern – it is an outlet –

Richard sousa –

David – low grass location with 1 pipe

Chad – the road is damming up a natural drainage flow

John – how far is the area from the back of the souses

David – about 50 feet and it will be landscaped

Paul – I would indicate that the Khalsas have expressed concern about the walking path and trails and what I would like to do is to make sure they can participate

Mr Khalsa – on the original draft – the trail went very close behind our property – we would prefer it to be further away – have trail entry further away from our back property line – there is a natural opening in a knoll that would be a good location for the trail entry -0

Matt – let's discuss at our meeting out there – we will contact you when we set that up

Mr. souses – the entry to the trail area shows 3 parking spots – previous discussions we had raised concerns – we would hope that that area could be reduced – we understand that the mailboxes will be there – we are concerned about

Matt – was that spelled out in the special permit

Paul – we are ok if the board would like to decrease the number of spaces

Karyl – I would recommend that the 3 spaces remain – that seemed like a good compromise –

Matt – I think I agree but I would like to hold

15 candlewood drive – when you guys come out to do the walk thru – are you going to look at the pathway between island road and candlewood

Paul – I apologize we didn't discuss – what was originally proposed in the special permit in terms of how that would look – the board has reviewed that and they are OK with – as long as there is no disturbance to the wetland – as long as we are not widening that – if we have to change that, it would be our responsibility to go before the board – we have made no changes

matt – did you receive an order of condnitions to do work in the buffer

david – we are filing that –

paul – but that relates to the new construction, not the emergency access between island and candlewood

paul – as long as we are not working in the wetlands the concom is OK with that . .

david – we need to check with the fire chief to check on class type

matt – when are you going to be ready to come back with the changes –

PH continuation to 5/23/06 – 7:35 pm – chan, karyl –

\*\*\*\*\* estimates for plan review fees

VHB –

Andy moiton to accept the estimate for PGC for \$525 – seconded by chan rogers – all yes

Andy motion to accept the estaimte for VHB for \$7420 – seconded by karyl – all yes, matt  
recuse

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River Bend Village

Eric Alexander joins meeting

Rich Cornetta – we are prepared to speak to the drainge details and we would like to start to address these important concern s- and we are prepared to present a proposal

Rich – we were discussing a mitigation figure – we ahad arrived at around 80 trees or \$24,000 figure. We were contemplatling 3 items – fencing, tree replacement and sidewalk replacement as a global approach – board seemed to have a varied opinion – you asked us to come forth with a proposal – I am referring to the tree numbering –

Tree #11

Mark deschenes – when we walked on site on april 10<sup>th</sup> – a couple of trees that we looked at were trees #11 and #12 – I don't think we can save #12 - we looked at several of the mature walnut trees – identified about 4 trees between 6 and 8 nch caliper – all are in the roadway alignment – I would like to see if we can take those and relocate them – plus there are 3 spruce trees along the frontage that aren't healthy and remove those - 2 pretty much gone . . so doing something along those lines – I did not address the sidewalk yet – separate – 220 linear feet of

fence – if I can save . . . we are left with about 8400 to contribute to the town for tree maintenance fund

Matt – what are chance of those large trees surviving a relocation –

Mark – September would be pretty good – we would replace them if they died – they are beautiful specimen trees – I would hate to lose them – they would be nice to be up on the street scape

Matt – when we were out there, we picked a few areas that could benefit from some infilling – are there any other spots that could benefit from some 3” caliper trees?

Mark – playing with those moving parts . . I would be willing to put that together in a formal proposal

Matt – I would like to see those trees relocated

Andy – noble effort

Phil – I am happy with this – good idea to use some of the mature trees –

Mark – 6-7 inches is about the size

Phil – how will you handle if any of them die

Mark – if I move 4 I will probably lose 1, I would replace it,

Matt – the replacements will be on private property.

John Spink – so it is probably better to move them behind the right of way so they don’t get chopped in the future

Karyl – in that case, would we want to have some low shrubbery

Mark – we will do something as needed

John – we placed the clubhouse on the footprint of the existing house – the bylaw requires a 50 foot setback, so we will have to push back the clubhouse – that will give us another 20 foot of front yard to work with

Matt – sounds like it would need a variance

Gino – given that there is an existing foundation there, maybe the ZBA

John – drainage . . . we are going thru the riverfront that covers a considerable amount of the site – the people that are going to be interested are Concom and Charles River watershed – we went

and talked to them – one of the things they really wanted us to do in the drainage structures of the water going into the river – they pushed us quite hard to go with a country swale system and so we thought about it and decided we could try it – we have gone thru the process and I like the idea – we have gone thru it – I think we have done it – I am not sure that VHB thinks we have done it ., .

18 test pits and borings – found is nice sandy loam on top – below that 3-4 feet of granular material, 3 – 15 feet down is heavy silted layer of material – not clay but real tight – John explained natural drainage pattern – fairly significant downhill slope –

put houses on the high points – put roof drains into some kind of cistern/rock swale around the houses – houses have no basements and the grade of the slab is at the highest points – driveways and walkways and pave them with pervious asphalt – chosen to pave roads with regular paving materials – lawns and landscaping – houses at high spots – sidewalks and driveways absorb some water – roadway does not – as the water goes into the side yards, it goes into a series of swales that are 2-4 feet drop – cascading swale system – slows up the water system flow, removes the solids, we meet the criteria of volume and runoff – we achieve the infiltration – flows to the wetlands or vernal pools – slow it down and put it where it was going before – that is the concept – I think we have done that . . . that is where we are at

Matt – the weirs in your swales, are they stone?

John – we had a debate on that – I have made them just earth – there are a couple of options – hold for 3-4 hours at the most –

Another option is to put stones up

Another option is to build a berm that is a sand center wrapped in a filter with rocks on the outside

Matt – Paul, do you now have enough info to evaluate this

Paul – I haven't seen any details of the berm in the swale – if there was, it wasn't clear – I need a detail of how they are going to be constructed and where they are going to be constructed within the swales

Andy – will it be grassed? Will there be a problem with mowing

John - no –

Paul – in terms of the calcs, are you taking credit for infiltration

John – NO infiltration credit anywhere – I have overdesigned the hell out of – no matter what we do,

Paul – in terms of the pervious – you need to submit your construction details/manufacturers details

John – there was a slip sheet in there

Paul – not enough info

Paul – the roof drain system, there wasn't anything in the plans – there are 4 acres of roof – whatever you are proposing for the roof drain system needs to be shown on the plans and there needs to be details of it

John – there was a detail of the rock storage system in the details

Paul – we are talking about the roof drains in the front of the buildings – I didn't see any details of the roof drainage design – didn't see any calcs for the roof drainage –

John – they were all sized for the 100 year storm

Paul – that needs to be included in the site plans and the drainage calcs –

John – one of your comments was that we need a test pit at every one of these areas – that is 160

Paul – you need to show the groundwater in relation to your construction – verify the permeability – what is representative of your system – you can determine whether you need one at every location – it has to be consistent – have to have enough spacing on those to justify what you are taking credit for there . . . we need to be sure that the water is going to infiltrate there . . . if you are saying that the 4 acres of rooftop is going to infiltrate you need to know whether it will really do that . . . you need to provide the details and soils and the drainage calcs

John – one of the items of this is that the vernal pool is a C area and around it are B soils which are semi viable infiltrating . . . I am not quite sure how I am going to solve that requirement you are asking . . .

Paul – the other thing relative is you are proposing some underground storage areas within your swales for water to drop down. We did look at the soils info you did provide – some of the underground storage areas looks like there are going to be issues with ground water - need to make sure that you have adequate separate from groundwater so you will have adequate storage capability – the underground storage areas are not fully shown on the site plans – these are components of the overall system and need to be shown . . .

John – I have two more items I need to ask you about – one you made a commentary on utility easements – on all the ring road and cross road – what rights does the town want to have in the water/sewer or other utility system – do you want an easement to go with –

Matt – I think that would be up to the water/sewer department – I would imagine they would want to have access

John – I would expect

Susy – have them meet with water/sewer to discuss and have them send something to us

Susy – how will the condo association know in 15 years to not fill in these swales with landscaping? Are these swales monumented? Are they easements?

Karyl – every landscaped area is actually a working swale has become an important, vital element in the movement of water from the development to wetland area

John – that is the purpose of it

Andy – the tools that are available for LID are more than just swales,

Karyl – it is such an extreme use of what is considered LID – aggressive and onerous and = how do you make it transcend – the DRC has been dealing with changes in the architecture throughout because of these changes – it seems like we are backing up – how effective is this going to be – I have no comfort zone here – too invasive, too much, in between all these buildings, - all I can envision is when the water hits really hard these buildings are going to be islands – prove me wrong

John – intended to be pens

Eric – my concern parallels Karyl's - we are talking about LID for the drainage system – it has been pushed so far it is a Swiss watch – if any one piece of this system fails, the whole system is going to shut down

John – probably done to the opposite extreme - it was designed for the 100 year storm – we have structured the flows for the 100 year event – why all the swales? To meet the requirement for the removal of the solids –

Eric – it is going to take an ironclad operations and maintenance plan – need some clear delineation and easements for the system as proposed –

John – Do we need easements to structure this whole thing or is this whole site an easement? Does it make a difference?

Matt – what will an easement accomplish?

Eric – you have to plan for the worst situation –

Matt – is there any way to landscape some of these areas?

John – yes, they can be fully landscaped



Karyl – it would have to be done very carefully – I would like to see an example of swales and fish ladder berms – photographs – what landscaping has been successful?

Andy – when we have a frost and the ground freezes – January thaw and rain storm – what happens when the water can't infiltrate

John – it flows to the Charles river

Eric – some Yahoo backing up to fill in swales

Rich Cornetta – this is a privately owned condo association- there will be rules and bylaws – how do we have some covenants that run with the land that is linked to the bylaws – I would suggest we could draft something – that would run with the property - I don't think easement is appropriate – some type of conservation restriction that would tie any changes to the stormwater system to municipal review

Karyl – these are so close – one thing that would eliminate this problem would be to reduce number of units

John – if you have a regular subdivision you – do the same thing

Karyl – your density is so intense – there is no real detention system –

John – there are some underground areas

Paul – you are proposing 6 inch by 24 inch box culverts coming out of the catch basins – seems prone to clogging

John – before it goes to the swale it goes from the street to a drop catch basin – and there are some trench drains that go across the road – normally you don't put a trench drain across a roadway because of the type of traffic is going to beat up a trench drain-don't do it – you have a cover and elevation issue – but 6 inches – how are you going to maintain something like that – usually a 12 inch pipe is a minimum opening – I would not recommend the 6 inch by 24 inch box culverts

Paul – with the drainage calcs – you need to decide how to compare – you have to do it at each design point - you need to make a comparison of existing to proposed – you need to do it at more detail

John – I chose a design point at the end with all drainage to the river –

Paul -0 everything goes to that one point – I recommend you compare the existing and proposed at multiple design points – you just described 3 points – what are the changes – are they less, are they more

John – they are different areas from before and after . .

Pual – it is required –

Joh n- that is why the design point is the whole site

Paul – sounds like you have at least 3 design points

Matt – multiple point discharges to the river

John – I have sheet flow to the river – post and pre don't match on anything

Paul – he needs to discuss the comparisons at the various localtions- that is what is done at every site –

Karyl – is there an inerenet difficulty with this whole swale system?

Paul – no, it is really where the water leaves the site

Andy – is this a unique problem

Paul – no it is an issue with every site – I think you have 3 or 4 design points

John – I can break them up into that – I collected them all into one at the end –

Susy – handouts – notes from Dave on sidewalks and susy's handout on to do list . .

Pallavi Mande - charles river watershed – I have to commend the applicant the trying – there are several other projects that are going onthruout the state – swales to make part of th deed that goes with property transaction – hopefully we can do our part to get those resources to you – show you other places where this has been successful – we want ot work with you to take this concept to something that is workable – we would like to see more details on the boat launch and views from the river – that can happen . . .

Karyl – any visuals that you might have?

Pallavi – probably not just one project but aspects of others

July 1 for action deadline extension - andy, karyl – all yes

May 23 at 8:15 pm – continue - motion by andy, seconded by joh – all yes

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Construction Observation – report from Paul Carter re: inspection of roof drain system at a house at Evergreen Meadow

Andy – concern about a pipe installation

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Wayne Carlson – possible one lot subdivision

Ted Cannon on behalf on Bill and Amy Fletcher – looking at a space on lowering street – fletchers sought a variance from the ZBA and were denied for lack of fro

ntage. During discussions with the ZBA, they expressed they were reluctant to look at variances until the fletchers looked at all their options – so we wanted to see if it was feasible – Wayne Carlson has come up with some concepts in this regard

Wayne – input on how to design the road – although mathematically it can work, but in practice it can't be built because it is wet – so we are trying to get some input from you folks – would you waive this is one spot to allow for a smaller right of way

Paul Desimone – to actually waive construction of the road itself – there is an existing drive that goes within there now – I told Wayne that you would want at least 16 feet paved – could you waive 50 foot right of way and allow a smaller width –

Karyl- it is one thing to waive a road that could be built, it is another thing the waive a road that couldn't be built due to wetlands . . .

Ted – we need to show the ZBA our attempt to look at the subdivision

Paul – we would need you to waive the layout/ROW to 40 feet – real focus would be the left side option

Wayne – one house only – deed restriction - the family has the total control – there is a difference here with the Richardson's property on Ridge Street

Kalryl – what happens if Amy inherits her family's property

Wayne – deed restriction would end up on both lots

Gino – have the deed restriction say no more than 2 dwelling units – not just

Matt – what do you need from us,

Ted – if you think

Karyl – if the deed restriction could be air tight

Ted – have town counsel review it

Matt – make the ROW as large as possible to come as close to conforming – if there is no increase in impervious area – then I would consider waiving the drainage design . .

Paul – go right to a definitive

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Jim and Ted Reardon – ramp needs to be 48 feet long –

Motion to approve change to 127 main street permit – chan , andy – move the ramp,

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Restaurant 45 – site plan decision –

Approved

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Fee estimate for plan review services for Daniels Wood - \$225 – andy, chan – all yes . . .

BOS meeting – briefed on articles for ATM 2006

They want us to do a

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PGC 1012.50 - andy, chan – all yes

PGC 37.50 – andy, john – all yes

VHB – 1035 - - john, chan – all yes – matt recuse and karyl recuse

VHB – 4061.41 – chan, karyl – all yes – matt recuse

VHB – 115 – karyl, john – matt recuse

VHB – 9664.58 – karyl, chan, all yes – matt recuse

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Motion to adjourn – john, chan – all yes

]11:55 pm

May 9, 2006 – PB Meeting

PRESENT: Andy Rodenhiser, Chan Rogers, John Schroeder, Matt Hayes,

ALSO PRESENT: Paul Carter, VHB, Inc.; Gino Carlucci, PGC Associates; Susy Affleck-Childs, Planning Board Assistant

Call to order at 7:07 pm

Election of officers

Chan – nominate Matt for chairman, not seconded

Matt – I will not accept the nomination

John – nominate Andy Rodenhiser, Chan seconded – unanimously elected

Chan – postpone other officers until later - . . . all agreed

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Andy – thank you and I will try to do the best job I can

No citizen comments

June meeting schedule we need to address – June 6 and June 20 instead of

Chan – I would prefer June 14 instead of June 6 –

Andy – extra meeting next Tuesday night – May 16<sup>th</sup> at 7:45 p.m. – smart growth techniques LID and the Commercial Redevelopment Project

Gino – I think I will have by then an updated drawing for both sides of route 109 –

Extra meeting for property owners and businesses – to be determined

Andy – request from Paul Yorkis to adjust the public hearing on Pine Ridge on 5/23 from 7:30 to 9:00 pm –

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Public Briefing – Daniels Wood II

Paul DeSimone

Fred Sibley

Paul – 7 acres of land at end of Daniels Road – when we came to you before we said there would be a total of 4 lots; since then, we cut out that first lot and sold to Todd Allen – still have Fred's

house and his mother's house – finish the cul de sac to get 169 feet of frontage – we can bring out a driveway across north part of lot or keep the existing driveway down to Oak Street – we met with c conservation on wetland flags for southeast corner of site – we have revised plan a bit based on Gino's comments – we want to ask for waivers on construction of the road itself – the contours drops down to Fred's property so even if we put the driveway in, the water would come down onto Fred's property – that would give us 3 lots and then we would eventually do an ANR lot in the future –

Karyl – you would look to an easement through the new lot to get to the other 2 houses – if you were doing a conventional subdivision, where would that access be?

Paul – same location

Matt – what you have shown there as a driveway

Fred – on Oak Street there is 400 feet plus – enough for 2 lots

Paul – we want you to know that we will do an ANR – create last loop for frontage but waive construction

Matt – is your desire to keep the oak street driveway?

Fred – yes

Matt- if they did create that driveway off the end of Daniels that would exceed the 600 feet

Fred – references the 2003 Certificate of Action – the decision was made then that the length was acceptable – trade off was to only subdivide one more time on that cul de sac –

Susy – still 4 lots

Andy – how would you arrange for easements thru there – will the driveway be asphalt or dirt?

Paul – it is paved all the way now in a funny way,

Paul – on the original proposal

Susy – it should be engineered so that

Karyl – I think the cul de sac be engineered but there should also be some sort of turn around facility – that it not just be a driveway – a hammerhead

Paul – we would design it as a ball

Andy – so they only waiver you would ask for is on the actual construction

Fred – read part of former decision that the  
Chan – not asking for street acceptance

Karyl – you need an actual turn around – there are 2 houses on that driveway – maybe some sort of turnaround on the ground –

Fred – we wouldn't actually want to build the driveway at the northern end of the site

Paul – we can do a drainage design and a profile –

Matt read letter from Paul Chagnon, 7 Oak Street, dated May 9<sup>th</sup> – attach and make a part of the record

Andy read letter from Peter Klein, 10 Oak Street – attach and make a part of the record –

John read letter from Ron McPhee, - attach and make a part of the record -

Andy read letter from David Klein, 9 Pond View Avenue/Scituate, MA

Chan – if we don't comment on these letters, people will think that all these comments are true –

Andy – the decision from 2003 is in your board packets – there are some covenants – that plan states on it that if further subdivision was to occur it would have to come back before the PB – some of these letters state that no further subdivision was to occur – that is inaccurate –

Matt – the lot you will propose for an ANR plan – why aren't you including that on this subdivision plan?

Paul – we could put it on

Fred – it is an ANR plan – it really isn't necessary to show –

Matt – I think it would actually simplify

Fred – we thought it created so much confusion when we discussed it before – CONCOM has approved relocating the driveway . . . they do suggest we try to get a variance from the ZBA to adjust the front setback to make it closer to the road to have less impact on the wetlands

Matt – I think it would be easier for this board to write a decision with all of the facts – and say that there would be this lot – we are clearer now –

Fred – we have engineered that lot so we can just add it in

Karyl – this is the point now where you are creating a 3 lot subdivision where that driveway will now serve 3 houses – needs to be upgraded – private driveway from Oak Street –

Fred – the new ANR house would not come off the existing driveway, it would have its own access from Oak Street

Karyl – that is another curb cut, it would actually make more sense if all 3 came off one common driveway

Susy – if the ANR lot is brought into the subdivision then the drainage design should include

Matt – I would be willing to consider . . . .

Paul – we already have

Karyl – do we consider the “battered” driveway as adequate access?

Chan – we are taking a lot of time –

Fred – there are restrictions on this –

Andy

Bob Klein – resident – I have a problem with water – ever since the Allen property was put in, the water has increased tremendously – I will be challenging the CONCOM’s decision to DEP

Tim Elton, 8 Daniels Road – I have water in my basement since Mr. Allen’s house was built – I am going to ask the Town to take a look at – I believe his driveway is on my property line –

Fred – I believe that is a separate issue that doesn’t belong here – there is no proposal for construction of pavement up near you.

Andy – the process we use is this is preliminary plan to identify issues – plans will be provided to our consulting engineer to make sure it is correct – I am not sure what can be done about your problem through –

Fred – I gave CO \$ to the town to have the engineer inspect the driveway during its construction

\_\_\_\_\_ 3 Daniels Road – I would like to comment on what Tim is saying – the execution of that prior action was horrendous – I would like you to take that into consideration – the Daniels Road end of this development – what was once a very nice subdivision is now a mess –

Karyl – part of the process on this should be to correct whatever problems occurred and eradicated

6 Daniels – Marsha Pohn – we got a letter, it seems like the agenda is different – I think they want to move the frontage from Oak Street to the back because they don’t have enough – in my



mind, I know there are codes and bylaws that you have to go by – what is definition of frontage – we are talking about people moving this – there are a lot of different exceptions –

Andy – as a PB, we are given the responsibility to represent the town's interest such as what is put forward – this is a preliminary meeting – this will be an ongoing meeting – you will be included in that process – tonight, we didn't have this slated for a long period of time – you are welcome to come back – we don't want to shut down debate because we have an agenda that we need to get to – we will have these guys to come back –

Matt – the letter you received was about the plan that did not show this additional lot which is there right to do – we are now asking them to include it all as one –

Fred – this process has been going on a long time – things are on paper, and the cul de sac was proposed way back – and another lot would be permitted – this is nothing new – I realize that not everybody is involved in the whole process- I am not trying to create unhappiness in the neighborhood – what I am doing should not effect Daniels Road at all –

Susy – I would suggest that we continue this

Chan – I would like these people to make specific claims about your concerns and how it is effecting your properties -

Fred – I would like to see the pictures that Mr. Klein has circulated – date taken, and exact locations

Continue on May 23<sup>rd</sup> at 7:30 pm

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Paul DeSimone – request continuation

Motion to continue to June 14 at 7:35 pm

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Medway Gardens

Conrad Decker – Drake Petroleum/Extra Mart – update 4/13/06 –

3.7 acre property – we have made some revisions – highlight some

eliminated separate retail building

Greenhouse and retail area for Medway Gardens has been expanded

Parking realigned

Only one driveway on Summer Street

Reduced size of convenience store

Reduced canopy length

Reduced number of gas pumps from 6 to 5 –  
Reduced impervious area  
18.8% building lot coverage  
Convenience store will now have a drive-up window for HoneyDew Donuts  
Changed canopy style to tie in better with building design . . .

Matt- re: internally illuminated signs are not allowed in this district

Conrad – that will all be part of the application . . .

Karyl – one little comment just to start, too bad that the little building had to go

Matt – improvement on size of canopy I like

Andy R - work with the DRC early -

Karyl – concerned about the number of pumps – we would be much more cheery with

Karyl – what about the drivethru

Susy – that is the first time I have heard that –

Karyl – I would not look favorably on a drive-thru

Chan – I am pleased with what I am seeing here – you are going to have to have some internal traffic circulation plans

Andy R – have you made any attempt to talk to the neighbors –

Karyl – what about water?

Andy – the greenhouses

Matt – way to use roof drains – reuse it

Karyl – the size of the store might actually work – the building design will go further still with the DRC – I think there are still too many pumps under the canopy

Conrad – up in Sturbridge – need to accommodate the gas business at the am and pm peak – you want to not have people queing up waiting for gas – we had to add an additional fuel positon – we don't want to put in 4 and then have to add another pump at a later date – we got from 171 down to 135' canopy –

Conrad – with regard to drive up window – concerns about que length – the building is displaced so far from the street – it is way set back compared to Dunkin Donuts – Honey Dew is not as popular as DD – there is room for a 25-30 car que –

Andy – show us some type of plan

Karyl – I don't want to see a

Chan – what is relative topography of fuel area to the street

Conrad – about 8 feet higher

Chan – you show an overhang on the greenhouse –

Andy – it would be

Susy to contact Bob Speroni re: drive thru question

Conrad – when do you want us to see DRC

Karyl – as soon as it is smaller, we are ready – you need an architect – we can start to work on the convenience store building and wait a bit for on the canopy and pump

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Applegate Farm Definitive Subdivision Plan –

Rob Truax

Ralph Costello

Rob – since our last hearing, we revised plans and submitted and they have been reviewed by your consultants – issues are pretty much ironed out – other than waivers getting put on the cover sheet – we feel pretty comfortable at this point – we have not provided you yet the plan for the sidewalk on coffee street – we would give you that before you endorsed the plan – we should have it in the next week or two –

Andy – have you spoken to Dave D'Amico

Rob –

Matt – what is plan on sidewalk?

Rob – along Coffee Street from Ellis down to end of property line –

Andy – what about coffee street up Holliston street

Rob – we talked about this. .

Karyl – I have looked at this in some detail – that is not really a slam dunk – it really needs to be looked at the ability to fit in the sidewalk

Rob – I would do a standard sidewalk with curb – not a meandering sidewalk – I would do a bit berm – the only thing I saw was some mailboxes and one catch basin that we would need to handle

Andy – so what is required for us to nail down the sidewalk

Ralph – last time was the discussion on whether we would be required to build a sidewalk on Ellis Street – PB on subdivision vs. PB as scenic road – it seems to be you cant have it both ways – that is where the discussion was last time – my position is – it is the same strip of street – it is the same side of the same street. .

Andy – it is your position that if we are going to build the sidewalk

Ralph – as the PB overseeing the subdivision, you are saying that I should build a sidewalk or pay for it. . but as the PB overseeing the scenic road provisions of the bylaw, you are saying you don't want a sidewalk – it is either one or the other

Andy – we made the distinction – we created the sidewalk fund so that construction

Rob – if you don't want the sidewalk, you can't ask him to pay for it

Andy – because we are trying to preserve e the nature of the scenic road

Gino – another possibility would be to build a sidewalk on an easement inside the property line to get it build –

Karyl - how feasible is to do a meandering on Ellis

Ralph – I don't think it would look good – everybody agrees that we should leave the stone wall – leave the trees – I don't see it where there –

Rob – it would just be a straight line, just behind the trees,

Karyl – bring the sidewalk awfully close to the houses

Karyl – have we figured out what the sidewalk amount would be for that?

Andy – what is the board's feeling on this?

Karyl – I had to pay it

John – the spirit is to provide safe walking transportation within the development - so I would like to see the sidewalk on Coffee Street from Ellis to Holliston

Karyl – it is not either one or the other

Andy – that is a given along coffee street . . . from Ellis to Holliston Street

Ralph – if you do make me put some \$

Karyl – I thought that the continuation of the sidewalk on Coffee Street from Ellis Street was all set – the other question to me

Andy – coffee street sidewalks

Matt – there is a requirement for sidewalks on the subdivision – that total frontage is coffee street and Ellis streets – there is a certain length of sidewalk – if it doesn't make sense to provide sidewalks in a certain location or for other reasons . then a payment in lieu of for that length or other construction – we are taking the Ellis Street frontage,

Rob – in lieu of providing money to do sidewalk on Ellis Street, then you are saying to do the sidewalk on north side of Coffee Street from Ellis to Holliston Street

Matt – you are saving money by not having to do curbing on coffee street frontage of the property

Ralph – I think that is well stated – so then the question is whether to pay the money or actually build sidewalk on coffee street from Ellis to Holliston

Andy – I think we need to figure out the cost estimate, based on what the town's cost

Ralph – that is why

Rob – I don't agree with this approach . . .

Ralph – our option is to build it or pay into the fund

Karyl – we need to look at the math of this –

Agreed it is shorter

Andy – 41 replacement trees - \$12,300 – the board needs to decide whether to have them contribute to a tree fund or to do pruning –

Butchy – I would like to see it go to pruning on Ellis Street

Andy – do it in the winter, completed by

Ralph – I would go out and get the best contract I could

Andy – the town will receive the benefit of \$12,300 tree pruning –

Susy – to be done under the supervision

Butchy – probably will need a police detail –

Rob – include that in the estimate - - work –

Butchy – I would like the money to stay on the scenic road – but in fairness to the landowners on Coffee Street and Ellis Street – let's do Ellis first, then do Coffee Street from his property line up and then make a decision to either stay on coffee street or Ellis Street if there is anything left –

Ralph – I am OK with doing this by 3/31/07

Andy – The Grenons, status of discussions

Ralph – they had dropped off some pictures of their house, and I have come up with a landscape scheme – put up some granite pillars with landscape around those with shrubbery and trees – and they want something else –

Karyl – it is creepy –

Ralph – granite pillars . .

Karyl – what happened to the idea of a little stone wall section that would look more finished –

Matt – there is stone on site that you will have

Ralph – Mr. Grenon has suggested I build a wall along their property line

Ralph – it may not be displayed on this sample,

Matt – if they aren't happy with it, then we don't want you to do

Andy – we would encourage you to work it out with them . . .

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Ralph – I don't mind providing them with some stones from the site – the stone has value - I don't know that we are going to work out any acceptable design

Karyl – what is the Grenon's frontage on Coffee Street?

Chan – 2 conical fir trees?

Mr. Grenon – up to the existing stone wall it is 45 feet from

Karyl – so what would be the cost of building a farmer's wall for 45 feet – 2.5 feet high?

Ralph – what do you mean by that? How manicured? There are sections of wall along coffee and Ellis that are indigenous to the area

Karyl – the DRC is in the process of compiling a photo catalogue of farmers' walls

Mr. Grenon – yes, I would like that

Ralph – I have expressed an interest in offering something – I don't think there is anything that we have done that looks bad –

Karyl – it would be a nice look for those coming out of the development –

Ralph – what is it without going crazy – I don't know if I can get any kind of agreement

Ralph – I don't want to hold up my subdivision plan for this – I am very easy to get along with . . I don't want this board –

Andy – we want to make sure we are willing to work on the problem

Andy – status of revisions to landscape plans

Andy – status of consolidating two driveways

Rob – we will do that with the scenic road plan –

Susy – OK

Andy – design for the stone wall construction –

Karyl – we need some kind of visual reference for you

Ralph – there are some sections of the wall that look better – I have my ideas . . . it is subjective – it is in my interest to make it look as good as possible – I want to maintain the character – it is important we get on the same page –

Karyl – let's start with what he has in mind – let's see what he likes –

Paul – do you have street name

Rob – we will get it taken care

Ralph – how about Applegate road?

Susy – I can facilitate this for you . . .

Paul Crisfauli – I live on Spruce Road – I have walked that road for many years – it might be better to run a sidewalk up Virginia Road out to Holliston Street –

Andy – I would like to see them talk to Dave D’Amico before we close the public hearing –

Karyl – and wall photos –

Rob – we have responded quite rapidly – and get the decision in process –

Jeff Grenon – we are hoping to leave with something definite, or some possibility – the idea came up that perhaps if we knew the cost of his plan, if that cost were brought out and if the stones could be dumped on our front yard in the approximate –

Ralph – I will try to work with you on this . . – I offered you the stones earlier, that is a good offer - what is your idea of a wall, something like across the street from you – I am interested in doing something that looks good as well – that represents an entrance and exit to our development – I don’t think we will be displeased – I don’t know if we are going to get there in the next 5 minutes

Andy – we can’t require him to do anything on your property – that is up to you to work out on your own

Karyl – we are going to specify a type of stone wall that Mr. Costello wants to see and

Mr. guenon – we like the idea of a stone wall that will provide the protection from vehicles existing

Ralph – that is the easy part, the hard part is to make it look good

Andy – you guys\

Karyl – close the public haring, seconded by Chan – all yes -

Close the public haring bon the scenic road – all yes – Karyl, Chan

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2 minute break at 9:35 pm

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Take CVS Pharmacy before we do Betania

Karen Johnson – Charter Realty and Development on behalf of CVS – they have run into a scheduling issue for when they want to stock the store – when they need a

They would like to get a CO tomorrow – but Building Inspector has determined that he can’t do a CO until – I have been able to confirm that CVS will post a bond for this



Karen – the building inspector feels it is a safety issue – the PB has the authority to impose a performance guarantee if all work is not completed – per the revised site plan bylaw – there is also a provision in the original site plan certificate for a performance –

Chan – I feel no guarantee should be imposed – I think it is an overbearing

Matt – Technically, they need a CO to allow people to work in the store

Karen – we are willing to provide a bond

Chan – I move that a bond be accepted in the amount of \$27,000 – seconded by Karyl- all yes . .

Matt recuse –

Check to be here by end of the week

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Betania II Public Hearing –

Andy – continuation of Marian Community Betania II public hearing - Gary is here from the Design Review Committee and I believe

Gary – I am looking for some guidance and some fair play – when we were taking a look at their building design s- we asked them to get a little better detail – the issue became one of concern with garages facing forward – garages become more and more prominent and human aspect recedes – we talked about impact of double garages – at Pine Ridge, there is a requirement for side loading on structures as that is an OSRD – whereas at River Bend, we haven't focused on that too much – they are concerned about cost of - we are concerned that we will end up with buildings that are focused on cars –

Rich Coppa – get you up to speed with what we have done – progressive changes since last June – with changes as recommended by the DRC – we have done a lot to break up – we have been trying to respond – Paul Crisafauli has some info to share –

Paul – showed an example – but this scheme requires more space between the buildings – more like 60 feet vs. 40 feet

Rich – it does require a bit more paved area

Andy – but you are doing impervious surfaces

Eric – just a thought, in those situations where it is difficult to break them up, just the style of garage door can break up the blank face –

Rich – we have given them a sample of garage doors

Gary – how many of these could we do? they have indicated that they don't know yet how many of each

Rich – we can hold a few locations aside for these side locations

Gary – give us a rough idea of how many

Andy – at some point soon, you are going to have a specific site plan as to how these buildings are all going to be laid out – you have to commit to what you are going to build

Rich – footprints

Andy – where you put your swales is impacted where you put the driveways

John Spink – generally not – if they put driveway between the units, that may impact the swales

Paul – that is a different footprint from what you have give us

Karyl – the opportunity to use this alternative is in those locations where a swale wouldn't be needed . . how many places

Rich – there are a few spots I think

Andy – in the interest of moving this along

John – is that a solution to your look problem –

Karyl and Gary – we are happy with this and we speak loudly

Rich – there still may be some with 4 garages on the street –

Gary – we would recommend that this solution be used whenever possible

Rich – we will show you the locations where it will work – I want to put them where it doesn't effect it –

John – where are you in the review – in the middle of this?

Bill Proia – what he said caught my ear. That he doesn't speak for the DRC – what other issues

Eric – I can tell you that this is acceptable to me personally. Keep in mind that the DRC is advisory,

Andy – I value what the DRC does – they do a lot of legwork that we couldn't possibly do and I don't want to devalue what they do by us saying

Gary – I think this was the last design issue that I was aware of – trail issues maybe . . .

Andy – I would expect landscaping will be the last thing

Karyl – I want to make it very clear – there has been an awful lot of time spent on these designs – we have kept saying get an architect and come back – we were perfectly willing to minimize the quality and competitive nature of the architecture per se and make it minimal but the original designs were below standard – this is a huge leap for the applicant

Bill – can we get something to move this issue off the table –

Rich Coppa – we are on for the DRC for 5-15 mtg –

Gary – can we do landscaping then?

Rich – we can give you a typical –

Paul – did you submit a landscape plan for the cul de sac?

Rich – yes, but nothing for the buildings,

Karyl – on the landscape plans might be contingent on the size and nature of swales and water issues – they can't talk about the planting until they know the scope of

Andy – A landscaping plan needs to go to DRC

Bill – I would like to wrap up the buildings

Gary – check off list – we will need to go over that in the DRC meeting – we don't have a formal checklist system -

Lighting – lampposts at end of each driveway – no street lighting

Andy – before we go too far on anything else . . I have a big idea I want to throw out

Bill – can I say something first – congratulations to Andy and Matt –

Andy – I have been thinking about this and how to appease the different problems that seem to plague this process – this lower portion that is not part of the ARCPUD – what if you were to push 7 lots – reconfigure the shape of the ARCPUD - move those 7 lots for the future OSRD You don't have cash to offset the mitigation but you do have land – relocate the ARCPUD houses – we would resolve the issues relative to Kimberly Drive and the fields and with respect to the mitigation issues – you would still maintain your open space and we could take it into consideration for all the waivers –

Rich – that will cost me a lot of money to redo this – delays will be phenomenal – this would delay us 2-3 months and I don't have a lot more development funds available – I had to go back and get more – you are going to run me out of my credit line –

John – in addition, the only place we have to place those is on the rock ridge which we could get perhaps 2 units in -

Rich – if any development in lot 3 is OSRD, is that another means to have control over the buffer

Andy – these Kimberly Road residents, access road and fields and type of architecture – and the waivers you are looking for

John – the concept you propose is not off the wall – but you don't really need to do that until you want to do the OSRD itself –

Andy – I don't mean to throw a wrench into the mix or delay things – but I think it provides a solution that would make everything else move along – and solve your mitigation issues as well

Rich – I can't afford the money or the time – Any development there is 5-6 years away anyways. John could design forever.

Bill- Ultimately, the board will have to make a decision based on what is in front of this

John – provides a written response to VHB's review of the hydro plans.

Andy – I would like to make a comment on VHB's 5/4/06 review

Paul – you need to show everything on the plans – all you show are the box culverts – doesn't show parapet and retaining

John – you don't have the right drawings to look at – there is a disconnect on where the drawings went -

Paul – so you will revise based on my letter

Karyl – I haven't seen any wall details –

Paul summarized some of the problem areas . . . per his 5/4 letter – there is no design for the pedestrian bridge over the brook in the flood plain – also a chip stone sidewalk through the wetlands – so no handicap accessibility there –

Susy – I would think we would want the DRC to look at the pedestrian and vehicular bridge

Andy –

Susy – email the handicap booklet from

Rich – I have a response to your comments on the traffic signal – we will have revised plans for you by close of business on 5/10 from northwest engineering – they will be delivered to VHB and to the PB office too

Paul – it doesn't meet the warrant for a traffic signal – not any of the 8 warrants – we do not recommend this installation in this application – normally only used for temporary situations – it is a safety office.

Rich – we are basing this on the town's safety officer –

Chan – we should go along with the safety officer's recommendation

Susy – it is not his recommendation – he wants a 2 way but if a one way is to be allowed, then it has to have a signal

Paul – we recommend that they provide a two way travel over the bridge – 22 feet instead of a traffic signal – we just have to make clear our position relative to our responsibility. You asked us to review it and we have done so. But that is still our position – relative to the safety officer, he did present more than one alternative and we are recommending the two way alternative – the one way signal does not meet any standards

Chan – I think it is very appropriate for VHB to take that position

Bill – you said there may be a narrower two way option –

John – Jeff Watson said 20 foot with 1 foot berms on each side.

Rich – CONCOM was pushing real hard to narrow the roadway to reduce impact on wetlands

Paul – the board has standards in terms of widths in the subdivision

Rich – didn't we get a signal from the board that the 1 way road would be OK and we spent money to design it

Paul – there is an issue for a variance on the 22 feet

Rich – we can fix all those things that he has

Matt – you can fix the technical aspects of the signal itself, but the meat of this letter is the opening paragraphs that this is dangerous –

Rich – the read of the board was that the safety officer's reco would be OK

Karyl – but now we have the engineering review and they are saying

Bill Proia – just to comment on your statement – basically, what you are saying then, is that there is no reason for

Paul – our point of view is clear from the letter, we don't recommend it, we think there are problems with it –

Bill – then why highlight the things that are deficient that leads us to think that we can solve it

John – I thought we had a calling of the members that we should go to one lane –

Andy – because we didn't have the benefit of the review –

Karyl – now the review is in,

John – we said you could, but not that you should – weighing everything – you chose to go with the single lane – but you need to fix the details

Chan – personal opinion is that CONCOM is driving this. Safety officer has said he can accept a one way bridge if there is a signal – Holliston location . .

Andy – what is the sight distance –

Rich – about 200 feet –

John – fully visible from every direction . . .

Paul – they are proposing to incorporate the intersection into the signal –

Rich – the intersection is 50-60 feet away

Paul – the phases are going to be so long – it would have loop detectors – the travel distance

Chan – I think we are making a mountain out of a molehill – I cant see that there would be more than 3 instances per day when this would be triggered . . .

Andy – there is also the statue up here with public access . . .

Bill- if the ZBA grants the variance on the 22 feet, that is it?

Paul – Has the safety officer seen traffic signal plans? And how will he react to it?

Chan – I personally think that this is a minor problems. We shouldn't make a mountain out of a molehill

Karyl – I think we were really stretching – try to see how it would work – wanted to go along with CONCOM - I had no idea that there is another intersection coming into this - I am much more skeptical than I was before – it seems sketchy –

Let's show the Safety Officer the plan and give them VHB's review letter –

Chan – no one is really

Karyl – CONCOM's comments are a request

Bill – I wanted to go back to one of earlier questions – I would like to send over our response to VHB's letter - if these suggestions were incorporated into the plan, would it make any difference? I would like to have VHB review our response?

Paul – you met with the safety officer based on certain parameters – I would suggest it would be appropriate

Paul – who is going to enforce this? Who is going to maintain the traffic signal?

Andy – do you need a letter from us re: the ZBA variance request?

Bill – not a requirement but I expect that they might want your feedback – you can decide yourself if you want to comment on the variance petition (16 feet – one way ) – probably first meeting in June for ZBA

Andy – Bob Speroni has determined that the two types of housing have been met. Matt read into the record.

Andy – the waivers from our subdivision rules and regs – we need to have this in compliance with how waivers are supposed to be put together – look at the regs 1.4 and 5.5.6 – what is reason for justification for the waivers -

Bill – we are withdrawing our subdivision application but you believe that the ARCPUD requires compliance with the subdivision standards

Andy – yes

Andy - you keep saying that you will be providing these units at cost, and making your case for waivers – pro forma analysis to be provided

Andy – our last issue is mitigation – a lot of the mitigation issues that we discussed early on – I think you guys need some time to evaluate what our suggestion was – you need some time to look at reconfiguring the arcpud boundaries per our suggestion –

Bill – we will look at –

Andy – Even some of the single families in the ARCPUD, could be converted to duplexes or triplexes –

Bill – we request withdrawal of the Betania II subdivision application

Motion by matt – seconded by Chan – all in favor

Continue to June 14 at 8 pm –

Chan – in view of the discussion tonight, that even though we are the PB and they are a private developer, our decision to allow them to do a one way could put the town in some jeopardy – I do agree with the point that Paul is making – we would be making an unsafe condition – liability would go not only with the owners but also with the town . . leave you with that thought . . .

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Matt – appointments to other town committees

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Other Business

Restaurant 45 Construction Observation –

Paul Yorkis – provided a 5/9/06 letter in response to the PB’s site plan decision to include construction observation

Matt – motion that we remove the condition for PB engineering review of construction for Restaurant 45,

Andy – I hear no second to Matt’s motion. The motion fails

Andy – there are some unique aspects to this site that warrant it but maybe not all of it. – it may be the shape and form of the estimate. The nature of where this water is going to go and the connections that will occur – swales to off property – as well as sidewalks that are in the public way and on town property - the quality of those – any catch basins or manholes in the right of way should be inspected by the town’s engineer – the stormceptor itself and anything that is just their private property – that is their problem – that is my perspective.

John – any item that VHB ssays takes 4 hours

Paul – Does the board feel it will inspect private sites? Normally the inspections are associated with a subdivision that may be accepted as a town road. I tried to put together an estimate based on the PB’s site plan decision. I understood that DPS would be doing the inspections in the right of way.



Chan – I don't think inspection of work to be done properly is the same as accepting the work. We need to ensure that work done in the public way is done properly. The tributary work that leads to the public hook has to be properly performed. It is a matter of what the board feels

Paul Yorkis – the director of DPS is going to be doing the inspections – he has requested and the applicant has agreed to have an engineer's certification and a schedule for inspections for DPS can be present at the site – I think with the civil engineer putting his certification on the line with a stamped document and with the DPS doing its inspection for which they have issued permits, to me that is reasonable and appropriate inspection – and on top of that there is a bond for each of their permits – to add another inspection is unreasonable

Karyl – I agree with you, Andy. .

Andy – as I read over what Dave D'Amico has said . . . he is saying that we should butt out

Matt – he is saying that DPS can handle -

Karyl – if it was another engineer other than David Faist, would we be as comfortable?

Paul – what does board want to do?

John – can we go down this list of inspections and see who may be handling

Gino – philosophical comment - key is to get the board comfortable with what is being inspected and how – premise that it is on private property taken to the fullest extreme would mean why do site plan approval at all??

Susy – this is an important policy procedure

Matt – I would think that the items would be in the public way would be even less under our purview because DPS can handle them.

Chan – let Dave D'Amico do what is in the public way – other things need to be looked at to certify that work was done according to the plans – and properly constructed –

Paul Yorkis – to me, when an engineer certifies something, it carries great weight – perhaps my experience is incorrect – in addition, when an applicant submits a set of as-built plans and stamps them and presents them to the PB, the town's consulting engineer reviews them but no one goes into the ground to see if the stuff is there – there is an understanding that the engineer represents things correctly – their certification is on the line. 3 other departments have responsibilities for inspections – and they are capable for doing their jobs. There are overlapping and complimentary inspections going on – as a community, we don't want to overburden the applicant with unnecessary inspections – reasonableness standard – there are reasonable standards in place – you will get as-built plans –

Andy – how did this get started with us looking at CO for site plan projects?

Susy – continuation of our subdivision mind set – also Medway Commons

Chan – I think for this site, relying on Dave is sufficient

Andy – Paul, what do you do in other towns?

Paul – sometimes water/sewer inspections; I think we have done some inspections of sites – it sounds like we haven't done any

Andy – does the bylaw prescribe this?

Paul – Gino,

Gino – in Norfolk, and other towns, the consulting engineer does inspections for site plans projects

Matt - motion that the PB remove the condition for site construction inspection by the PB engineer for Restaurant 45 – seconded by Karyl . . . unanimous

Karyl – with this applicant, we have a large comfort level –

Chan – Medway commons very different due to so many lessees

Paul Yorkis – Bob Speroni gets a copy of the site plan; he takes the site plan and walks the site – he checks the size of the parking stripes –

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#### Other Business

Chan – an abutter to a previous subdivision complained that work was done improperly – he gave me a piece of paper with his number – I would suggest that Susy contact him to properly document his problem – then we would have Paul go out and examine

Franklin Creek – endorse plans; sign subdivision covenant

Invoices –

Motion by matt Hayes to pay PGC - \$3300 for Smart Growth Grant – seconded by Chan – all yes –

Motion by matt Hayes to pay PGC \$ 1369.05 plan review services – seconded by Chan – all yes

Motion to pay FSU for \$54 for printing – matt, john – Andy opposed – everyone else yes . . .

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Motion to make matt clerk, Andy, Karyl – all yes,

Motion to make Chan vice chairman – matt, john – all yes - . . .

Chan will go to ARC meeting in Franklin

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Motion to adjourn – Chan, matt – all yes

12:10 p.m.

Special PB meeting – May 16, 2006

Andy, chan, john, and karyl

Paul, gino and Susy . . . also Gary Jacob

Low Impact Development – Paul Carter

Handouts for reference purposes – full set of the LID toolkit handouts . . . also distributed a checklist for regulatory review that I thought might be good . . .

Paul's May 12 letter identifying where LID techniques could be incorporated . . .

Paul – runs through the LID techniques

Bioretention Area – shallow vegetated areas with permeable soils

Cisterns and Rain Barrels

Grass Filter Strips

Green Roofs

Infiltration Trenches and Dry Wells

Permeable Paving

Roadway and Parking Lot Design

Low Impact Site Design

Vegetated Swales

Board discusses relative merits of various techniques

Karyl – if we have a similar situation to some of the projects we have in front of us – that proposes a swale system that is going to direct and infiltrate water – how are they used?

John – it seems to me like they are coming to us and asking us to design . . the design should be presented with a combination of the tools and VHB reviews for whether it is sufficient

Andy – I will share with you a comment – I think they are dividing and conquering their way to what they want – taking our temperature constantly – lengthening out this process longer than it should be – in some cases they are bad mouthing

John – if a plan comes to us, it should have their full plan

Paul – plenty of stormwater management measures – more conventional – even if they use these, they still have to meet the DEP stormwater standards . . . they have to submit the design and the calcs that it meets those standards

John – at what point do they submit those?

Paul – we see them on Restaurant 45, Applegate Farm ,

Andy – that is the way it should go . . River Bend and Marian – the engineering that came in is evolving as we speak – some of it is the Charles River Watershed and some of it is because of the consultants they chose . . . how do we as a board deal with this kind of stuff?

Paul – they need to submit the design info and plans

John – am I overstepping my bounds if I was to ask them where is there water plan

Paul – they need to make a reasonable judgement as to what the PB is interested in and then design to that – they have to make a decision what they are going to engineer –

Susy – I think we have a flaw in the ARCPUD process – perhaps we need to look to the 2 step process from the OSRD

Karyl – I don't see how we can issue any permit based on any number if we don't know how the water works

Chan – I don't think you can force anybody to use the LID techniques – we just have to be prepared to change our rules and regs to allow – some of the things we have done in the past have limited these options –

Susy – they still have to meet performance standards – this is about more options

Andy – goal is to get more onsite infiltration – if we incorporate these items into our rules and regs we will score better on grants . . .

Chan – isn't the major area of concern using

Gary Jacob – water quality issues and reduced flooding – you also slow the movement of water from the site to the rivers – less downstream flooding - makes water more available in the summer as water is replenished into the aquifer

Chan – let's go thru each type and see what information is here . .

### **Cisterns/rain barrels**

Gary – some towns are requiring reuse of water for toilet flushing

Chan – gilette stadium

Gino- Wrentham outlets

## **Grass filter strips**

Chan – primarily used for commercial developments

Paul – you still have to treat the runoff – it doesn't take care of the whole issue – more of a pretreatment – most of these don't provide water quantity mitigation –

Gary Jacob – grass filter strips can be used on top of a bioretention area

Paul – could also be combined with an infiltration trench and dry well

## **Green roofs**

Chan – certainly for commercial or industrial uses . . . tends to be more expensive – flat roofs

Gary – you could use it at River Bend for the 3 story building – reduces air conditioning costs – can build a larger building

## **Infiltration Trenches/Dry Wells**

Paul – you guys have been seeing this – Restaurant 45 is using for infiltration and underground storage

John – these can be under the blacktop

Gary – you should ask for numerous tests – like a septic test . . .

John – issues of long term maintenance

Chan – I have always been a fan of bringing in the DPS director into any discussion - whether you go along with his opinion, that is another matter – I have always been public works oriented – serious consequences to the town's budget

Andy – some of these methods may create expenses for DPS that they may not be prepared to do

Gary – you have to be able to maintain it . . .

ASK DAVE for some input on these techniques . . . when to allow – where to allow – on sites vs. in subdivisions . . .

Gary – go to some places that are doing this and see how it is working

## **Permeable Paving**

Paul – good for pedestrian and low speed and overflow parking areas . . don't want it in high traffic areas as there are load bearing issues – has potential for clogging – recommend that it be vacuumed –

Gary – standard ways of doing it

Andy – if we were to selectively adopt some of these, would that hurt our status with the state

Chan – I don't see using permeable paving for streets – it would only come in with commercial sites . . .

Gary – you can work with concomm on these things re: activities within 100 feet of the wetlands

### **Roadway and Parking Lot Design –**

Road widths, sizes of parking stalls,

Our road classification is pretty good

John – we want to make sure that they know they can do this

Paul – if it is appropriate you want to allow it but they still have to show that it works –

John – do we want to just allow these techniques or encourage them

### **Low Impact Site Design**

### **Vegetated Swales**

Roadside, site swales – surface conveyance systems do take up space – they can have dams in them

Kalryl – good idea in the right situations – when are they not good

Paul – swales are a rural drainage concept – where you have built up areas where land is at a premium and you don't have land, you go to curbs, pipes, etc. –

Paul – swales may need more right of way - easier to incorporate into a commercial development site

Gary – you lose trees when you have to clear it a wider area for the roads

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Andy – they need to propose early on what kind of drainage design they intend to have . . .

Andy – coming up with a formula of upland to the site – X % of land area around the houses

Karyl – are we OK philosophically to go toward these techniques – seems to encourage water near the houses – are they going to end up being small detention ponds in a weather situation like we are having now

Gary – if you have lots of swales, then each one doesn't have that much

Andy – do we know where these are working?

Gary – there are a lot of them in Summer Hill

Review VHB's letter -

Paul - Right now they can ask for a waiver from the regs to do LID – or you can start to list them and make them by right . . .

Karyl – we want to encourage some of these techniques

Susy – concern seems to be with vegetated swales being so close to houses – address this problem by requiring larger distances between buildings in ARCPUDS/OSRDS when swales are proposed . . .

Paul – there is nothing in the ARCPUD that precludes these techniques from being used –

Gary – require them to do perc tests for each swale and if they have to use the manufactured soils

Chan – I don't think we have to make any changes right now – we are making mountains out of molehills

Andy – the intent of these techniques

Giono – remember you require catch basins and piping and such – somebody - these techniques would be available but they have to show they have to work

Chan – if they don't put a workable system on the table, you don't have to approve it

Gino – paul is saying

Chan – I don't think we should even lead them that far . .



Paul – these would be available but subject that they still work

Andy – purpose of this work is part of the smart growth grant –

Chan – I didn't realize that this is part of the grant . . .

John – I feel a sense of urgency to encourage or suggest to developers that we are willing and encouraging to hear some of these LID techniques brought into their plans – we need to suggest to the builders that they consider – just list it in the regs as options

Andy – I would ask that when Paul does his next step, show the text changes

Chan – if we are reacting to a grant, I am sorry I missed that, I take another tack – then what Paul suggests

Chan – developers will be 10 years ahead of you in terms of doing something cheaper – they will want to do anything to save a buck . . .

Karyl – I think they are already way ahead of us . . .

Gary – there are certain people in town that want to do no waiver plans cause of ease in getting thru the review process

Andy – does Paul need some direction from us on what should be by right vs. discretion

Paul – yes . . . these changes would be to allow things by right . . .

Gino – the fact that the techniques would be listed doesn't mean they will get to use them

Pros and cons of vegetated swales

Paul – they haven't proposed parallel roadside ditches – that would require culverts under the driveways –

Gary – there is one version that is a happy medium – only convey sidewalk water and snow melt in these swales and don't try to put roadwater into the ditches –

Paul – would need bigger ROW to do this; they take up a lot of space -

Andy – cost of land is so expensive

Paul – that is why you don't see it around here . .

Chan – I would propose that we not allow roadside swales . . otherwise we will get backed into a situation that we will not be happy with

Andy – purpose of the grant is to consider the techniques and see where they fit . . .

Paul – sounds like board is not comfortable with allowing roadside vegetated swales –

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Site Plan Rules and Regs

Review . . . VHB letter of 5/12/06

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Gino – Commercial Redevelopment Plan Project

Handout dated 5/16/06 –

Briefing for property owners ???? – daytime schedule . . .

One general briefing -

One on one with Finklestein, Diversified, Cassidy, Medway Coop, Gould,

Thanks for staying late . . .

Awesome

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Motion to close 11:25 pm -

May 23, 2006

Andy rodenhiser; chan rogers;

Meeting called to order at 7:07 pm

Citizen comments – none

June meeting dates - Thursday June 8 and Thursday June 22 - space to be determined

Prospective member – Bob Tucker –

Andy – because of the hearing process we need matt to stay on board (marian community) – start to attend meetings to become familiar with our projects

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Bill Halsing – 13 Franklin Street – possible subdivision

Bill - We have discussed this previously with you – we brought in an ANR plan a few months ago, you asked us to withdraw as it was a subdivision – existing house #23 – our goal was to move the lot line to make a lot buildable – then we went to concom – we started to design a subdivision to meet your current regs – we show a detention pond that would be needed to meet stormwater runoff standards – concom didn't like that because it is in the 25 foot no disturb zone that concom enforces – to meet after construction runoff requirements, that is where it has to be – concom said they would be happy with a stone swale on the southerly side of the street; no crown in the road; then install a forebay that would clean it about 78% but we wouldn't meet the stormwater runoff or solids removal standards – but it does save a bunch of trees and wouldn't involve the no disturb zone – town water and sewer to go into the project – we did get a preliminary list of waivers that we would need – within your jurisdiction to approve this as this is a redevelopment vs. completely new construction – a little guidance would be helpful

Andy – how critical is all that – practical and general compliance with best management practices

Bill – not gaining any lots – just making one a buildable lot – we can meet all the concom requirements, but we have trouble with the subdivision regs

Paul – so a total of 3 lots using the cul de sac - - proposing a sheet flow across the driveway

Bill – so we can avoid doing catch basins –

Paul – one thing is whether what you are proposing to take care of the runoff makes sense from the runoff – concerned about sheet flow across the road to the swale – in general you don't want to take flow across a roadway – pick it up on the north side instead

Bill – that is how it is working now with the existing road – 18 foot roadway

Paul – one issue is whether drainage is safe – the other issue is whether you are increasing flows – how much

Bill – not too much – an increase of .7 cubic feet per second for the 100 year storm – due to wider roadway and driveway (house will be dealt with thru a roof drain to be infiltrated)

Andy – how does this impact regs in terms of town's compliance

Paul – board can waive this to allow the non compliance – why are you calling this a redevelopment project (do not have to meet full standards but have to do to maximum extent possible)

Bill – existing pavement - also because it is less than 4 lots, you don't have to meet the standards – this is not a problem for the state

Karyl – this is a marginal lot that they are trying to make buildable . . . bottom line

Andy – how does this fit into our town bylaw

Karyl – I have trouble with the swale to begin with

John – I am concerned about the slope of the swale and water rushing out onto Franklin Street

Bill- it wont go across franklin street

Karyl – I don't have any comfort level – I would like some response from David D'Amico –

Gino – concerned about elevations on the swale

Bill – we would have much more detail on the final – the forebay would detain and infiltrate some

Paul – my suggestion is to provide something on the east side and come under the street – I am more concerned about sheet flow vs offset –

Bill – our goal was not to disturb the embankment as much as we could – I want some guidance

Any – what is the board's pleasure

Karyl – I would like to see something else happen there -

Chan – I don't have a problem with it right now –

John – I am not completely comfortable with this –

Bill – I need some feedback

Susy – we cant go any further without a preliminary plan so we can get some \$ to cover

Karyl – would you consider waiving the road width down a bit – I see the swale as being lots of trouble where the road meets Franklin Street –

Bill – concom insists that we stay out of the 25 foot buffer zone – they suggested using a swale

Karyl – the other option is to go home without anything – is there a third option

Bill – if you are thinking about pavement width –if we don't increase it, we could manage this better and do

Andy – based on merits, would board be inclined to approve this if the drainage were to be working

Chan – yes

Paul – what is grade? If you have water coming off the side of the hill and it freezes

Bill – more than 8% - very steep – that is what it does today – we are not proposing any change

Paul – if you cant provide a facility for a change in runoff re: quality, you still need to deal with the safety of the runoff – design should address that first and foremost – keep it off the road – berm with catch basins –

Chan – put in a dry well there

Paul – may not have enough elevaqtion for that

Bill – doesn't appear to work

Karyl – come up with something else

Paul – put berm and catch basins higher up where you have the cover you could get most of the water rather than trying to sheet it across the street – to get the water off the road and keep it off the road – if you are going to consider it a redevelopment and not require the quantity and quality mitigation – then deal with safety – keep runoff in the gutter so it is not in the road –

Bill – road is presently 12-14 feet -

Bill – the board may be in favor of reducing the width which would mitigate the runoff – maybe do some basins – and the board may be OK with an increase in runoff

Susy – fire chief wants 14

Andy – 14 is the minimum for the fire department –

Paul – if you are going to put it in catch basins then

Karyl – lets start with 16 feet

Bill – it is an existing street

Paul – look at the standard for redevelopment – put in deep sumps, there are things you can do for maximum extent possible and to make runoff safe - . .

Bill – consensus is 16 feet to work toward . . .

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Public Briefing – Daniels Wood II Prel Sub Plan

Fred Sibley and Paul DeSimone

Paul – I want to bring everybody up to speed from day 1 – Fred has 7 acres of land with 2 homes – he came to you and said he wanted to do 2 more for a total of 4 – we have done one (Todd Allen) so that makes 3 – one left.

If he was to do a conventional road using your rules and regs – there could be 6 lots some duplexes – we showed you that before (2003)

If with an ARCPUD - 21 units

What he came to is the 2 he already has, plus Todd, and now he is looking for the 4<sup>th</sup> – we went to conservation – we have an order of conditions to move driveway east – and we will also go to the ZBA to move the new house closer to the front of the lot so it can be moved further west away from the

Paul – we would put the new ANR lot into the definitive plan and not do it separately

Andy – that is good

Andy – there are some significant issues that may warrant some further discussion

John – I did go by the site and looked at it a bit – I have nothing to add to this

Paul –

Andy – Todd's frontage is a paper street – you are proposing extending the paper street for the frontage –

Previously there was discussion about having an approval not required lot as a separate thing but now you are willing to put that into the def sub plan

Fred – the configuration

Karyl – our issue – should we have them engineer the next leg of the paper road

Andy – I have heard some things about water issues that may need some attention –

Fred – what are the water issues? Concom has passed the lot on Oak Street but what water issue – facts should come out

Andy – there were some concerns raised – we have to treat all fairly – is there some type of sluice or dam that is there

Fred – spring fed, most times of year it just stays put – there is a small brook that goes thru

Andy – I noticed there is a cut in the pavement on oak Street – it needs maintenance – that whole thing flows and goes thru the yards and ties into the catch basin further down – I went over there when it was raining recently – to a certain extent some of the problems in the yards, there are some culverts that seem to be blocked up – things are packing in around there . .

Fred – I don't recall it every blocking up on my property – never gone over my driveway – the culvert under the driveway handles it

Andy – what additional waters are going to flow into those wetlands and impact the neighbors

Karyl – concern – I want to see the road engineered

Fred – the runoff part of Daniels has not created any problems – it appears to be some blockage on Todd's lot – the backside on my property is flat – there is no indication of any water from that standpoint

Andy – I saw that the slope between Todd's lot and Elton's property is somewhat steep – the runoff from the Elton property was going across Todd's and he has built an upper wall to keep it out and makes it wash across the paper street -

Paulo – I don't know who Todd used to engineer his lot to do his perk tests or septic desing – in the original subdivision of this way, we did give you a planprofile of what should have gone on in here – Todd had his own engineers do stuff

Gino – if I recall from last time, the private road construction extends off the right of way and onto Mr. Elton's property on the corner – I raise that as an issue that should be addressed

Paul – who should own that parcel?

Gino – questions on property ownership

Paul – paper street vs. construction . . . board decision

Andy – what is the board's feeling on the paper street

Karyl – I am OK with the paper street, but I think it needs to be engineered on paper

Andy – what potentially would trigger the construction of the road

Gino – the opposite would be to condition the road so it wouldn't ever be further built, unless there were another lot created

Karyl – so waive

Paul – so we would be OK to be in deeds or covenants that the road never be built

Andy – is there ever a point where an easement expires for

Gino – what if a new owner takes over and doesn't want to keep the access on Oak Street

Paul – if the road is ever be used for access, it would have to be built up to whatever standards in effect

Fred – I think I would rather require it in the deed – that if access is ever to be provided from Daniels Street in the future – whoever owns that land would have to engineer it d

Fred – the ANr lot would not be using the existing driveway - it would have its own separate driveway –

Andy – I would feel more comfortable with having the bulb allowed for frontage but never to be constructed and then have the deed for the ANR lot would grant permanent easement

Fred – I don't want to be further restricted – from a marketing standpoint – I don't want to be limited –

Karyl – engineer the whole dam thing

Paul – I agree it should be

Mrs. Klein, I heard him say there is nothing that outlets the water – that is a lie – if my husband didn't clean his brook sometimes . . . it has been coming for years

Fred – what I said was – most of the year, that pond does not overflow – in the spring it does – no flow control – the rim of the pond



Paul – there is no structure

Fred – when she says it has been like that for years, I am not increasing the pond by anything I am doing and concom has accepted it – as far as the water that has been generated from the property

Andy – if you think there is some type of structure

Mrs Klein – the pond was dug by Fred's father – there is an opening that they open up when the water is high and they open it up into the wetlands

Andy – that stream is regulated by conservation – if you have complaints about that

Fred – if they would just call me when it was plugged I would go clean it

Bob Klein – abutter on Oak Street – I grew up on this property and gave 30 acres to the north to concom – when Fred's dad moved in in 1948 – and put in the pond in the early 60's – there was some sort of outlet – as time went on, Oak Street was developed – don't know who put drain pipe into the wetlands from Oak Street – noticed we are starting to get more water – when they put in Daniels and Brandywine it got worse – my yard, you can't even mow today – it is now full of muck – what happens is – there is one picture there – you can see water going over the snow and froze – I have a neighbor who bought my mother's old house – lawn is wet – I used to put in my garden in the middle of May – last year it was mid June – I saw Fred's father physically release the water

Fred – what am I doing that I shouldn't be doing

Andy – would you be OK to have CONCOM

Paul D – conservation has looked at the wetlands

Fred – one of the ways to alleviate the problem is for the town to put in a new . . . . .

Andy- are you doing something that creates the problem

Fred – I have no problem with concom looking –

Bob – the picture doesn't lie

Andy – it is our job to make sure that anything that is being created doesn't create more problems

Robert Kenney, Daniels road – has a lot been added here or just moved; my understanding on the approval of the original is that Daniels road was tapped –

Fred – in the approval of Daniels Wood – no more than one additional lot would be created – to me it makes sense to have it engineered – as you see it there, there is the cap –

Robert Kenney – a second lot cannot be put off the cul de sac?

Paul – that is correct . . .

Fred – it is still 4, I have just reconfigured them

Ted robit, daniels road – from the PB approval from 12/03 – does the existence of a paper bulb violate the prior certificate of approval re: its driveway appearance vs. a road appearance

Ted robit – is there anything within the Pb bylaws that would address the question of having a double cul de sac – doesn't that violate the rural character setting requirement

Andy – there are situations around town where that has occurred

Paul – there have been some cases around town

Ted robit – the last point I would make, if you are talking about a paper road that you are going to restrict from ever be built, aren't you waiving the frontage requirement for that lot

Andy – no, we are providing the frontage as a paper street –

Gino - under the law, there is frontage but on a practical level there wouldn't be but there is access

Karyl – but it could be doable – could be constructed

Ted – if your requirements agree that it could be constructed, aren't you violating the point I started with that it shall appear as a single family home driveway –

Karyl – sometimes it behooves the town, the neighborhood – to agree to waive construction of a way

Chan – it is not going to be a public street, it will always remain a street on paper

Ted – but I am hearing that Fred wants to allow it to be built

Fred – when I came back with the plans of the early alternatives; I could have connected Daniels street through my property to Oak Street – every single person who bought on Daniels street should have known that – the leg – I am just juggling the property lines around – still coming out with the same number of units – I don't feel personally that I should be restricted

Andy – in #3 in the same decision, there is an avenue for him to reopen

Ted robit – keeping with the spirit of the original condition, this possible change might result in a change in character to the daniels wood cul de sac

Paul desimone – when we first discussed this – it was never our intent to build out the road – rural driveway feel –

Karyl – the reason for entertaining this proposal was because of the possibility to come in and do the number of units that a developer might try to attempt – to squeeze units onto the site – a lot of units – it has been effort to try to keep a more rural, less developed # of units – and whatever we felt we needed to do or waive to come up with a fewer number

Chinese lady – I don't hear from this meeting that there is any prevention that that could happen down the road – if he sells to somebody else,

Andy – the restrictions we place on this applicant will tie to covenants and deeds that will be recorded with the land so if he sells or goes to his heirs –

Andy – I think that given with our

Karyl – I would like to see something in the deeds to restrict – limited number of total units for the property to be included – consider waiving of engineering and construction of the cul de sac

Chan – they would have to come in with another proposal

Karyl – there may be a bit of a grey and fuzzy area legally – about the possibility of leaving it open ended and constructed in the future – we need a clarification on what could possibly happen with a lot

Chan – what do gino and paul think? I don't see how anything could happen as how Karyl described

Gion – that is right;

Chan – there is no reason to build in more limitations

Gino – in terms of # of lots, but in terms of future road and access – that is the main issue – are you going to leave it open to consider extending it or are you going to shut the door on that

Andy – is it possible to place that restriction even if fred doesn't want that within the decision

Gion – I think so, it would be sort of mitigation for waivers for not building the road to begin with

Karyl – I think so too, but I am concerned about future resale –

Gino – if the rationale for the waiver is rural character and uniqueness of the street, and it is already a too long cul de sac – mitigation is that it would stay the same, and not be built in the future –

Karyl – I would like to see it run by town counsel -

Fred – If I am selling the property, I want it to have the appeal – I am almost thinking of going back to the original

Fred – my mother's house is a very modest house, and someday, it will probably come down – when – I need to rethink this now – maybe go back to the original proposal -

Andy – this is a substantial change in what we have been talking about – if that is what you want to do . . it doesn't make sense to me to lock myself

Susy – maybe we don't respond to this anymore - you may need to come back another time

Andy – we have no more time tonight . . .

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Eric Alexander joins the meeting at 8:55 pm.

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5/23/06

River Bend Village

Mark Deschenes – John has done a substantial amount of engineering over the last few weeks – and

John – wetland stuff and reworked package to VHB for this Friday – 5/26

Traffic report is being redone - we did 40 infiltration tests –double ring type and we got from less than 2 minutes/inch to 8-10 minutes/inch

Paulo – did you take the high ground water as well?

John – yes – it runs 30 inches down in most locations

Karyl – are any of those perc tests in some of these areas of swales that are close to the building

John- in and around every building – we did 40 locations

Mark – in addition to original boring tests (18 by GZA)

Paul – you will show the locations on the plans and show the high groundwater and permeability numbers on the plans

John – yes, absolutely

Paul – is that effecting the design

John – it is making it smaller

Andy – the swales?

John – they are the size they are . . . ????

Andy – status of open space ownership

Mark – that will be incoproated into the conservation restriction and the condo bylaws

John – we will talk to the trail committee

Andy – have you talked to conservation about the restrictions –

Susy – we will forward to town counsel –

Andy – easements, etc. are in the conservation restriction –

Mark – we have shown 3 areas – u shaped area around back side of the site; second piece is a vernal pools, and the third area is the walnut grove – what is not in the restriction is the streets and dwellings –

Andy – ownership of and maintiennace of roads, stormwater drianigne association and community house etc will be condo association –

Mark – that will be in the condo bylaws

Susy – we want to see that

Eric – all the affordable units are going to be in the the large building – 10 units –

Mark – Susy and I have been working on – sample deed rider – the application for the LIP units – we are using Bob Engler as our consultant to administer the AH piece of it – I suggested to Susy that we meet with him within the next week or two – there may be a few items that may be post – actual designation of the units

Eric – who would conduct lottery

Mark – bob Engler

Eric – or one of the original

Andy – is there a cost to the town to do the lottery

Mark – we contract with the consultant to do it – we pay him for pulling this all together –

Andy – who pays for the future management of the affordability

Karyl – it is always the same unit that remains affordable

Mark – yes – specifically designated

Eric – goes with a deed rider to the specific unit –

Gino – local preference on the affordables??

Mark – I can't remember how we addressed that –

Eric – I think you can do it so that 60% are local preference

Andy – maintenance plan for trails and open space – tie into condo docs

Mark – yes . . . or in conservation restriction . . .

Andy – you had previously said you would take care of this

Susy – needs to send the restriction stuff over to the town counsel

Mark – what about when a spouse dies and the remaining spouse is under 55 – default to state guidelines re: 80% of the units has to comply –

Andy – village street sidewalk reconstruction –

Mark – Susy and I met with Dave today – we have agreed we would replicate 692 feet of sidewalk on north side of village street – there are about 40 feet right across from the development that we would like to have done – and the rest to leave up to Dave D'Amico

Andy – street names

Mark – we will submit by the end of the week . . .

Mark – tree calcs – May 15 letter – netted to 62 trees for replication – from that I backed out the value of relocating mature existing trees (4 7 inch caliper trees) at a value of 11 trees from the 62 – also backed out the value of the grantie post fence along village street which I have a price quote on – net out a check to go to the town for the tree fund –

Phi Smith – I am happy with what they are proposing here – the only thing I am concerned about in the future – what should happen – the money that comes for trees goes to tree planting or replacement along the scenic road – here some of the money is going to the fence – I kind of feel

that that is OK for this project – beneficial for whole program, but in the future, I would like to see the tree money stay with trees

Andy – do we have a revolving account for this?

Andy – I like how we are doing it for Unique Homes – to have them actually contract with a tree company to do work – do you feel there are any restrictions – some type of bidding process that would tie you up where the private developer can do things without similar restrictions

Phil – my inexperience with that would kind of

Mark – kind of how we ended up with that dollar value, what else can we do on the site

Phil – my intent on this money is to use it on the street it comes from and then if there is extra money, and use it on other scenic roads

Andy – if this \$5440 – where you might contract with somebody to do some work

Mark – we could hold this value there, as long as the scope of work is clear – complete by first CO - requires us to put it aside and spend it prior to some threshold –

Andy – is that too onerous a responsibility?

Mark – no,

Eric – I think it makes sense if it is not too burdensome to the developer

Motion to accept the mitigation plan – Chan, Karyl – all yes - . . .

Susy to write it up into a scenic road work permit

Mark - placeholder location for sign -

Andy – aside from engineering, does the board have any other concerns

Karyl – re: architecture, we talked about some side load possibilities – did you come up with any

Mark – I believe 3 units with side loads – we worked them in where we could –

Karyl – another concern was the style of the garage doors – variation in styles of doors from buildings to buildings – we were concerned that all the doors would be the same - we would want to see variations of the same caliber of interest that

Eric – clopet makes steel doors

Paul – I would suggest that when they submit the revised plans ,they submit it to the PB at the same time it goes to VHB

Andy –

8:30 pm on June 22, 2006 to continue

susy – goal to close the PH that night

Eric leaves

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pine ridge – request continuation

9:15 pm for June 8 – OK

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short break – 9:40 pm for 5 minutes

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Discussion on Site Plan Decisions

Andy – there may be some ideas that will come forth on some items

Karyl – chan - OK

Marc Road – reviewed and made changes

Motion on findings

Motion on waivers

Jayar Roads

All approved

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Other . . . Ellen – I have another piece on the corner of industrial road and route 109 – retail – I have an interested party – retail auto parts –could that part of route 109 be rezoned to allow retail – or I might go for a use variance -

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Other Business . . .



1. Letter from Reimer and Braunstein – May 10<sup>th</sup>  
Customary practice – to only discuss items for a project during the public hearing

Susy – I would advise that you not do so

Chan – get a ruling on whether we can discuss something outside a public hearing, vs. deciding anything – I think this severely inhibits the board

Andy – I remember when we met with Counsel – announce that there will be a separate session – we need to give notice in a public hearing so applicant can have notice

Andy – asked gino to pursue this – research . . .

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Committee Liason assignments

Chan – SWAP, Capital Improvements

Andy – Business Council, IDC

Karyl – DRC

Affordable Housing Study Committee - John Schroder

Street naming – susy

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Karyl – my daughter is interested in serving on the DRC – 4 years of art school – own retail business; helped us on Wingate Farm – 27 years old –

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Moiton by andy to appoint Dan Hooper to serve on the DRC and reappoint Gwen Hendry and Deirdre Sullivan for a two year term – seconded by Chan –

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## INVOICES

Motion by karyl – to authorize money for VHB for plan review – river bend, pine ridge, betania II, restaurant 45, applegate farm – rolling hills, = \$14,579.52 seconded by chan

Moiton by kary – to approve VHB construction observation – \$ 642 – seconded by chan -

Motionbykaryl – to approve VHB smart growth grant LID \$345 – seconded by john – all

yes

Motion by Karyl- Forest Edge/Field Road – construction – Medway DPS, Medway Police and Bevilacqua Paving – TOTAL = \$19,808.63

Motion by Chan – thanks to Gino for securing the grant and shepherding the route 109 redevelopment project – seconded by John – all YES

Motion by Chan to start some activity with respect to moving ahead with this – greatest opportunities that the town of Medway may face in the next 50 years – to move ahead with this . . . move this high on our agenda – we should put an emphasis on this – I feel we have to look at these priorities and recognize them – that is my position

John – I agree with you 100% - the board has to work out a strategy and priorities

Gino – speaking of that, going to MBC on June 1 – also IDC meeting on June 6 – we should probably set up to attend the BOS soon – and one one meetings with property owners - - the next step is to draft a sample overlay district bylaw and that is what has to be done by June 30 –

Andy – from a logistical standpoint, what your charge is to deal with the public communication component and the private landowners -, public officials component - I will be glad to make myself available –

John – I will be available to participate

Chan – get to BOS soon . . .

Susy –

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Budget Discussion for FY 07

Do we wish to target any of our FY 07 funds to the library

Consensus was NO –

Andy – I would imagine that the municipal side of this budget has been cut so much and yet the school budget has a growth factor -

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Susy - Reminder that we have a public hearing on May 30<sup>th</sup> – for proposed changes to the zoning bylaw including 4 articles re: rezoning property from AR1 to Industrial I - also proposed changes to various rules and regs on sidewalk construction . . .

Andy – you had authorized me to talk to the BOS about this rezoning proposal – we did so, also IDC –

Karyl – I would want to see a bigger buffer in the industrial zone –

Andy – Susy and I have been working on a presentation points

Chan – I just want to help – look at the letters and see what the concerns are . . .

Andy – somebody needs to initiate something for the common good for the town

Chan – the demand for it

Special meeting on June 1, 2006 to deliberate zoning articles – karyl, chan – all yes

Motion to adjourn –chan, john – all yes

Close at 12:40 am -

May 30, 2006 PB meeting

PRESENT: Andy Rodenhiser; Chan Rogers; John Schroeder; Karyl Spiller-Walsh; Matthew Hayes

ALSO PRESENT: Susan Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:18 p.m.

First orders of business – Gino had forwarded an email to Susy about getting help with the Affordable Housing bylaw – Smart Growth technical assistance grant had a component for having a lawyer review our draft affordable housing bylaw. Edith Netter as a candidate, suggested by CHAPA as a person to handle that task.

Mark – she works with a lot of developers – make sure she is not working for any developer that might be affected by this . . .

Joe Musmanno – the zoning board recently had experience with her representing a developer – there was a protracted dealing which wound up with an arrangement – we engaged an attorney on that same case to act on our behalf – jonathan witten . . .

Andy – somebody to represent the town's perspective

Mark Cerel – you could include in a contract that she cannot work for any developers in town for x amount of time . . . .

Andy – table discussion for attorney – susy and gino to work on other suggestions for Thursday night's meeting

Public Hearing – Proposed Amendments to Zoning Bylaw and Map

Andy – we will begin the public hearing for the proposed amendments to the zoning bylaw –

First, just a course of action that I want to lay this out so we can be orderly and civil through the course of this . . purpose is to conduct a public hearing – there are 10 zoning articles on the warrant – 4 related to zoning changes and 6 related to text revisions – tonight's hearing is to gather public input about the various proposals – one of the things I want to clarify – the process we went through with this, I would like to say that we should probably try to have the public hearings before we submit articles to the BOS – we think we can do a better job of getting out information – that is something we will try to endeavor and try to do a better job to get info out to you guys

Public hearing is one of several steps in the process for zoning changes – it doesn't mean that there is anything proposed in terms of a specific development – after the PH is closed, the board will deliberate – no testimony at that time – any changes need 2/3 vote to approve – that will happen at the town meeting on june 12 – at MHS auditorium

The reason these things come up is that we use the medwaymaster plan – we take our direction from the master plan – I suggest that everybody read through and look at it – great document – community voted on and passed at town meeting – tht document approved and passed at town meeting – how we do our job –

Once town meeting acts on something – I f it is passed, it goes on to the AG office for certification

There is a copy of the public hearing notice that summarizes the amendments –

Matt, john – motion to waive reading of the public hearing notice

Thanks for attending – especially those who took time to write letters, we have received copies of them – there is 40-50 – in the interest of time, we will iincorporate those letters into the minute4s of the meeting but in the interest of time, we will waive the reading of the letters – chan, karyl – all yes

I believe that most of you are here related to the coffee street rezonings – brief power point presentation – we read every letter and have tried to answer the questions – hopefully we have addressed

Try to limit discussion to 2 minutes per person – with new info, we will continue discussion – at the end of that presentation , we will have you raise your hands and give testimntony – so susy can get everything iinto the minutes – please give your name and address –

Chan Rogers – we apologize for the room arrangement – we took your letters – we chose to notify everybody within 500 feet of the property – we felt we gave you good info and we are augmenting it tonight

Andy – we will get this on the town web site as soon as possible

Attach the power point presentation to the minutes – Chan makes the presentation – Articles 36 – 39 re: proposed rezonings

Problems Medway is facing is no different from other communities

Traffic concerns – access – will not have any access from coffee street or green valley

Pb will not allow industrial traffic to access this site from either green valley or coffee street – make that happen through PB site plan

Suggestion – to make Coffee Street one way . . . .

Chan – might be something to take to the BOS – that would be the responsibility of the

Andy – I think we could work with the BOS to look at this . . . good idea for us to consider – have a public hearing to discuss this option . . .

Citizen – if the town votes to rezone the property to industrial, how can it remain residential?

Paul DeSimone, 38 Coffee Street – there is a document recorded in land court that prevents any usage of that road – I have a copy for you . . .

Chan – we will review this document that you offer . . .

Andy – presently the town is the largest collective property owner in the west side industrial area – town counsel has told us it would be 1 year to pursue eminent domain for these areas . . .

Andy – there were also some questions about the proposed town well and the impact these changes could have on that area . . . when this well goes on line, there will be a new flow of water that would go to green valley area – this should improve your water quality – also there needs to be a 400 foot area around the well – Mark Flaherty has no concerns about this change

Phil Giancarra – 400 foot radius for nothing, 2000 foot with restrictions

Mark Cerel – limitations – handle disposal correctly . . .

Andy – if CPC was to purchase this, it could never be developed for business purposes – it would have to stay open

Andy – we see it as our job to present this idea –

Paul Crisafauli – if it is rezoned, who will own it? If you are trying to improve medway, that stretch of route 109 is not good visually – I don't think that is the right thing to do to add,

Citizen ?? – if you went on the assumption that the home prices are much higher – those houses would would generate much more in taxes than you are saying . . . those numbers might be meaningless

Mark cerel – what drivees all this is the formula for education reform – state has standards for how much \$ a town has to spend on each child per year – 6500 to 7000 – big monster house with no kids

Mark mahan , 9 green valley road – conservation commission have they looked at this yet?

Andy – before anyone would go site plan – have to go to concom

Mark Mahan – is there a potential that that well could not happen – I wondered why industrial park didn't extend northerly.

Mark mahan – road access from coffee street – there is a curb cut there now – they secured a street opening permit – it is a residential use

Bill hommell, 25 coffee street – right now there is a culvert going under coffee street with a stream that goes into the back wetlands – that could become industrial if the wetlands are replicated elsewhere

Mark Cerel – state dep does not allow huge replication areas

Andy – anything that was done would be part of a project – same rigorous site plan

Bill hommell – two other locations where gates are not closed

Mark Cerel – before the PB goes too far, - I believe the PB needs to find out if the owners of 35 and 35R would have rights to use the frontage of the county road of 1936

Duane wlazer, 11 green valley road – has PB taken into consideration in the other communities – I would like to think that with this industrial area being so far from 495, it could be a long time

Todd Thompson, 46 coffee street – I am across from the houses that would be rezoned – I think the only beneficiary would be the current owner of the existing industrial park – once it is zoned and changes hands, industrial uses would come all the way to coffee street – those uses are not low key

Ralph Costello – developer of applegate farm – several questions – the properties along coffee street – why would they be considered to be rezoned, rather than just leave them?? I do accept that you do not intend to use coffee street as access. The other thing that is troubling is that Mr. DeSimone has referred to something on the land records that would prevent that way from being used. Another gentleman pointed out the red area – who is that owner? Has an easement been given yet? There is a proposed agreement, not signed. I raise the question whether it is a wise approach to rezone something . . . – the people that are currently living in the residences on coffee street – if this all came to fruition, it might help them financially – it may depend on whether the access issues are successfully resolved. It seems that the new industrial area adversely impacts green valley road, new applegate, etc – I would throw out a suggestion, if you were looking to protect some of the existing residential homeowners, rather than a 30 foot buffer, that is not a lot – if you increased that buffer to 100 to 200 feet as part of the proposal, then you have some open space that you can use – that would make the homeowners feel better – and people would think the PB is looking after our interests . . .

Susan wood – the land that is being considered for the well, who is it

Andy – lally and revel

Susan wood – you don't want residences, industrial might not develop for years – is there another type of zoning that isn't residential that could go on there – is there a zoning the PB could make

Andy – when we met with the IDC, we asked them about an office zoning option – IDC felt that there wouldn't be much of a market for that – referenced industrial condos

Susan wood – there is nothing between industrial and residential??

Andy – the 4 houses on coffee street, they had just been in with concerns

Sara brady, 10 lee lane – seems that you are putting the cart before the horse; you are looking to rezone land that there – seems to be a backwards way to do it – if you don't have some of these details finalized – it seems like you haven't crossed your ts and is – is it on the warrant, can it be changed? As far as the 30 foot buffer, you could increase that buffer? By what process would that happen?

Andy – this is not a done deal. . . I agree with you on the process – through this public hearing, we get information, and if we can't get things resolved, I don't want to see an access to that site off of coffee street

Andy – it would have to be done through a zoning bylaw

Ron Pollack, 37 coffee street – couple of comments – re: site plan decision – that buffer has not been changed at all – no work has been done yet – I don't believe - because my zoning would be changed, that buffer zone could disappear . . .

Andy – that is not true, there is a site plan decision,

Matt – that site plan stays with the site

Ron Pollack – we are concerned with its present problems that – this will take away what protects me as a residential owner – I might not have the buffer protections anymore if the zoning changes – Article 38 . . .

Don grimes, 6 lee lane – been a resident here for 55 years – a lot of concerns have been brought up tonight – in front of my house, I end up with a lake – drainage from this new industrial land – if this becomes an industrial property – where is that water going to flow to – any plan to take care of existing drainage – major concerns

Andy – before anything would happen, the plans have to be submitted for stormwater calcs, - all stormwater has to be handled on site – all would be addressed – off site mitigation for a project this size, there may be some scenarios where some of those problems could be addressed –

Dan Wallace, 10 saddle hill road – why did you have to make it industrial – why didn't you make some of it as industrial and leave some of it as residential –

Andy – we are not required to have zoning that follows property lines, at the time this was proposed was submitted, we didn't have the benefit of a survey to denote the areas



Dan Wallace, - so because you didn't have the survey, - a better way would be to keep some of it agricultural

Ralph Costello – in the absence of a survey, say 200 feet from the back property lines

Phil – is it legal to change it now?

Mark – you have to be able to show it on a map; and you can make it more

John lally, 35 coffee street – I didn't think you can landlock property through zoning. The gentleman at the end of the table said he had . . . if you kept a border around the perimeter, how would that residential property be accessed

Gino – it has been done in medway before, there is a subdivision cul de sac off Trotter Drive,

John lally – could I do that

Can you access residential through industrial?

Mark cerel – that is policy question – some towns handle this in various ways . . .

John lally – when mr. rosenfeld – he denied us access to industrial park road, it was protracted and contentious issue – I am not in favor of this – I think parcel 493 will be unbuildable – I don't think it is viable to go through the industrial park to – I believe the county road is only 30 feet wide and you require 50 feet – I think rosenfeld is the only one who could use my property

Andy – the easement that was discussed was across their property

John – I would just want to make sure nothing is illusory

John – I am very uncomfortable being here right now – we have had this land for 40 years – in a few years. . when there will be appraisals on the well site,

Keven Cahil, 4 cardinal circle – you said a commitment that you would be

Andy – the little strip would be an emergency access only – it could remain a dirt road – 14 feet, most likely from coffee street –

Betty Rigg, 30 coffee street – question on article 38 and the access road that would come out from that – that evidently will not happen – you said that you wouldn't support access through a residential

Betty rigg, so at no time were you contemplating an access road from coffee street

Andy – No

Ron Pollack senior – the 4 houses bordering the industrial park now – that area would only be of benefit to the town if it . . . leave it alone – no benefit to the town . . . why not make the other coffee street houses industrial too

Mike regan, looking at buying 6 spruce road – from everything I listen to, you have not done your homework, if this passes, will you buy my house ?

Andy – I respect your position, there is a town meeting that will pass – it is our job to present these things . . .

Bill Hommell – that strip is 50 feet

Ed clancey, green valley road – you keep saying that you are not happy with this process – take it off the warrant and do your homework . . . . why cant you just do it now

Andy – the board will deliberate this on Thursday after the PH goes forth – this is how we get improvement – we are up here doing a job for you and we need to listen to everybody – and I mean people listening at home who may or may not care – we have to be civil in how we do things and there is a process to follow – going forward and having our public hearing earlier – let's anticipate and be ready – is there any rule or law that would prevent us

Mark cerel – time is tight, open warrant, busy with subdivisions – nothing

Gina Goodwin, 10 green valley raod – I live on the property where the county layout is – you are here for us and ou are listening, . . am asking that you listen to what we have said and have it taken off – I think anybody that looks at this is going to have some serious water problems – I don't want to have industrial behind my house

Mr. Goodwin, if you put this in front of the town, everybody will say great, it is saquick fix –

Sue giangarra, green valley – I have never been able to walk all the way through my backyard all the way to coffee street – the great black swamp is back there –

Joe musmano, summer hill road – I submit with respect that article 38 – the subject property would be difficult for access – I think a petitioner before the PB could make its case that it could use the access

Maria walzer, 11 green valley road – you say you wont allow chemicals, but what manufacturing operation doesn

Diane clanecym green valley road – anybody taken a look at that indusltrial park, it looks pretty dumpy – if that is how we take care of the industrial park then it would not be anything I would want next to me

Andy – they have some deadlines for cleaning up, planting, fencing by September 1, 2006 – the earlier dates are for the fence

Diane clancey – the west medway – that big vacant bulding? Is that part of the eminent domain thing?

Andy – the eminent domain area is along route 109,

Paul desimone – I once heard a member of the BOS, we are here to serve the people – the best way you can serve this group of people is to vote to discmisss the article

Wayne walzer, green valley – what is the plan from here – you have sent notices to people within 500 feet – there are people that do not know anything about this – so you will go off and

Mark cerel – rezonings are not required to give notice – this has been done as a courtesy – you are expected to have notice thorough the warrant

Andy – it is on the web site – and it will be mailed to every resident

Wayne walzer – if you recommend it, it needs a 2/3 vote.

Mark cerel – some action at town meeting – if the PB decides we made a mistake and they don't want to go forward, then you could move to dismiss or withdraw . . .

Susan wood, does the pb as a whole – do you support this going forward

Karyl – no

Matt – still gathering info, public hearing is still open

Chan – I am not going to say tonight – you are subverting the process

Andy – it is not appropatie to poll the board at this time until the PH is closed – we need all the input – we will deliberate this week at 7:30 pm – it is an open meeting – you are welcome to attend, but no more testimony taken at that time

Ron Pollack, senior – you just said that they are going to start cleaning up behind the houses – who is going to supervise that - there is a big hole and I expect

Andy – Bob Speroni is the zoning enforcement officer – it is his responsibility to address any of the condntoinsof the site plan and enforce it – he is the man

Ron Pollack, senior – where I am coming from started last year – we still live with it every bloody day – it is still not getting done – if you aren't going to put some sort of –

Andy – up to this point, there has never been a site plan in place – so now there is

Ron Pollack, so rosenfeld has been informed of this

Andy – I believe there was a land court – some deadlines they had to meet to show that they were going to do things –

Ron Pollack – can the hours of operation be enforced without contacting the police

Andy – I can't address this problem, it is not in our jurisdiction – call the police

Bruce yeory, pond street – I know you guys have a lot to handle, I know what you are trying to do with the master plan – regardless of what Mr. Desimone said, if you can't get across the county road, but article 37 still gives access – so what are your thoughts on that – wouldn't that allow access – were you planning on access off of Coffee Street

Andy – I have to respect the process – if you knew what we go through – we do the best we can – when the article opened, we put it forth – I met with safety officer and ZBA chairman – we are trying to assimilate all this info so we can put forth – personally, I would not want access to the property on

Andy – through Ralph's proposal, he is going to have sidewalks constructed on Coffee Street from Ellis to Holliston and Ellis to edge of property

Phil Giancarra, - all across the bottom of residential – granted applegate is a new development – there are residences here that have bought their property knowing that the adjacent property is to be residential/ - the entire area north of the existing industrial park – now you are talking about industrial impacting the aquifer there – there will be extra trucks – any additional traffic that would go in this area, there will be additional pollution going to the groundwater – long term residences surrounding an industrial park – it is not good for anywhere else in the town – very expensive homes around – they bought knowing that it was agricultural land – extremely quiet, no trucks, no cars, some noise from the industrial park – putting an industrial park here is seriously going to effect

Mr. Musmamno – I submit to you that a zoning change is a very serious matter – in my opinion, it is almost akin to a taking for municipal purposes – when the BOS votes to take property, they have to compensate – in this case, no compensation involved – some values will go up and some will go down – you have done the right thing in looking at the master plan – but the charge between the master plan and the actual change of zoning needs to be a plan for what the town will look like in its overall scheme – should be based on access ways through towns, geology and human factors and considerations – despite people here are very affected – you are going to have to contemplate whether this is the right thing for the town for the next 100 years –

Paul Crisafulli – the impact of the water drainage is going to effect Green Valley- with all that development, it will impact Green Valley –

Andy – does anybody have any comments on any of the zoning articles

Andy – any last comments on these

Donnalee brothers, I just want to say as far as traffic and stuff – the traffic is viscious from the industrial park- the landscapers come out and use coffee street to avoid the light and the school buses too – there is heavy traffic from the indu

Andy – mark Flaherty has assured us it is not an issue -

Candy – since 1978 when I have approached the town on coffee street – about cutting a tree – told we cant do anything as it is a scenic road – blah, blah, blah – then I was told that coffee street wasn't a scenic road – then there was an historic site marker – there are still remnants of what there once – Ishmael coffee historical – any water back there will be filled in

Andy – any other comments on these articles?? NONE

9:50 p.m. - Andy – we will take a brief recess for 5 minutes . . . and then address the other zoning articles to see if there are any comments on those . . .

reconvene at 10 pm –

andy – does anybody have any comments

joe musmanno – article 31 refers to certain language – defines an affordable housing unit – is this consistent with 40B language – please be sure it is consistent –

andy – it previously wasn't and now it would be consistent

article 32 – we have added an affordability compent in arcpud

mark cerel – we ran into this situation in franklin, where there was a local bylaw, - asking people to buy into a fairly aggressive program for – if you create affordable housing by your own definition it may not be qualified by the state – the turnovers are when it becomes a time consuming job – new marketing and lotteries, it is really needs to be looked at and rethought –

andy – can chapa do something like that –

gino – I am not sure that they do that –

mark cerel – chapa would do it and monitor resales but they don't really make enough money on it – in franklin,

andy – farming it out to a third party, but then it is a matter of where are you going to get the money to pay for it – the developer is long gone – it is expensive to market these units – advertising, etc – running a lottery, and that sort of thing –

matt – couldn't the condo association be given that job

mark – that is a reason for having an affordable housing trust and getting an exaction from the developer to have \$ to handle the continued marketing on this

andy – is there a time limit for which the town has to –

mark cerel – the town generally undertakes the marketing of the resales – even language is tight, there is the practicality down the road that requires monitoring – franklin example – people were refinancing for more than the property was supposed – town has a right of foreclosure on the mortgage foreclosure -

mark – having an affordable housing trust fund would help pay the costs of

gino – is this intent to apply this to the existing applications? You may need to add language that this would take effect as of a certain date . . .

andy –

jim galligan – give fincom the text of what the change would be so they can offer it as the actual motion

article 33 – ARCPUD Pre application

Andy – lay out the 4 step process

Mark Cerel – I would appreciate a brief written summary of each article - - I don't want to establish a precedent for power point presentations . . .

ARCPUD – 4 step design process

Joe – Seems like you are asking for them to do a lot

Chan – you can't legislate this

Mark cerel – you absolutely can legislate this – I don't see any problem with this language

Susy – this is the same as what we included in the OSRD bylaw last year

Article 34 – exempt uses

Mark – I think this is a gaping hole in the current zoning bylaw and this is a good effort

Karyl – I think it is pretty good

Joe – where did you get the lighting standards from?

Susy – elsewhere in the zoning bylaw

Mark – there is some out language to allow the board to look at things

Article 35 – OSRD affordability

Gino – the town went several years with an OSRD bylaw that wasn't workable – without also having a comparable requirement for conventional subdivisions, I am not sure it is viable

Mark – until you pass inclusionary zoning . . . unless you give them a density zoning

Joe – it makes inclusionary zoning less of a leap if you do these –

Mark – trying to make the leap anyway – substantive zoning change that is going to bring out a flurry of preliminary plans -

Andy – when could be ready for an inclusionary zoning bylaw for June 2007

Gino – unlike many towns, your OSRD has a formula vs. having to show a completion

Mark Cerel – I think OSRD by itself is a good thing – it is to be encouraged – and something where you require 10% affordable could be

Mark – once you propose inclusionary zoning article – everybody will file preliminary plans to freeze their zoning . . . you need to think about the content and time very carefully

Karyl – remember the example of Taunton – they were rezoning and they were overwhelmed by preliminary plans –

Chan – that is what the homebuilders are raising the issue – planning boards are forcing expensive development

Mark – if you can give a developer a buildable lot, they are going to max out the lot absent any other restrictions

Andy – since you can't impose an impact fee, you make it expensive to try to slow down

Mark – vicious cycle -

Andy – so any kind of proposal

Mark – look at it with some kind of carrot approach to allow them some sort of density bonus, - lots of paperwork for the developer to secure DHCD approvals

Andy – if we were at our 10%, and we tried to do inclusionary zoning,

Andy – as you increase the # of homes – would they be exempt once we meet

Mark Cerel - talked about 40 R districts . . . each project

Gino – norwood example for 40R and another town – subverts the intent of 40R – not supposed to be spot zoning,

Mark – DHCD density is very extreme – using

Andy – is everybody clear

Article 40 – signs

Joe – the proposed text doesn't address the illumination issue

Andy – if we were to add that language re: non-illuminated . . . .

Joe – enforcement issues are important . . .

Susy – joint effort with the BOS – friendly letter approach . . .

Mark – the enforcement mechanism is a letter from the ZEO to the party -

Andy – the BOS also has the ability to withhold business licenses

Susy – maybe we could add sign violations to that business license

Motion to close public hearing – matthew hayes, seocned – chan , karyl – all yes

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Deliberate on Thursday, June 1 at MHS library – 7:30 pm

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Public Hearing – Rules and Regs . . .

Open public hearing –

Matt, karyl – waive reading of public hearing notice – all yes

Karyl – has town counsel weighed in on this at all –

Susy – he hasn't looked at this exact language

Gino –there may be an issue with DOR if it isn't spent



Matt - I think DPS should be planning to spend it and get him moving on this . . .

Susy – we should do a letter to Dave to encourage him to get going on this

John – how was that sidewalk plan developed

Andy – dave put together a master list with priorities –

Close the public hearing – matt, karyl – all yes

Motion by matt hayes to amend our various rules and regs to include the text as listed – karyl – all yes - .... ..

Motion to adjourn – matt, john -0 11:05 pm

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Andy, john, matt, chan, karyl, - also bob tucker and dick maciolek

Call meeting to order at 7:35 p.m.

#### Citizen comments

John Lally – I am severly opposed to this; cutting off the access to coffee street and restricintg access through rosenfelds - my history with mr rosenfeld – I would be surprised if it ever materialized – I would be held hostage -

All roads in there are private

Andy – it would be our intent for the road to have public access – that would be imperiitive to a successful outcome for the otwn of medway

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#### Deliberations

First concern that public expressed was access on coffee street and what type of traffic impacts would occur relative to use of private way and whether it would be connected between green valley and coffee street and whether the small strip of frontage - could we prevent access

Dick – general rule is that you can't cross residentially zoned property to reach commercial or industrially zoned property – so you would have to do something to do something to keep trucks off

Andy – what about adjusting the zoning on 35 coffee street so that it remains residential for 200 deep along coffee street

Dick – the county layout is a private way – owned by the abutters . . .

Susy – assessors office says it is the town's road –

John – what about paul desimone's comments at the public hearing referencing a document from 1974

Dick reviewed the document – he can look it up and find out more about the court case

Susy – is this

Andy – when you first said accessing the back land could not occur – start – could

Andy – mr lally is concerned about whether the easement

Karyl – there is a to the middle of the road issue –

Chan – what about the other properties in that industrial park – they are operating on a network of private streets

Andy – it is our intent to not want to

Matt – this extension from end of marc road is essential – as a practical point, we should have an agreement in place before town meeting and I don't expect that we can pull that together in a week and a half -

Dick – who will build the road, ellen wont

Andy – a future developer

Dick – the other thing you need is a plan that can be recorded – and you can't get that by the 12<sup>th</sup> of june – real world stuff –

Andy – is the board comfortable with the understnading if we move some of the lines back that we can protect coffee street

Chan – what's the matter with dropping the 4 houses 43-49?

Chan – if he wants to use his property,

Andy – I don't want to leave him landlocked and yet I want to protect coffee street

Matt – I think the AG might approve it without the easement being finalized

Karyl – I think the 4 houses on coffee street – where they can get an advantage – those 4 would get a big bump – it would look attractive to Ellen

John – splitting 35 coffee street into residential – if we change the zoning 43-49 then we are removing residential on coffee . .

Chan – I would rather see those people at 43-49 come back and ask for a change

Matt – at the beginning I wasn't in favor of any of this rezoning – now I have more of a reason to not go forward with it for this town meeting

Karyl – I agree with matt – please consider that you have to do something about the buffers - 200 foot buffer

Chan – 30 feet is not a buffer – 200 feet is too much

Dick – you are suggested not rezoning the 43-47 when those people may be OK – or don't care but you are saying you want to go ahead and rezone when the owner doesn't want you to . . .

Andy – it is a large parcel next to existing industrial land

Dick you still have to realize that if

Dick – I knew John's father and their siblings and their generation before – none of them ever wanted to develop it, John doesn't want to develop it

Karyl – Mr. Fontanella said the same thing – I had a conversation with him a gazillion times – he didn't want anything to have it but he didn't do anything to protect it in perpetuity –

Andy – private property and it is his decision whether or not to develop – he can do with it what he wants – if this should fail, it

Karyl – did anybody look into the water issues – at what point isn't it wet – bog, swamp –

Chan – his property is only 26 acres plus 5 – that is peanuts compared to what we really need – maybe that is too small to not do it – I don't feel that the ROW is an issue – he will have to subdivide it

Andy – to summarize on these two big pieces – comfortable with how we get access

Karyl – I don't like the

Andy – we should pursue the no trucks effort – street is too narrow – look at a wetlands map –

Andy – any objections on the back piece

John – why wasn't that made industrial at the time – concerned about the well – there appears to be a swale back there

Andy – Mark Flaherty has reviewed what we have proposed and he doesn't have any problem

Chan – I move that we approve article 39 – any discussion – Rosenfeld – parcel 493A – seconded by Matt –

Andy – I would like to hold off on the other 3 articles so we can check with the IDC on how they feel –

Chan – I feel Paul Desimone's comments were bogus – but we need to look at the buffer size

Karyl – I feel 70 feet of buffer is far short of what is needed

Chan – there is not much land left in Medway to zone industrial without it becoming an island within residential – we could add to the west without disturbing anything – the only thing on the east is the lally property

Andy – what size right of way

Karyl – I can't tell you for sure – I need to think about it – I would love 200- 70 feet is not enough – 30 feet is an insult –

Andy – matt

Matt – I haven't given enough thought to that

Chan- you cant really specify a set amount – depends on the adjacent property and topography –

Andy – I will get an aerial photo showing the wetlands . . .

Chan – if you take 50

Matt – all those are available on GOOGLE earth –

Karyl – I had a long conversation with Dan and we were talking about buffers and wooded – we were looking at space and through trees and we thought that even up to 100 feet isn't very much – it does depend on what the conditions are in the buffer zone – along spruce and green valley there are lots of woods,

Andy – lots of back lot – the houses are pretty close to the street –

Chan – what are we doing in terms of total perspective

Andy – the master plan is our guide – balance the needs of the community that are impacted most comparted to the overall community to try to get uses that don't

Karyl – joe musmanno is saying that the PB needs to look at the broader picture – maybe we are being a little myopic

Andy – if you look at the town as a whole . . . you can see the densities that exist in the village type areas – lots of open land that exists – utilities and pieces of water – no matter where you go you are going to impact one of the preexisting residential areas - this area we are proposing is continguosu

Chan – if we could find 500 acres – major impact – 26 acres is not appreciable either way –

Andy – as we go forward for next year, shall we put together a study group

Karyl – we hired an architect to look at the northeast corner - chilinski

Andy – what has instigated what we are talking about is the master plan – we haven't finished the punch list from the master plan –

Karyl – more infrastructure of roadways that take the burden off roadways

Andy – if you think like that then putting a connector road between coffee street north makes lots of sense – provide relief at intersections . . – look at the effort we are spending tonight to make sure we don't do that

Karyl – we need to explore other options

Andy – first step is to rezone and then

Karyl – I disagree. I think you have to run the gamut of the impact of the rezoning – huge – and sometimes

Chan – if you don't rezone land now – then it is going to go to residential – in this case, Lally says he won't do anything – we can't make a decision based on that alone

Andy – can we hold off until June 8<sup>th</sup> – and think about what is appropriate – each think about – decide on the June 8<sup>th</sup> - if we don't pursue it at town meeting, then what should we do?

Matt – we need to look at other places

Chan – we also need to decide to not go ahead with article 36

Chan – motion to exempt article 36 – the 4 lots – withdraw from consideration – seconded by John

Matt – I would like to wait for IDC's input

Chan – I will withdraw the motion then

John – I will withdraw my second . . .

Andy – I will tell them that . . . .

Andy – if we could, susy – the footage that we specify depth – so it could be ANR

Matt – could we find out by June 8<sup>th</sup> who actually owns the county layout – I don't want to go into this blind if 35 coffee street is already divided

Pull plan 320 of 1965

Andy – do you have enough information to get us some advice

Dick – you have to get something off of marc road – ultimately easement and a plan – memorandum of understanding in the meantime - once you get that in place, then the property can be accessed from other industrial land

Andy – lets see what we can get

Dick – I can check out

Agreeto table 3 articles until june 8

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Matt - consent calendar explanation -

Recommend to Mark Cerel to do 26 – 30 on Consent Calendar

Article 31 – karyl and matt – all yes

Article 32 – karyl, chan – all yes

Article 33 –matt, karyl – all yes

Chan objects requiring a landscape architect

Karylo – first step in LID

Article 34 – karyl, matt – all lyes

Article 35 –

Karyl – I move we dismiss, seconded by andy

Discussion –

John – we want to encourage OSRD vs. conventional

Karyl – we need to make it very attractive to get folks

John – wait until we do inclusionary for conventional -

Matt – I am leaning toward not recommending it

All YES to dismiss

Article 40 – hold off and run it by mark –

Change #14 to # 22 and limit it to one sign and 2 square feet



## Smart Growth Grant – FY 07

1. route 109
2. south of medway commons – Cassidy property
3. mill reuse overlay district
4. traditional neighborhood design/mixed use overlay

go for it . . . talk to gino for writing it . . .

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announce rescheduled PH on Marian from 6/14 to 6/22

announce rescheduled PH on Rolling Hills from 6/14 to 6/8

email from Susan Bouchard

Committee Assignments

TA/BOS – andy rodenhiser

Water/Sewer – chan rogers

Concom – Bob Tucker

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Matt – I have to be off the board by the end of June – the only thing

Talk to Maciolek about associate member

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## GOALS

Ideas for FY 07

Karyl - Make sure that plans are showing Existing Conditions – where the wetlands are and how the wetlands should effect their number counts and road layouts – 4 step process –

John – enforcement of

Andy – we need a checklist . . . .

Karyl – it is already part of the rules and regs –

Andy – before we schedule a hearing we want them to certify

John – as found – inventory of existing conditions . .

Bob – base line information – so as a board you can evaluate what they are really doing to the land

Karyl – it is expensive for the applicants to hire somebody

Review our rules and regs for requirements re: existing conditions – see where we need to fix –

GOAL – Publish the Development Guide

GOAL – start process for zoning changes sooner – early on – develop ideas in a better way- to include people – opponents and proponents –

Susy – franklin experience

Chan – have our public hearings before we submit articles for the warrant

GOAL – have a friendly guide to development steps – ANR, site plan, subdivision, public oriented –

GOAL – reduce the number of times we need to meet with a given applicant –

Bob – need to make them responsible for their actions – accountable – tougher

Explore rejecting applications for incomplete plans -

Chan - take a cursory look at the plan to see if it is complete

GOAL – determine a way to improve the initial submission of plans including existing conditions plans

Andy – maybe a sit down with some of the real trouble engineers

Chan – offer to look over early plans

John – page 22 of midway master plan – explore limiting number of building permits/per year – tie to nonavailability of water

Goal – investigate/research this initiative -

Karyl – would that just cause applicants to submit stuff quickly??

GOAL – complete inclusionary housing bylaw

Andy – how do you feel at town meeting to try to take \$ from somebody else's budget to do a master plan update

No interest in doing that . . .

Andy – we need to promote the master plan

Lets continue this discussion – look at this as just a start

Motion to adjourn – karyl – john

Chan – the master plan is a guide – not to taken absolute

Adjourn at 11 pm

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June 22, 2006  
Sanford Hall

PRESENT: Andy, chan, bob, john, karyl, - susy, paul, carter

Open at 7:08pm

Gino – Route 109 Redevelopment Plan – draft bylaw

This is a rough draft – main product of the smart growth grant – transform shopping center into a more traditional town center – looking to make it compliant with state's chapter 40R requirements which results in payments from the state for pursuing this type of development – if adopted, the town would be eligible, depending on how many housing units could be accommodated – 250-500 units, the town would be eligible for a one time payment of \$350,000 plus \_\_\_\_\_ per dwelling unit plus some compensation toward education costs of any new children

Andy – who does that calculation?

Gino – office of commonwealth development

Andy – have we shopped this to other boards?

Gino – I spoke with IDC, not yet with BOS and ZBA – probably not by June 30 –

Andy – you are looking for comments so that we can move forward with this as a future bylaw to bring to town meeting – what type of opportunity does this present relative to future development?

Gino – it doesn't take anything away – it doesn't affect anything in place – it would provide more options to

Andy – so we can meet with owners of property to get their ideas . . . – in the next 8 days, with the meetings you have with developers – can you report back to us?

Gino – yes. . .

Gino – formatted similar to OSRD bylaw, etc –

QUESTIONS?? – wholly or partially within the c1 or c2 districts?

Andy - Does that mean you recommend going beyond

Gino – some parcels straddle zoning lines . . . or we could realign the zoning boundaries – there are a couple of parcels –

Chan – I feel this is one of the most important issues that the PB will be working on during the upcoming year – one of us should go to the BOS ASAP to explain the advantages and outcomes .

Andy – gino is trying to get in meetings with the property owners by June 30<sup>th</sup>

Chan – is detailed review by the board necessary now?

Gino – any comments can be provided – there will be many opportunities

Chan – review of detail could be delayed while we work out our strategy to sell this . .

Andy – gino needs to know now if there is anything too far out

John – I think it is exciting and important – I am anxious that this go forward in a fairly timely manner – next year's town meeting?

Andy – or even sooner if possible, but we don't want to make mistakes

Karyl – just glancing over this, and trying to conceptualize what this would look like, we need to be clear – the implication is that it is going to a real extreme level which is totally unlike our Medway to date . . we want to encourage this and inclusive uses, but I have real concerns about the look of it already – building setbacks – think about the density that this will create – huge economic impact of 200 units with children –

Gino – that is why a lot of discussion has to take place

Andy – when I think about this area – I try to imagine whether there might be a developer who would do a parking garage here?

Gino – the concept drawing does not provide for any underground parking

Andy – as we go through this, let's star the areas so that we can spend some time on that so he can get an idea of what we need to work on.

Gino – before design standard section, there is the submittal requirements

Gino – setback standards are to provide for the pedestrian friendly – there is a requirement for a green belt buffer adjacent to any residential zones – the density standards is one we would want some discussion on – floor area ratio of .7 – that is fairly comparable to what exists today – impervious surface not to exceed 80% - the density standards are what is needed for 40R

Andy – maybe it would be good to have the DRC take a look at this

Karyl – how the buildings look is how dense it will be – interrelated . . . I think what we need to do, he is talking about qualifying. . what we have to do is to decide what we want to be –do we want an influx with kids? To what extent?

Andy – he will get a feel for what the market is based on his discussions with the property owners

Gino – that concept drawing, . . this bylaw is written to reflect the concept drawing buildout –

John – do you have smaller copies . .

Gino – no; I may be able to put it on a cd

Gino – the other aspect of the density standard would be – maximum of 50% of building area could be residential –

Gino – architectural standards . . again- very vague, not intended to dictate a particular style or materials, the main thing is the physical location of the buildings and how they are located to promote pedestrian access – to be visually appealing to pedestrians with windows and doors vs. big blank facades

Andy – it has been pointed out that zoning cannot conflict with the building code . . . can we establish standards to ensure that pedestrian nature is accomplished – so it has a village feel and look –

Gino – I think the main ones should be in the bylaw itself –

Andy – if they want to use the overlay district, they have to comply with the design standards in the bylaw

Gino – sustainable development principles are in there to encourage new development to be compliant with these principles – not required for 40R, but I thought the board would be interested in that

Gino - allowed uses . . the only major thing is adding townhouses and multifamily residential, not single family dwellings

Gino– major entrances – this would allow 3 major entrances – at least 500 feet apart – access roads . . also have linkage roads too . . . also provision for temporary entrance to route 109

Karyl – on linkage roads, are there any places that would open up ANR possibilities

Gino – those would be private roads with access easements

Andy – there would be frontage along the linkage road, but if it is in the overlay district ????

Gino – last section is parking, this provides for lower parking standards than currently in place – shared parking between residential and commercial – 1 space per 250 sq. ft is not far off from standard requirements – that is 1.5 spaces residential units

Susy – priority development grant option?

Gino – I will know better in a week when I meet with the state to discuss

Chan – what has to happen for June 30<sup>th</sup>

Gino – 3 meetings with property owners and your input will be incorporated into the report –

Karyl – it is very important that we really give a think as to what we want it to be and not just look for a money thing – in the long run, if we end up needing to build a new school,

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7:40 p.m. – Open the Public Hearing for the Charles River Acres OSRD Special Permit

Andy – just to bring you folks up to speed, we are going to hear a presentation from the developer; the board may ask questions and some dialogue back and forth – the public can then ask questions – you are welcome to move around so you can see – if you have a question, please state your name and address for the record and get them into the minutes

Motion to waive the reading of the public hearing notice – Chan, Karyl – all yes

John Parmentier, Dunn McKenzie Engineering in Norfolk, MA – we represent Karop Dirazonian – David Baraducci, LA – Michael Acquafresca the property owner is here as well – this plan is different than the plan we brought in last year for a conventional subdivision – the purpose here is to bring forth a plan for an OSRD – per your new bylaw – protect natural resources, etc. – Charles River – what we have done as part of the process – second step is the definitive subdivision plan – this is the special permit phase – sort of a preliminary plan –

there is a site context and analysis plan, yield plan, and third plan is with the utilities and dwellings, ways, etc.

This land was one time a meadow which is now overgrown – lot of shrubs, and brush – situated off of Village Street and Neelon Lane – short and narrow access to 2 homes – the road ends in front of the house – perimeter of site is defined by fieldstone walls, – high up toward village street with fairly shallow slope and then a steep slope down to the Charles River – near Massasoit and Riverview and Cherokee – access is village, to Charles River to Cherokee Lane – Cherokee ends before the house – there is an unpaved part of Cherokee Lane – very woodsy area – the major trees areas are shaded in green, red area is the riparian zone of the Charles River; light blue is bordering vegetated wetland – also a flood plain area . . . land elevation from high to low varies about 65 feet from 230 to 164 down near the riverbank – there is a break in the slope

Yield Plan – there are 8 lots with 10 dwelling units; access from Cherokee Lane – land slope is least dramatic here compared to Massasoit – leads to flatter area for development – the calculation for number of dwelling units comes in at 11 units – we are proposing 10 units – 6 single family plus 2 duplexes – total open space is 58.7% of the area – I read the report from Gino Carlucci; I believe he feels the regs are met –

Kalryl – it meets the minimum . . .

John – path connections around the site and through the open space – possibly connect with Riverview Street depending on the elevations there – we can certainly entertain doing that

David Baraducci, LA – concept plan per the regs – shows the existing vegetation and how it fits in – the most significant change from the prior plan from January – we reduced the number of structures on the site (8 buildings. 10 units) – the two duplexes at the beginning of the site – the lot in the back we will be removing the existing structure and putting in a large new house – there is some portion of the existing trees that would have to be removed for the house lots – introduced supplemental landscape for new buffer areas – adding landscape buffer areas to screen views from neighboring houses – retaining nice stand of spruce trees will remain untouched – we have a continuous pathway through the open space that would be publically accessible – Neelon lane – and then try to connect to Riverview Street – also proposing a 5.5' sidewalk and street trees – minimizing driveway widths – going to 12 foot driveways – we have exceeded the standard for side entrance garages for the single family – cohesive sense of neighborhood with close setbacks – buffer zone vegetation – looking at species types that would be attractive to wildlife – diversity and seasonal interest

John parmentier – go back and look at utilities with you – drainage for the project – from the cul de sac and – series of catch basins bring it back and discharge to a storage area before it is released – water service would be brought in off an extension of Cherokee lane to the end of the cul de sac – if the water main has to be looped, we will talk to your water department – could connect down to Massasoit – utilities will be brought in from Cherokee – bring it in above ground if possible from pole on Cherokee lane – there is a proposed gravel to connect the end of the cul de sac to Neelon lane for emergency access – at least 12 to 18 inches of gravel – with loam over the top and seeded as grass – each lot the homes will have roof water collected and piped to a trench chamber on each lot away from the foundation – this will recharge water from the roofs – we did some soil testing on the site and found that the soils are very fine, sandy loam – not conducive to absorbing water – the water table was 2.5 to 3 feet and it has receded – permeability of the soil is very slow – we expect the detention basin will be large enough to handle water – we will need to spread it over the land so it isn't discharged straight down the hill

Karyl – did you say you did some soil test

John – we did deep holes and attempted to do percs – couldn't perk at 2.5 to 3 feet – expect very slow permeability –

Karyl- gino, can we allow the riparian zone to be in the open space

Gino – yes . . . but you will notice that in the formula, the area for riparian zone is eliminated by 50%

Andy – if the emergency access road, how will that be dealt with in the winter time with snow –

John – we are flexible as to what you want it to end up being – it could be gravel –



Andy – sewerer?

John – yes – connect from Cherokee lane

Chan – the colored portion of the map we have, is that open space

David – yes,

Bob – I notice, you call for drainage to start on the property – what are we doing about this area on Cherokee extension before you get to your site –

John – I am open to suggestions

Bob – if you are going to extend the road, something needs to be done in that area -

John – there is a drainage system down at Cherokee lane at Charles River road – maybe 300 feet – generally what you want is about 300 feet between catch basins –

Bob – I think that needs to be addressed

John – about 380 feet

Andy – do you have the capacity in your drainage to take that water back on the site

John – I don't think so – the elevation is different here – we aren't sure how that would work – you could do something on Cherokee down toward

Paul Carter – if you are going to look at tying into drainage on Cherokee – you will need to talk to Dave D'amico to see how you could tie into the existing system – you should come up with your proposal

Susy – paved widths?

John – 14.5 feet to 15 feet paved –

About 170 feet of new roadway in the Cherokee right of way

Andy – and Bob is saying that that drainage needs to be dealt with

Susy – open space??

Karop – donate to the town

Karyl – what is dead end length? From Village Street

Bob – about 1295 feet

Andy –that is why we were so concerned about emergency access

Bob - how wide is Neelon?

John – 13.5 feet at entrance to Village Street

Rich , 7 massasoit street – on the drainage piece – I live in the middle there – I see the water ranging down there – with this new cul de sac it will be roaring down to 6 and 8 Charles River road – water just comes through the neighborhood - I was under the impression that the police and fire department wanted a straight through pattern – foolish to put loam and grass – get the street name correct – it is Massapoag

Andy – we haven't gotten comments from the police and fire department on these current plans – this is a new application and they respond to each application – this is different than what was previously submitted as a conventional subdivision plan – if the police and fire have comments they will give them to us

Susan Diullo, 7 Massasoit – board of directors of Charles River Tennis Club – re drainage – I went up there last Thursday because I saw some people digging up there near the tennis club – there are some white pipes – I have been told it is the soil tests – why is that so late into this plan?

Andy – can you explain the

John- the purpose of the testing is to measure high ground water table and to determine the type of soils – this is the peak time to do so - we set our test wells- we measure fluctuations in the water table -

Susan Diullo – was that not done for the previous development? The tennis courts were built in the mid 60's – when all the trees came down for the courts there was an impact? Will this create a drainage problem onto the tennis courts?

Andy – through this process, we deal with all the drainage =- water is now allowed to run onto adjacent properties – you can just shed water onto abutting properties

Susan – I noticed somebody out taking pictures – car was McKenzie – why the day before the hearing would they be taking pictures – I would think everything would have been all done

Andy – this hearing will go on for several weeks – at some point they

John – I was out there taking pictures for my records and files – I usually do that –it wasn't for the purpose of this meeting –sometimes we look at things in a photo and we see things we didn't see in the field

Susan – quiet time of day – trying to show there wasn't much traffic then

Susan – water coming in from massasoit? Using a hydrant for hoses all the way to the development

Andy – what the water department wants a loop so that you have better water flow, quality and pressure

Judy lafavr king philpp street – why was just neelon lane considered to be part of the regular traffic pattern? Cherokee is just as narrow? Why just for emergency uses – why can't it be just one way? If neelon can be used for emergency, why can't it be used as a regular road

John – right of way/layout of neelon is about 16 feet but the pavement is about 15 feet and some of it is on private property

Susy – right of way on Cherokee is 30 feet?

Bob – yes

Andy – the Neelon right of way is only 16 feet – dead end streets longer than 600 feet we discourage, we can waive it if there is an alternative emergency access in –

Susan dilucio – we are still running into the same situation with traffic – end of charles river road – difficult to get in and out of there – very congested – I would think it would be a better traffic flow to go out to neelon to village street

Paul – I don't think a traffic study is required for a development this size – if the board decided to make it a condition, they could make it a conditions -

Chan – I want to point out the emergency access would be valuable to you too – this is a provis

Tersa, 8 charles river road – it is wonderful to have an emergency access – but it wont do us any good - this will impact my household and the others at the end of the street – we see it on a regular basis everyday – it would be nnice to have traffic diverted from our area

John – given the width of the right of way and the existing pavemtn on neelon lane, it is not a street that is easily passible with 2 cars – if you try to make that the main entrance to the site, it would be too difficult – conflicting traffic movemnts – it could not possibly be the main access to the site – but on an emergency basis it could be an entrance or escape route - there just isn't room to make neelon sider

Teresa, 8 charles river – make Cherokee in and neelon out – no one wants to make either of them 2 ways – how can Cherokee handle this??

Karyl – I think that would be one of htemajor issues to discuss – maybe there are 3 major topics to discuss – I would consider they look at one way route – charles river road is a disaster in terms of traffic at this point – the second issue is a density issue and the third is the water condition –

that we will consider – I did want to say that the LA made a good presentation about the site and using existing conditions and we appreciate that

Andy – have you spoke to Charles River Watershed? Gino, is it required?

5 chalres – the ryans – we are on the corner lot at Cherokee lane – the water comes down – our neighbor behind us had done considerable digging to put in pipes tohandle drainge – the catch basin for the water would

andy – anything that they change or do has to meet our standards so it is in strict compoliance

ryans – fyi – you need to understand – I would like to have you explain why you aren't taking care of the how Cherokee road is – what are you going to do? my driveway is 14 feet wide – I want to know that I will have enough room to park -

karop – how far off the right of way is your house

ryan- if you took any my land

andy – you might want to have your lot surveyd, you will see where the right of way is – if part of your driveway

ryan – then that is a safety hazard to my household

karyl – that may not be your proerty

andy – we can't stop someone from developing their proerty – we regulate it and controlit within our bylaws and rules and regs for standards – we have to take into consideration all these things – this developer has come in with an OSRD proposal because we encouraged them to do this as it would have less ipact on the community

andy – we need to continue the public hearing –

john – what would occur between now and then?

Paul - given the soil testing,you need to consider how you are going to address the volume issues

John – the woods that are there now, the topsoil and subsoil absorbs a lot of water – typically quite a bit of water will go into the ground – with this development we will collect the water into a detention basin and will release it gradually – we can design a swale to keep stuff form going in her direction – the street will collect runoff and then direct it to the detention pond – what I need to know, when we come back, we can bring certain things to you –

Andy – as soon as you can get anything to them the better – they need 2 weeks – also the perc tests that you weren't able to get done – will you be redoing them – I doubt we will be able to do until September – we aren't going to get a good rate –

Paul – you have gotten a lot of feedback so you have an idea of what type of

Paul – addressing the drainage on Cherokee, you need to come up with a proposal for how you will handle this.

John – the Ryans are the most restricted lot – it puts it right at our doorstep

Ryan – why should you make money off of me – you are ruining my house value –

John – maybe there is something I can do to explore

Bob – I would be interested in some more information on how you plan to handle the detention pond

John – Gino had suggested a parcel for a possible road extension

Andy – There are clearly some issues here . . if you can get some engineering submitted - I am sorry we don't have time to deal with this tonight

Karyl – I am concerned if you start getting aggressive with swales I think we would look very negatively on that –

John – it can be done discreetly –

Andy – is it possible that you could get to us a copy of your plot plan? We want to understand the situation

Ryan – do you ever do walkarounds

Andy –

July 25, 2006 at 8:15 p.

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8:55 p.m – River Bend Continuation –

Rich Cornetta  
Jim McCauliffe, Abbott Real Estate  
David Einis, property owner  
John Spink, CONECO Engineering

Eric Alexander joins the meeting

Rich Cornetta – jim mccaullife, mark deschenes could not be present – john spink

We are here tonight with a couple of things that have been continued – if I might propose – we do have the scenic road work permit – there is a draft that we have seen – we would be pleased to address any comments – secondly I would like to report that we had a meeting earlier this week with susy and bob engler on the affordable housing component with the LIP application – and lastly, we do have a couple of letters from VHB consulting engineer with respect to our submittals – we would like to go over those letters and with your permission, we thought it would be very productive – if we could suggest a meeting to sit down with mr. carter and ID how to respond to some of the requests that have been presented – we think it would be -

Paul – end of next week, we can set something up – I would be glad to go through with everything – I think it would make sense to meet, but even after that there is a fair amount of work that has to be done –

Jim – we are going to go through all your comments and come in with the missing material –

Andy- sugets cedar

Andy – rock or split face for the granite –

Susy – no white paint

Jim – OK on all

Motion to approve the scenic road work permit as revised – karyl – second by chan – all yes . . .

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Paul Carter – john spink responded to our traffic review letter – is there going to be a convenience store? You referenced such.

Jim – no

Paul – are there any other developments that may have an impact that the traffic study should consider – they have studied just their site – is board comfortable

Paul – You are proposing a left turn lane? The traffic study might still show that left turn lane - you aren't proposing – check the traffic study to make sure it doesn't include things that aren't applicable - also need intersection sight distances??

Andy – master condominium documents status?

Rich – we talked with suzy about this – typically we don't submit full condo documents

Jim – usually we do the condo documents 6 months after we close on the sale

Suzy – can you put together something

Andy – status of conversation restriction?

Rich – we have received feedback from Dave Travalini and Town Counsel . . .

Andy – walkway trail plan and design specs

John – I have been talking to jim wieler - I can get prepare something

Susy – disability commission feels these trails have to meet AAB standards . . .

Andy – easements, etc.?

Rich – that is part of the conservation restriction –

Andy – LIP?

Rich – we are working with suzy on that

Karyl – DRC concerned about garage doors

Susy – there is a recommendation from the DRC from Monday night's meeting – make a part of the record . . .

Susy – waivers status – there is an updated submittal

John – let's just let that sit until we finish up with VHB

Karyl –

Jim – you want varying - let's put something something in the permit to that effect

Andy – give them some flexibility –

Andy – We should accept the DRC letter with the caveat that they should vary the garage door styles

Eric – we want some variability but we don't want to shackle them

Andy – waiver issue – I have a concern that you refer to the drawing set repeatedly – and don't explain what the variation

Bob – concern about so many waivers on materials and workmanship – setting somebody up for a problem in the future – I do have a big issue on materials – I want you to use standard specs – it is one thing on sight distances,

Paul – I don't think the wording is acceptable – to reference what is shown on the plan

John – what that means to them is that they are going to have to buy under the mass materials system

Paul - but that is the standard – we are talking about gravel specs,

John – those are the standards for when the town is going to accept the street

Andy – I want to understand what you are asking to deviate from . . .

Susy - waiver explanation has to stand on its own . . .

Extend the subdivision for River Bend – Karyl – August 30, 2006 – chan – all in favor – yes

Continue to July 25<sup>th</sup> – 9 pm

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Brief Break . . . 9:45 pm

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Marian public hearing continuation – ARCPUD and subdivision

Bill Proia  
Bill Drexel  
John Spink  
Rich Coppa

9:47 pm – to start

Andy – I want to ask Karyl to report on the meeting we had so we can get it into the public record – she has notes that were taken by susy - but we haven't approved them but when we do, we will get you a copy – also we asked gino to review the various bylaws and rules and regs

Karyl – june 20<sup>th</sup> – informal – andy and I, gino, paul and Susy - rich coppa, bill Drexel bill proia  
Applicant wanted the PB to provide our recommendation to the ZBA re: the flood plain special permit – got into the road width matter – original proposal was at 16 feet – we considered the 16 foot just isn't a safe solution – we brought the bridge up to 22 feet surface – that sets up a need to evaluate

Andy – it is important to note that the conversation went that way, based on what paul felt vhb could recommend and also the safety officer – but we as a board need to make a determination on the width tonight so they can go forward

Chan – but that conversation has always been permeated by concom's not allowing 22 feet



Karyl – it is not that concomm wont permit, it is that they would prefer – but we came down on the safety issues – jeff Watson felt it could go to 20 feet – we discussed his letter again –

Karyl – we talked about the structure of the bridge quite a bit – it seems as though there wasn't a deduction as to what it should be – if it were smaller, it would be less invasive and less expensive – and with overflows – board needs to decide if the overflow is acceptable

Paul – I think the board had already decided that

Andy – these guys don't want to have to go backwards on the engineering they had already done

Bill proia – we would like to talk a little bit about that more tonight

Karyl- we had some discussions on mitigation – mr. proia suggested we were tying mitigation to waiver requests in a different analysis of the site plan and subdivision rules and regs – he

Bill proia – I summarizd in writing as to how the pieces fit togheter – I don't have the waiver list together yet . . .

Karyl – there may have been a semantics difference of opinion on what design vs. construction meant

Bill proia – I have addressed that in my

Karyl – they also told us that they are going to have to do on-site septic system instead of tying into the claybrook system -

Andy – I asked gino to document the process as it applies to this particular applicant as to what is the procedure based on past practices – I asked him to put it into a document and I asked town counsel to review it – dick concurs with what gino has stated –

Gino – to try to summarisze it quickly – essentially, I note that since it is not a subdivision, the subdivision control law re: waivers does not apply – but the zoning law re special permit requires the PB to make findings – also the arcpud rules and regs say that the subdivision rules and regs apply for construction standards – board can require a narrative desription onhow the arcpud meets each stnadar – waivers are provided for can be approved only if they determine that the change is in the public interest – the board can rquire the applicant to provide information to make that decision – tht may be similar to our subdivision rules and regs – but not identical

Bill proia – I have a letter to pass out and I would likeyou to pass out to town counsel – I attached my earlier analysis – I don't think we are that far off – I don't think that designing to subdivision standards is part of the regulatory scheme – I would like you to look at the waiver list with the letter – if the town thinks differently, lets try to come to some agreemtn – we don't want to ssay w are drawing a line in the sand – I think thee is common ground

Andy – the point he is making that the

Bill – one of the subdivision design standards is road width – I would say that width is design but the construction standards apply to materials . . please take a look at the letter – I think there is common ground

Andy – we will read it . . and there will be a waiver list – I will get it to you over the weekend – we are calling it a variation list – cause that is what arc pud calls it . .

Karyl - more discussion from the 6/20 mtg – we did go back to the open space issue – my issues – more open space more buffer for residents along Diane and Kimberlee – that was on the table 2 years ago – it is still the same now – I want you to consider the possibilities of that – we did discuss that the Marians want to have a 7 unit OSRD in the future – we tried to encourage them to look at that

Andy – you all have a document that they responded to us with regarding this option –

Karyl – the rationale was that they hadn't found anything – they weren't ready to invest in that road extension –

Andy – there were some commitments already made on phase I that couldn't be changed – that land can be switched to OSRD from arc pud

Andy – I would like to try to ask the board – is there a concern about putting some kind of time frame on the applicant for submitting the engineering to get this moving to a conclusion – is there a feeling of the board on that

John – I feel we need to decide some things – we need to decide some things – we are going back and forth trying to feel each

Eric – I feel like we have been receiving information on a piecemeal basis

Andy – if we can take and knock off some key issues such as bridge width or any other key decisions that you need that will enable you to finalize your design

Chan – there appears to be a waterway opening measure

Paul – those bridge designs are based on not allowing the 100 year storm to overflow . . . . width relates to the traffic control issue too – my understanding is the only proposal we have is to not have the 100 year go over the road

Chan – we seem to change parameters – so now you are saying

Paul – what are they proposing at this point?

Andy – in order to get this in a more forward progression – Paul has agreed to work with these guys on a collaborative basis to resolve whatever the outstanding drainage issues

Paul – they gave us plans, we reviewed them, bill Drexel has met with Bethany – he has a couple of issues he wants to discuss before he finalizes the plans – we can go over all the other comments at the same time – we will be glad to go forward in that way. We don't want any misunderstanding as to what needs to be done – we can't do an interactive – we need a paper trail and documentation – it is not efficient for the board – we need to submit our comments to the board – but we are more than willing to sit down with the engineer and address the comments

Bob tucker – hasn't this been going on for quite some time – it almost sounds we are helping them design this project – I don't think we are in that business – they know the regs and it is their job to put together

Chan – the concomm set a size limit on the bridge

Christine price, - I am horribly remiss to say thank you for being so open minded about the bridge – I found it to be a hardening experience – better interaction between our boards – I guess just to recap, our responsibility under the wetlands protection act is to permit access or disturbance as minimally as possible – we could effectively deny this whole project with anything more than a 16 foot bridge – the board still believes a 16 foot bridge is doable – taking into account all the information – we would like to hear from VHB a brief summary – there are other very narrow bridges in our nearby communities that operate very successfully indicates to us that being open minded something we can do – ELM BANK on fathers day close to 2000 people and hundred of cars – I have to believe personally that if that can happen – status quo is a very comfortable place to be to regress to – I think we can do better – with reference to water going over the bridge – if we keep the bridge at a lower level, I just ask who among us who has not driven through such kind of water – you know that we are passionate about 16 foot bridge – we think it would be safer – it doesn't need a motorway – I would like to ask VHB as well – has VHB in recent years been involved with any such size bridge –

Paul carter – our problem is with the one way traffic signal – that is what we don't recommend – there is no justification for such an arrangement in the uniform code of traffic – usually only used for temporary construction situations – in this case, in permanent conditions, the long distances would entice drivers to believe the signal is not operating –

Paul – if the pb or the zba wants to make that decision, that is theirs to make

Chan – I spent my whole career in highway design business – this is going to be an entirely private road, it is not going to be a public street – I believe we take VHB's recommendation and the board can still do anything we want to – my recommendation would be to agree with the concomm. I have seen a place right here in Holliston that has more traffic – I am prepared to approve the original idea of the concomm for 16 feet but raising the road so it doesn't flood. I don't mind being one of 5 voting

Christine – if the traffic signals give a false sense of security, why not eliminate traffic signals? It works – why would it not work? Help me understand

Paul – we would recommend the 22 feet – the safety officer is OK going down to 20 feet -

Christine – have vhb ever been in a position of recommending a 16 foot road

Paul – I am not aware of

Christine – so status quo is the case here – we have examples around here – this area would have to be treated with respect – if there has never been an accident

Susy – can you verify that

Eric – I appreciate the concerns and passion in advocating for the 16 foot bridge – both of the examples are not applicable – Elm Bank is a much shorter bridge – I have been there and it creates a traffic mess out on route 16 as well – it is not a perfectly analogous situation either way – I don't think we can look at this situation we are reviewing and find a useful nearby analogy – that is why I think we are so reliant on vhb on their guidance

Christine – it would seem that the ones we have locally are not analogous – they are worse – are you likely to have 300 cars

Eric – the Elm Bank bridge is much shorter

Bill Drexel – we revised the plan when we changed the bridge to 16 feet – length is 150 to 175 feet -

Eric – there is still a huge difference

Bill – straight shot, no curves, visibility is there –

Eric – there was a new situation – at the last meeting, it became apparent that there is an intersection

Andy – and there is a public parking area on the other side of the bridge for viewing the statuary

Bill Drexel – we have the signals at either end of the 150 foot stretch – now only 2 signal heads now – we have a decent queuing length between the stop bar and the stop sign – we expect traffic from within the site coming out – doesn't need a long queue for that – the parking lot is before the residential area – I have seen these permanent signals in other places – I don't have any problem with safety here – I wouldn't recommend it if I didn't feel it was safe – the Uniform Manual does allow for judgement – the manual is not gospel – there is always room for engineering judgments – so we have shortened it up to 150 feet or so . . . not affecting the residences – the problem we might have with the concern is that there is an existing trail there now, we want to stay within that – the thing I don't want to see happen, we don't want to be caught between commissions and boards – we want to keep our road in the cart path area –

Karyl – with spillage, what length would you need?

Bill Drexel – I don't know but it would shorten the bridge length - 3-4 inches of water in the 100 year storm – the duration of that spill, we can get a good sense of the time

John – what about velocity?

Bill Drexel – if we have the 16 foot width, we can accommodate conseration, if we go to 22 feet, we need something we cancount on

Andy – it could be that the bridge can be built in another way

Bill Drexel – cost is not the problem here –

Andy – could a span be made without imoacting the wetlands at all

Paul – you could bridge the whole thing

Chan – you are not putting in an efficient bridge, you are putting in an economical one –

Bill Drexel – the bridge we are designing is an open bottom culvert

Chan – this is a private community, I feel the government has no place in trying to regulate

John – may I ask one quwstion – is this not open to thepublic – does the public have th ability to cross the bridge?

Bill Drexel – the portion of the road that the public is invited to is 22 feet

Andy – do we want to make a motion to advise the applicant in a particular direction . . so paul can give us a reasonable estimation of time

Paul – I cant estimate how long it should take – every design issue we make progress and then we go back

Karyl – going back to the 16 foot road – if it was a better bridge,itmight work – thekiller was the inadequate construction of the brige and the fact that it was so long – made it to me in my mind unsafe –

Bill Drexel – you are talking about the length of the 16 foot area – the width of the roadway is 16 feet but the length of the bridge is 30 feet and then there are a series of culverts on each side and those are deisnge dto regulate the flow

Chan – you could do a bridge with 3 30 foot spans –

Bill Drexel – we are caught between boards – concom wants 16 – the existing path is 18 feet – you want 22 feet that creates more impoact

Bill – we are trying to appease everybody here – going back and forth

Paul – you are proposing 150-175 long at 16 feet wide

Chan – I understand the cost would be tremendously increased –

Andy – if we are to draw some compromise, build the bridge the way it should be

Christine – final comment, democracy is good, - debate is good – I do applaud everyone's open mindedness – there is a compromise out there somewhere

John – I feel I should say to you – I drove up to elm bank – I did try it and I had to back up - there may be some people who can't read, everyone isn't courteous – I cannot say YES to a one way bridge – and it can't be such that it floods – that is where I stand – I really tried, I wanted to minimize the impact on your costs and the environment – I don't think we can compromise the safety issue

Eric – I echo what he says

Karyl – ditto

Bob Tucker – when it comes to having water going over any bridge – if somebody was to have a medical emergency or fire in the development -

Bill Proia – fire department has OK this up.

Chan – religious community has exemptions from zoning in this state – you are a controlled community

Andy – Gino, is this an exempt

Gino – no

Andy – I don't think religion has any place in the discussion at all - the public has the ability to access this and to visit the statuary either for religious purpose or study – we have a responsibility to make sure it is safe – our engineer can't recommend it – you may put a stamp on it, if the town is involved in some type of litigation – we have a duty to act in the best interest of the town –

Bill Drexel – this is a private community – I feel I can put my stamp on this – visibility is there – straight shot – you can see cars from both directions –

Gino – Christine was talking about compromise – the other day, the safety officer said OK at 20 feet – Marian said it wasn't worth going to 20 feet –

Bill Drexel – whatever you have for roadway length, there is additional culvert length

Andy – the fact tht we spent so much time onthis issue shows we are trying to collaborate - you need to go to concom and work on a design that impacts

Bill Drexel – what

Eric – motion that stipulates the PB would support a roadway width of 20 feet face of berm to face of berm without any flooding – karyl – 5 yes . . .

Andy – the applicant had made a reference that the building department controls the structure, we control the width – I spoke with Bob Speroni

Andy – we would suggest that you go to design review committee to work on the design of the bridge – make sure it is a good looking bridge

Andy – so you will get together with Paul carter – it had been my hope that we would talk about some mitigation issues – what are the issues that needs to be mitigated – what are the things that are going to impact the town – for example, there are x number of units going in and that puts us behind in meeting affordable housing goasl – I would like the board to identify what other issues

1. senior center
2. fire department – alarm system
3. increased in ambulance runs, due to higher statistics

bill proia – how are those paid for now?

Andy – there is a shortfall in what they are allowed to bill for so the town is constantly underwriting

Bill proia – the impact has to be particularlized to our development –

Andy – there could be

Bill proia – quantify it and give it to us and we can respond to

Bill – just a comment on the affordable housing –

Andy – eric, can you put some calculations – w

Eric – yes, we can do something – eric, andy,

Bill proai – another request, we already made our case in writing for the sernior center- I would ask that you have town counsel review our original letter

Bill – we have agreed to voluntary mitigation in the past – we will evaluate your proposal

Bill – it is our analysis that the board cannot impose any requirements for mitigation

Susy – I am hearing that they want us to propose a mitigation

Bill – the courts have said it is the town's responsibility to identify the impacts -

Karyl – he is asking

Eric – they will respond to our proposal

Bill – the courts have said the town should put the impacts together and let us know

Karyl –another comment, we have not had the opportunity to have legal services sit here with us, we are here guessing what our rights are – and I am not so sure that – we have had the benefit of the applicant's attorney – we have never had legal representation here – it is high time that we have

Bill Proia – we offered if the town was having trouble paying for legal counsel – it is a consultanting service

Andy – I have a meeting with Suzanne to discuss this exact matter so we can have counsel represent us . .

Andy – do you have enough information to move forward –

Bill – karyl mentioned that there needs to be a new septic design – I would like bill Drexel to speak to this . . .

Bill Drexel – we put together a conceptual plan for septic facilities to keep out of resource areas – we are proposing to use a system approved by DEP called PRESBY septic system we discussed with board of health and brought in a sample – to keep them apprised of the situation – I have about 5 different areas that are going to be gravity fed or pumped to a septic system – they can be shaped or curved to fit an area – they function very well – they have had a number of systems in place – approved by DEP for use in Massachusetts – what I have shown is the area that would be needed to comply with title 5 –

Andy – you will show your wells too

Bill Drexel – yes, we have to – wells that will supply groups of homes for 24 people or less – we will keep those far enough away from the septic system s

Andy – your time frame for all this

Bill Drexel – I will have to get back to you – I need a bit more info from PRESBY before I can



Chan – is this a package plant

Bill – each unit has a septic tank and gravity to a soil absorption/leechfield - we need to reconfigure the pipes to flow to a leechfield or a pump chamber –

Karyl – in implementing this, aren't they invasive in the buffer zones here?

Bill – we want to not increase disturbance

Andy – my concern is the time associated with coming up with this design – this appears to be massive to me – this is a lot of work – what type of time frame can we expect on this?

John Spink – this doesn't really effect anything – the septic and wells will go to the board of health

Paul – it all just needs to be shown so it doesn't conflict with drainage and roads

Andy – BOH wants us to incorporate conditions – we don't want to approve a drainage system that

Eric – BOH has to resolve its issues before we can handle this

Bill Drexel – if the wells and septic are shown

Andy – I want to know where the leechfields are going to go

Bill – yes – I don't have all the minute

Bill proia – can we leave that to the engineers to figure out

Paul – I would suggest it would be what is normally shown with subdivisions and site plans – you want to keep the differentiation between what one board approves and another

Paul – you need to size the fields so you don't want to have to come back

Bill – I will not be giving you the details that I need to give the BOH – I will give you a plan view so you know there is no conflict –

Andy – and you will show the wells as well.

Bill proia – one last request . . . – we still have to get paul the information on the flood plain analysis – could you appoint a subcommittee

SUSY – Tuesday, AUGUST 8<sup>TH</sup> 7:35 PM - continuation . . .

Rich – can we do more of these informal meetings

Andy – we did that to get us out of rut . . . we cant do it repeatedly . . .

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11:30 p.m.

Pine Ridge Certificate of Action

Restuarnt 45 – awaiting written agreement from town – to be praped by

Karyl – motion to endorse plans with that oustanidn item – all yes

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LID Rules and Regs –

Paul – I took the input from the 5/16 meeting and added in some language changes after that –

Andy – let’s schedule the public hearing to adopt these – September . . .

Specifically invite developers to the public hearing and the engineering community

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CO Estimates –

Applegate Farm – Karyl -, john - \$16,315.95 –

Pine Ridge – Karyl – 9610.65 – kkaryl and John all yes

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CO Report on ICE

Andy – we don’t have a procedure for how to deal with neighbor complaints – susy talked to Paul about sitting down with us on how to handle

Paul Yorkis – you may want to invite bob speroni to participate in this way

Paul Carter –

Andy – it would be good

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Applegate Farm Decision

Yes

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formal appointment – john to appoint Rachel walsh to the DRC – seconded by chan – all yes  
Karyl recuse -

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Motion to pay VHB – hartney acres ii – all yes –

Motion to

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Bob Potheau – requested another extension for

Motion to extend deadline – conditioned on cleaning up asphalt materials that are dumped in  
front of property - karyl, chan –

All yes

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Grapevine Bond closure

John – motion to close the bond account – and refund the balance of the CO – seconded by chan  
– all yes . . .

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VHB – Smart Growth Grant - \$2,300 – karyl, john – all yes

VHB 12,535.67 – chan , karyl -0 all yes

Katie – karyl, andy - \$ 48.93

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CVS – request to release bond

Trellis design – look very chintzy –

Won't vote until the trellis stuff is done . .

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Board signed plans for The Haven –

Motion to adjourn – karyl, chan –

All yes

1:10 am –

June 6, 2006 – Library

Andy, john, matt, chan, karyl, - also bob tucker and dick maciolek

Call meeting to order at 7:35 p.m.

Citizen comments

John Lally – I am severly opposed to this; cutting off the access to coffee street and restricintg access through rosenfelds - my history with mr rosenfeld – I would be surprised if it ever materialized – I would be held hostage -

All roads in there are private

Andy – it would be our intent for the road to have public access – that would be imperiitive to a successful outcome for the otwn of medway

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Deliberations

First concern that public expressed was access on coffee street and what type of traffic impacts would occur relative to use of private way and whether it would be connected between green valley and coffee street and whether the small strip of frontage - could we prevent access

Dick – general rule is that you can't cross residentially zoned property to reach commercial or industrially zoned property – so you would have to do something to do something to keep trucks off

Andy – what about adjusting the zoning on 35 coffee street so that it remains residential for 200 deep along coffee street

Dick – the county layout is a private way – owned by the abutters . . .

Susy – assessors office says it is the town's road –

John – what about paul desimone's comments at the public hearing referencing a document from 1974

Dick reviewed the document – he can look it up and find out more about the court case

Susy – is this

Andy – when you first said accessing the back land could not occur – start – could

Andy – mr lally is concerned about whether the easement

Karyl – there is a to the middle of the road issue –

Chan – what about the other properties in that industrial park – they are operating on a network of private streets

Andy – it is our intent to not want to

Matt – this extension from end of marc road is essential – as a practical point, we should have an agreement in place before town meeting and I don't expect that we can pull that together in a week and a half -

Dick – who will build the road, ellen wont

Andy – a future developer

Dick – the other thing you need is a plan that can be recorded – and you can't get that by the 12<sup>th</sup> of june – real world stuff –

Andy – is the board comfortable with the understnaidng if we move some of the lines back that we can protect coffee street

Chan – what's the matter with dropping the 4 houses 43-49?

Chan – if he wants to use his property,

Andy – I don't want to leave him landlocked and yet I want to protect coffee street

Matt – I think the AG might approve it without the easement being finalized

Karyl – I think the 4 houses on coffee street – where they can get an advantage – those 4 would get a big bump – it would look attractive to Ellen

John – splitting 35 coffee street into residential – if we change the zoning 43-49 then we are removing residential on coffee . .

Chan – I would rather see those people at 43-49 come back and ask for a change

Matt – at the beginning I wasn't in favor of any of this rezoning – now I have more of a reason to not go forward with it for this town meeting

Karyl – I agree with matt – please consider that you have to do something about the buffers - 200 foot buffer

Chan – 30 feet is not a buffer – 200 feet is too much

Dick – you are suggested not rezoning the 43-47 when those people may be OK – or don't care but you are saying you want to go ahead and rezone when the owner doesn't want you to . . .

Andy – it is a large parcel next to existing industrial land

Dick you still have to realize that if

Dick – I knew john's father and their siblings and their generation before – none of them ever wanted to develop it, john doesn't want to develop it

Karyl – mr fontanella said the same thing – I had a conversation with him a gazillion times – he didn't want anything to have it but he didn't do anything to protect it in perpetuity –

Andy – private property and it is his decision whether or not to develop – he can do with it what he wants – if this should fail, it

Karyl – did anybody look into the water issues – at what point isn't it wet – bog, swamp –

Chan – his property is only 26 acres plus 5 – that is peanuts compared to what we really need – maybe that is too small to not do it – I don't feel that the ROW is an issue – he will have to subdivide it

Andy – to summarize on these two big pieces – comfortable with how we get access

Karyl- I don't like the

Andy – we should pursue the no trucks effort – street is too narrow – look at a wetlands map –

Andy – any objections on the back piece

John - why wasn't that made industrial at the time – concerned about the well – there appears to be a swale back there

Andy – mark Flaherty has reviewed what we have proposed and he doesn't have any problem

Chan- I move that we approve article 39 – any discussion – rosenfeld – parcel 493A – seconded by matt –

Andy – I would like to hold off on the other 3 articles so we can check with the IDC on how they feel –

Chan – I feel paul desiimones comments were bogus – but we need to look at the buffer size

Karyl – I feel 70 feet of buffer is far short of what is needed

Chan – there is not much land left in Medway to zone industrial without it becoming an island within residential – we could add to the west without disturbing anything – the only thing on the east is the lally property

Andy – what size right of way

Karyl – I can't tell you for sure – I need to think about it – I would love 200- 70 feet is not enough – 30 feet is an insult –

Andy – matt

Matt – I haven't given enough thought to that

Chan- you cant really specify a set amount – depends on the adjacent property and topography –

Andy – I will get an aerial photo showing the wetlands . . .

Chan – if you take 50

Matt – all those are available on GOOGLE earth –

Karyl – I had a long conversation with Dan and we were talking about buffers and wooded – we were looking at space and through trees and we thought that even up to 100 feet isn't very much – it does depend on what the conditions are in the buffer zone – along spruce and green valley there are lots of woods,

Andy – lots of back lot – the houses are pretty close to the street –

Chan – what are we doing in terms of total perspective

Andy – the master plan is our guide – balance the needs of the community that are impacted most compared to the overall community to try to get uses that don't

Karyl – joe musmanno is saying that the PB needs to look at the broader picture – maybe we are being a little myopic

Andy – if you look at the town as a whole . . . you can see the densities that exist in the village type areas – lots of open land that exists – utilities and pieces of water – no matter where you go you are going to impact one of the preexisting residential areas - this area we are proposing is contiguous

Chan – if we could find 500 acres – major impact – 26 acres is not appreciable either way –

Andy – as we go forward for next year, shall we put together a study group

Karyl – we hired an architect to look at the northeast corner - chilinski



Andy – what has instigated what we are talking about is the master plan – we haven't finished the punch list from the master plan –

Karyl – more infrastructure of roadways that take the burden off roadways

Andy – if you think like that then putting a connector road between coffee street north makes lots of sense – provide relief at intersections . . – look at the effort we are spending tonight to make sure we don't do that

Karyl – we need to explore other options

Andy – first step is to rezone and then

Karyl – I disagree. I think you have to run the gamut of the impact of the rezoning – huge – and sometimes

Chan – if you don't rezone land now – then it is going to go to residential – in this case, Lally says he won't do anything – we can't make a decision based on that alone

Andy – can we hold off until June 8<sup>th</sup> – and think about what is appropriate – each think about – decide on the June 8<sup>th</sup> - if we don't pursue it at town meeting, then what should we do?

Matt – we need to look at other places

Chan – we also need to decide to not go ahead with article 36

Chan – motion to exempt article 36 – the 4 lots – withdraw from consideration – seconded by John

Matt – I would like to wait for IDC's input

Chan – I will withdraw the motion then

John – I will withdraw my second . . .

Andy – I will tell them that . . .

Andy – if we could, susy – the footage that we specify depth – so it could be ANR

Matt – could we find out by June 8<sup>th</sup> who actually owns the county layout – I don't want to go into this blind if 35 coffee street is already divided

Pull plan 320 of 1965

Andy – do you have enough information to get us some advice

Dick – you have to get something off of marc road – ultimately easement and a plan – memorandum of understanding in the meantime - once you get that in place, then the property can be accessed from other industrial land

Andy – lets see what we can get

Dick – I can check out

Agreeto table 3 articles until june 8

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Matt - consent calendar explanation -

Recommend to Mark Cerel to do 26 – 30 on Consent Calendar

Article 31 – karyl and matt – all yes

Article 32 – karyl, chan – all yes

Article 33 –matt, karyl – all yes

Chan objects requiring a landscape architect

Karylo – first step in LID

Article 34 – karyl, matt – all lyes

Article 35 –

Karyl – I move we dismiss, seconded by andy

Discussion –

John – we want to encourage OSRD vs. conventional

Karyl – we need to make it very attractive to get folks

John – wait until we do inclusionary for conventional -

Matt – I am leaning toward not recommending it

All YES to dismiss

Article 40 – hold off and run it by mark –

Change #14 to # 22 and limit it to one sign and 2 square feet

Smart Growth Grant – FY 07

1. route 109
2. south of medway commons – Cassidy property
3. mill reuse overlay district
4. traditional neighborhood design/mixed use overlay

go for it . . . talk to gino for writing it . . .

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announce rescheduled PH on Mrian from 6/14 to 6/22

announce rescheduled PH on Marian from 6/14 to 6/8

email from Susan Bouchard

Committee Assignments

TA/BOS – andy rodenhiser

Water/Sewer – chan rogers

Concom – Bob Tucker

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Matt – I have to be off the board by the end of June – the only thing

Talk to Maciolek about associate member

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GOALS

Ideas for FY 07

Karyl - Make sure that plans are showing Existing Conditions – where the wetlands are and how the wetlands should effect their number counts and road layouts – 4 step process –

John – enforcement of

Andy – we need a checklist . . . .

Karyl – it is already part of the rules and regs –

Andy – before we schedule a hearing we want them to certify

John – as found – inventory of existing conditions . .

Bob – base line information – so as a board you can evaluate what they are really doing to the land

Karyl – it is expensive for the applicants to hire somebody

Review our rules and regs for requirements re: existing conditions – see where we need to fix –

GOAL – Publish the Development Guide

GOAL – start process for zoning changes sooner – early on – develop ideas in a better way- to include people – opponents and proponents –

Susy – franklin experience

Chan – have our public hearings before we submit articles for the warrant

GOAL – have a friendly guide to development steps – ANR, site plan, subdivision, public oriented –

GOAL – reduce the number of times we need to meet with a given applicant –

Bob – need to make them responsible for their actions – accountable – tougher

Explore rejecting applications for incomplete plans -

Chan - take a cursory look at the plan to see if it is complete

GOAL – determine a way to improve the initial submission of plans including existing conditions plans

Andy – maybe a sit down with some of the real trouble engineers

Chan – offer to look over early plans

John – page 22 of midway master plan – explore limiting number of building permits/per year – tie to nonavailability of water

Goal – investigate/research this initiative -

Karyl – would that just cause applicants to submit stuff quickly??

GOAL – complete inclusionary housing bylaw

Andy – how do you feel at town meeting to try to take \$ from somebody else's budget to do a master plan update

No interest in doing that . . . .

Andy – we need to promote the master plan

Lets continue this discussion – look at this as just a start

Motion to adjourn – karyl – john

Chan – the master plan is a guide – not to taken absolute

Adjourn at 11 pm

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July 18, 2006

Andy, chan, john, karyl, and bob

Also – susy and mark cerel

Called to order at 7:17 pm

Andy – thank you for offering to do this for us

Mark Cerel - give a couple of things to look at.

1. outline for what I did for Franklin's land use boards
2. illustration – portion of special permit section from Franklin's senior village bylaw
3. excerpt from a recent Mass appeals court case – 2001 – which clearly lays out the standard for special permits and court review

basic sheet to work off – outline for workshop on holding public hearings – I will go thru parts of it generally and then we can get into specific questions – big picture –

Legal authority under which you are acting – special permit granting authority under the zoning law, not the subdivision law – different criteria and standards – acting akin to the ZBA – under chapter 40A, there are a number of entities can be a special permit granting authority other than the ZBA: PBs often are the SPGA for development projects like arcud – not unusual – for mixed use, overlay

Karyl – why then as a permit granting board don't we review 40B projects?

Mark – the statute specifically makes it the ZBAs – I think you have to go back historically to understand – the real genesis of 40B in the late 60s and 70s is that suburbs were zoning out apartments – 40B was a direct response to that – but then it lay dormant for many years and morphed into what it is now – pushing entirely different kind of projects, particularly home ownership

Chan – didn't they want to prevent the groups that were promulgating land use zoning bylaw to be reviewing projects?

Mark – I don't think so . . . 40B is a very small part of statute – 40A and subdivision control law are huge . .

Mark – in the case of special permits – your authority is chapter 40A and the home rule amendment – at one time, municipalities were creatures of the state and only had authority that was granted to them, i.e. zoning enabling statute – in the 70s – the state constitution was amended to include home rules – municipalities had their own inherent authority to do whatever

the state prohibits them from doing – but 40A is still on the books – towns have a lot of flexibility – for example – site plan approval is not specified anywhere in 40A

Mark – so when you are doing special permits, you are working under your local bylaw – for an attorney to tell you that . . . that is just not true –

Karyl – unless it says you cannot do something,

Mark – so what you are really under is the local bylaw – for your purposes your authority is the bylaw which has a presumption of validity to it. On the other hand, you have the PB's ARCPUD rules and regs and those are a little more suspect.

Andy – do the rules and regs limit us

Mark – If you were doing something absolutely contrary to your rules and regs

Mark – local boards – you don't automatically have authority to enact regs – in this case, the authority to have rules comes from 40A – intended to be procedural in nature – they should not be dealing with substantive matters . . . the basic bylaw is what the authority that gives. . if you look at your ARCPUD bylaw, you get into certain open space standards and site development standards – I don't think you can be stricter than those – if it is a matter of clarification, then there is more leeway. You have those standards . But what really matters is the findings that you have to make to grant the special permit – as an example . . . #8 – gives you a lot of discretion to determine if something is satisfactory. If your engineers or some standard is different than what the applicant purposes - or you can make it a condition . . . provided that they meet such standards – FINDINGS requirements are the most important – that is what ties into the court decision I gave you.

Mark – what is very important to understand is that acting under zoning . . . discretionary – unlike subdivisions which have a right as long as they meet standards and need no waivers.

In zoning appeals – the court holds a trial denova – they are not even looking at your decision – the judge hears the matter all over again – then the judge compares what comes out in the trial to what the SPGA did. Is there a basis for their action - The judge hears the evidences and compares to the findings required in the bylaw and then looks at what the PB did. . . . PB cannot be arbitrary, capricious, whimsical, etc. turn down for no articulatable reason

Franklin – ARCPUD type decision – PB voted 3-2 – not a supermajority – applicant took town to court – issue was traffic. 4 corners area – applicant offered to do traffic mitigation

Andy – PB finds that the following circumstances exist and there is no way to mitigate, so therefore we are denying this

Mark – the most critical thing is what went on at the hearing – the testimony that is offered – you can rely on your own experts – you don't have to take the applicant's experts as given – there is not all perfect science – it is as much art as science – different formulas for drainage calcs,

different results – it is incumbent on you to have the consultants at the hearing level that will give you as much information as possible – applicant is paying for it – if you go to court, it will cost the town to get the consultants.

Andy – we can ask people to come in and give testimony about different things – for example, Charles River Watershed Council. They can be an advocate for

Mark – any such comments need to be site specific – neighbors need to hire engineers to challenge the applicant or PB.

Mark – so, you should be going through the most critical part is Section F – page 88 and 89 – the 14 criteria – it is incumbent upon the applicant to address all the criteria – you don't have to grant waivers – the bylaw requires you to make these findings – if they want one of the criteria waived, they have to go to the ZBA

Mark – You can almost disregard your regs, we want to hear a presentation that addresses all 14 of the ARCPUD criteria – and to a lesser degree to the development standards -

John – rules and regs are supposed to be procedural . . . the requirement to provide an existing conditions plan – that would be a rule and reg – so that is something we can do and we have the authority to require that –

Mark – in my opinion, YES. That is just good practice.

Andy – it sounds like we have made a mistake in having a reference in our rules and regs?

Mark – you can use any standards you wish as long as they are reasonable . . .

Susy - the intent of the PB in the year 2000-2001, was to default to the subdivision rules and regs for an ARCPUD because the subdivision rules and regs were what they knew . . .

Mark – there has to be some basis, reasonable, rational relationship to legitimate public purpose

Andy – our ARCPUD rules and regs default to the subdivision rules and regs . . should all these references be in our bylaw?

Mark – I don't think it needs to be in the bylaw or in the rules and regs

Mark – the bylaw says that you will make a finding regarding . . .

Bob – I understand where you are coming from . . .

Karyl – what about bridge standards?

Mark – you can use the standard that you wish



Andy – the applicant is drawing on our guidelines

Mark – they have the burden to convince you and create sufficient factual record to support making the findings that you need to make. You have no authority to change the bylaw . . you have to make the findings that this bylaw requires you to make

Andy – lets look at an inverse . . suppose we deny something because we cannot agree to the findings – the alternative is that they come in with a subdivision plan, that needs to be in the backs of their mind??

Mark – keep in mind if they can come in with a waiverless subdivision plan . . they would be entitled to this . .

Mark – if an applicant is denied, then there is an 18 month cooling off period before somebody could apply for a 40B for the site. They are limited on their profits . . . 40B does not trump state laws (wetlands and river front acts - concom) – 40B only trumps local bylaws/standards

Mark – from a development standpoint, the town is better off to do something with clustering, than the sprawl of a conventional subdivision –

Karyl – problematic sites, marginal sites are being jammed in . . .

Mark- you should have a bylaw in place to address INI (infiltration and inflow) – the joints of the pipes leak – the more of that you can replace – towns can require developer to pay some money for the town to fix the problem or the developer can do the work . . this is a major thing – something that DEP pushes . . . line the pipes or redo the manholes . . . .

Mark – lets talk about . . exactions – goodies, monetary . . . starting point is that you have to understand that generalized impact fees are illegal (school system and municipal services) – that is a very thin line – it is a one thing if a developer in a give and take situation

Mark – even if a developer is willing to do something (money or work) and you still can't make a positive finding, that is contractual zoning and that is illegal

Mark – if you try to impose something on a developer without a basis for doing so – got to be very careful . .

John – if the senior center costs the town \$32 per senior, and they are bringing in 152 seniors into the town what can we do?

Mark – another example – every kid in town costs \$6,000 to \$7,000 for schools – you cannot do impact fees in Massachusetts – end of story

Karyl – we have been led down the wrong road, according to certain applicants, it has to be impact only – hoping that we would bite at that . .

Mark – Emerson case . . Emerson College case with supreme court – going back to home rule matter – one of the areas that the state has prohibited municipalities to be involved in is TAX, but you can impose fees for services, The question becomes what is a fee and what is a tax. Supreme Court laid out a 3 prong test – Boston looked at a fire alarm service fee across the board – College challenged it – supreme court – what distinguishes between a fee and a tax

1. fee – there has to be something unique about the project or service being required as opposed to what is generally provided to the population at large
2. has to be voluntary – you have a choice whether to accept the service or not – not a mandatory service
3. primarily to pay for the service being provided and not as a revenue generating vehicle

example – pay to throw is OK

apply the emerson challenge – franklin's impact fee proposal – falls flat –

Extensive Discussion - on requiring that open space be open to the public – Mark feels that this is going to far – needs incremental standards – if you provide more open space, then you can do this and that . . .

andy – to what extent can you exact something??? If the town's infrastructure does not

mark - lots of grey areas . . .

Andy – we need to figure out questions we can ask . .

Mark – if you are doing subdivision control – sidewalks – negotiable

Mark – if you are talking special permit – sidewalk rule is not reasonable/suspect

Mark – conditions/exactions must bear reasonable relationship to the relief needed – DOLAN vs. City of Tigard – US Supreme Court – rough proportionality between exaction and relief

Mark – when it comes to conditions, those conditions that are going to make it a good project, that will benefit the users of the project and of impose a burden on the community vs. conditions that are piling on or picking on a developer or giving him a disproportionate burden

Imposing a requirement that designated open space is available to the general public – Mark thinks that is challengeable . . .

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Special Counsel Discussion –

Andy – I have asked Karyl to start making some phone calls to collect info from prospective attorneys who might be able to assist us – susy is preparing a list

Mark – too much in flux right now in the town for me to consider doing this . . . I don't want to get conflicted with CPC or Moderator - very complicated – I don't like to turn down work – I thought perhaps at least in the interim, it could give you some direction – you have considerable discretion and authority – you have all these findings –

Burden of proof is on the applicant to show how they meet the required ARCPUD findings –

Mark – dover amendment only comes into play if they assert it which they are not doing . . . related to certain uses being exempt from zoning – this is simply a cluster housing development

Andy – chan has said that because they are religious organization they are exempt from our review - we need to not say such things during the public hearing

Bob – I think as a board, we have gone far beyond, we have played the game far too long – I don't want to look at their waiver request until I see the plans.

Mark – say something at the next public hearing – we need to refocus here – look at section F – how do you meet those standards

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Motion to Release the CVS bond for \$15,000 by Karyl , sec by chan – all yes . . .

Bob – Is there anything left undone? Anything wrong with the signs??

Special Counsel – karyl will be contacting list of people –

Motion to adjourn – karyl, john – 10:12 pm

*Approved – August 22, 2006*

*Andy Rodenhiser, Chairman  
Cranston (Chan) Rogers, P.E., Vice-Chairman  
Karyl Spiller-Walsh  
John Schroeder  
Robert K. Tucker  
Eric Alexander, Associate Member*

## ***Medway Planning Board Meeting July 25, 2006***

PRESENT: ANDY RODENHISER, CHAN ROGERS, BOB TUCKER, JOHN SCHROEDER, and KARYL SPILLER-WALSH.

Also present: Susy Affleck-Childs, Planning Board Assistant; Paul Carter, VHB, Inc.; and Gino Carlucci, PGC Associates.

Meeting called to order at 7:05 pm

***CITIZEN COMMENTS*** – None

### ***Discussion with Nancy Brady, 153 Holliston Street***

Nancy Brady – I currently live at 153 Holliston on 5-acre piece of land. I want to build a new house in back of the existing house, but I want to live in the old house until I can live in the new one. It is a long deep lot. the new house would be 85 feet behind the existing house. There is a 25' wide strip next to our lot that connects to the back lot that my father owns.

Gino Carlucci – I am a little confused. This citation is from Subdivision Rules and Regs.

Susy Affleck-Childs – Bob Speroni pointed out that the Subdivision Rules and Regs state that there cannot be more than 2 houses on a lot without the permission of the Planning Board. That is why she is here.

BOB TUCKER – Your intention would be to demolish the existing house once the new house is done?

Nancy Brady – Yes.

A motion was made by Chan Rogers, seconded by John Schroeder to authorize construction of a second house at 153 Holliston Street with the proviso that the existing house be vacated and demolished within 120 days after occupancy permit is issued for the new house. The motion passed unanimously.

***Swenson Granite Special Permit – Referral from ZBA for special permit in flood plain/wetlands district***

Susy Affleck-Childs – Swenson Granite wants to build a small addition to their existing building on Industrial Park Road. Because part of the parcel is in the flood plain/wetland protection district, a special permit must be secured from the ZBA before construction can occur. I had placed this item on the agenda in the hopes that Swenson's engineer would supply a site plan showing the location of the proposed addition. But that has not happened.

A motion was made Bob Tucker, seconded by Chan Rogers to table this matter until they come back with sufficient information. The motion passed unanimously

CHAN ROGERS – Just to be clear, they need to provide a plan that shows where the addition will be located.

### ***Construction Observation***

Paul Carter – Susy asked that we contact Bobby Cheschi for The Haven subdivision for a preconstruction meeting. We met with them on July 14<sup>th</sup>. They are going to be starting the clearing the second week of August on this 3 lot, private way subdivision. They will demolish the existing house. We gave them a list of key inspections that are required.

BOB TUCKER – In looking at your report outlining the sequence of construction, why is he delaying putting in the hay bales before grubbing. The hay bales should be in first.

Paul Carter – That list is in reverse order. We can clarify that with him.

### ***Village Acres Subdivision Bond Account***

Susy Affleck-Childs – This is a bond account we have been carrying for way too long. This subdivision has been done for several years. It was a private way subdivision. I recommend you authorize closing the account. I believe there is only about \$20.00 left in it.

A motion was made by Chan Rogers, seconded by John Schroeder to approve closing the subdivision bond account for the Village Acres subdivision. The motion passed unanimously.

### ***Reports***

BOB TUCKER – I attended a CONCOM meeting. They discussed 13 Franklin Street/Walsh property. Their engineer (Bill Halsing of Land Planning, Inc.) brought in a revised drawing. They had adjusted the road width as we had asked them to do. They added cape cod berm and they had modified the roadway to be acceptable with basins on both sides of roadway and a crown. It was still very much a preliminary plan at that point but CONCOM had no issues with what was presented; they seemed fairly happy. The only thing that was not revised was the driveway slope. It is still being shown at 8%.

ANDY RODENHISER – As we interact with these other boards, we take back what we hear. There is a good spirit of teamwork toward getting things that are in the Town's best interest.

ANDY RODENHISER – I am trying to get in front of the Water and Sewer Board to discuss finding a way to communicate about sewer capacities and problems. I also want to talk with

them about creating a revolving account for infiltration assessments with fees to address leaks, etc. I think it would reduce the expense of the rate payers and provide needed capacity in the future for businesses and residences that may want to connect. They are not a very active board in the summertime. I will keep you posted as things to develop

BOB TUCKER – It is a good idea to know what is out there.

ANDY RODENHISER – There isn't a process about where we are in terms of capacity. It could be that all of a sudden we are out of sewage treatment capacity.

Gino Carlucci – On that subject, the Charles River Water Pollution Control District send a letter to the IDC indicating that there are 95,000 gallons of capacity left.

ANDY RODENHISER – While we are dealing with what is left, we need to be aware of how this will all work

KARYL SPILLER-WALSH – At what point do we correlate those two numbers . . .the incoming applicants vs. allowable capacity?

ANDY RODENHISER – We need a process to be able to say you are next to get sewer.

CHAN ROGERS – It needs to be prioritized.

ANDY RODENHISER – There needs to be a defined process. There may be projects that are in the planning process, where we could approve something that there is no sewage treatment capacity for. We need some link to sewer connection permits. Maybe we should have applicants show us that they have been accepted into the sewer connection.

KARYL SPILLER-WALSH – There should there be some sort of publicity or publication that states there is X amount available. There might be existing neighborhoods that might want to hook up.

ANDY RODENHISER – That letter from the Pollution Control District is intended to specify what gallons are available specifically for the industrial park.

BOB TUCKER – The other thing we talked about too is what is the status of the (sewage treatment) facility. Can it be grown out? Where does it stand? Do the member towns need to start thinking about the future? When is that point in the future when there is no more capacity?

KARYL SPILLER-WALSH - We should have information that comes to us with project applications re: how many gallons of sewage needing treatment are expected.

ANDY RODENHISER – I think the sewer department has a standard number. Let's say it is 65 gallons per day per person

BOB TUCKER – Back when I had to review septic designs, it was 150 gallons per day per bedroom.

ANDY RODENHISER – My intent is to go to them and say to them that it may be a problem. As we start looking at plans and things, we need to be mindful of what capacity exists.

CHAN ROGERS – There is a parallel position with the water supply.

ANDY RODENHISER – Look at the time it takes us to do some of these things!

KARYL SPILLER-WALSH – Applications may need to zig-zag back and forth between the various boards/commissions.

CHAN ROGERS – This is something that Susy can do when people come in for application information.

***Rolling Hills Definitive Subdivision Plan – Public Hearing Continuation***

7:40 pm

CHAN ROGERS – What were the issues for the delay on this?

Reference VHB's response letter dated July 7<sup>th</sup> and revised plans dated July 17<sup>th</sup>

Paul DeSimone – I needed to address VHB's list of concerns. We did get an Order of Conditions from CONCOM. I have 2 septic designs approved by the Board of Health (BOH). I am trying to work out a few last things with VHB. That is where we stand now. We are asking for those 2 waivers – to off center the paved roadway within the roadway layout and a waiver on street light installation. Regarding 5.5.10.1, in the drainage calc study, we did submit the tests we had done. The elevation in the detention is at 236 and our base is at 238.

Paul Carter – We received the revised plans last week, but I was on vacation and haven't reviewed them yet.

NOTE – Paul DeSimone reviewed how they had responded to the July 7<sup>th</sup> VHB letter.

Paul Carter – 5.7.32 – I am looking for a cross section of the landscaped island. You need to provide a construction detail on the materials and thickness.

Paul Carter – Is the PB comfortable with concrete pavers on the island?

KARYL SPILLER-WALSH – No.

ANDY RODENHISER – What is the purpose of that area? Will that become the ownership of the homeowners association?

Paul Carter – Please look at the cross section in the Subdivision Rules and Res. The regs show the thicknesses and the materials

Paul DeSimone - If we can save the tree, we will not landscape the island. The key is to try to save the 24-inch tree and use ground cover. If the tree goes, we will do a full landscaping. If it stays, it will have a woody feel.

KARYL SPILLER-WALSH – I want you to make monumental attempts to save the oak tree and then put in a ground cover such as myrtle or pachysandra.

Paul DeSimone – We would add in burning bushes, Rhodes and some creping junipers.

Paul Carter – It just seems confusing on the plans. What are you committing to?

KARYL SPILLER-WALSH – What will determine whether you save the tree or not? You need to be aggressive about it.

Paul DeSimone – The owner wants to save it.

Paul Carter – Have the landscaped island plan serve as the plan whether it includes the oak tree or is entirely new.

Paul DeSimone – But if we can keep it woodsy, then the new plants should reflect that.

ANDY RODENHISER – Lets put the effort into saving the tree.

Paul DeSimone – CONCOM wants us to use mulch tubes instead of hay bales. That is what we have to do now, per their Order of Conditions. 7.7.2. (h) – There will be a little depression with two pipes coming out to enter into the wetlands on the other side of the street.

KARYL SPILLER-WALSH – That sounds like a detention pond to me.

Paul DeSimone – It is a low area that will look nice and CONCOM wants to protect it 25 feet around. It will dress up the site.

Paul Carter – It is like a culvert. They will stabilize it. It already functions in this way now.

ANDY RODENHISER – Is there a detail showing that?

Susy Affleck-Childs – What will the retaining wall look like?

Paul DeSimone - Poured in place or modular concrete, 2-6 feet.

Paul Carter - I was looking for more details on how the pipes will come through the wall. I thought it would be helpful to show how the pipe goes through it. I guess in terms of the wall itself, I had some questions re: manufacturer, make, model, etc.

Susy Affleck-Childs – The Planning Boards in recent years have vowed they would not permit concrete retaining walls with chain link fences.

Paul DeSimone – When we get to that point, we will give you a design then. We are thinking of concrete modular block. We will give you a cut sheet.

CHAN ROGERS – The total height of the wall is 4 feet.

KARYL SPILLER-WALSH – In some places it looks like 6 feet of retaining wall.



BOB TUCKER – Is the guard rail enough to have on top?

Paul Carter – It should be shown where the guardrail is in relation to the retaining wall.

Paul DeSimone – That area is all woods, so it can't be seen.

KARYL SPILLER-WALSH – I want to make sure it is wooded enough.

ANDY RODENHISER – Can you do a scaled drawing elevation of that wall? Follow the profile that you have.

Susy Affleck-Childs – If Bob Speroni says it needs a fence, it should be specified as to materials.

Paul DeSimone – I will talk to Bob Speroni.

ANDY RODENHISER – I think Bob Speroni will say that we can't dictate what the design and materials are going to be.

KARYL SPILLER-WALSH – We want to upgrade the surface part that is visible to the public.

Paul DeSimone - I will do a profile and ask Bob Speroni if we need a fence or railing.

Paul Carter – Please show the guardrail in relation to the wall.

Paul Carter - 7.25.3 – We are looking for some kind of marking. It doesn't have to be an actual monument. You need to completely bound each parcel with monuments. Every angle point on the property. I can take a look at the regs again.

BOB TUCKER – I wasn't aware that that was in the regs

Paul Carter - Maybe it is not a concrete bound, but an iron pipe.

Gino Carlucci – That sounds familiar.

KARYL SPILLER-WALSH – What kind of landscaping are you looking at for the end of the cul de sac? I want to see some sort of naturalizing and staggering. This is too regimented. Bring it around to be screened from the end of the cul de sac.

Paul DeSimone – Per CONCOM we have done an oak tree, sweet pepper bush, maple tree., etc. – all to hide the detention basin.

KARYL SPILLER-WALSH – Please naturalize the little detention pond that isn't.

Paul DeSimone – Whatever is there now cannot be touched. CONCOM wants to be out there during construction.

ANDY RODENHISER - What do we want for next meeting? – Feedback from Bob Speroni on wall and railing. Clarify foundation drains around the houses.

The public hearing was continued to August 22 at 7:35 pm.

NOTE – Any materials are due August 8<sup>th</sup>.

***Charles River Acres OSRD Special Permit – Public Hearing Continuation***

John Parmentier, P.E. – Dunn McKenzie  
Bob Babcock, Dunn McKenzie  
Karop (KIP) Dirazonian, applicant

8:35 p.m.

John Parmentier - Since the last meeting, we received responses from various town boards which had reviewed the plans. We have made some minor modifications. I did produce a letter dated July 18. We received a report today from the Water/Sewer department.

NOTE \_ Andy Rodenhiser distributed the letter from the Water/Sewer Board.

John Parmentier – The property owner is not here. We have met with various departmental representatives, either personally or via phone and email. We have received the various reports. After all those meetings, we did discuss holding a site meeting for purposes of discussing the reconstruction of Cherokee Lane. We walked the site with Andy Rodenhiser and Karyl Spiller-Walsh on July 20<sup>th</sup>. We met with the neighbors, the Ryans and the Nyquists. We talked about widening the road from 15 feet paved to 28 feet paved. Then we went over to Neelon Lane where we witnessed the narrowness of pavement and end of right of way. We discussed possibly changing the driveway for lot 4 to come out onto Neelon Lane instead of coming out onto the cul de sac. Then there would be room for a snow storage area. The emergency access road would be paved for a short distance and then gravel.

Back to Cherokee Lane, we discussed widening the pavement on the south side of the road instead of the north side. There are some dead and fallen trees on the south side of the road that are on the boundary of the layout, presumably owned by the tennis club. It would be good for the neighborhood if those trees were removed. Our client has expressed his willingness to remove the dead trees that are there now. That is a private matter.

There are some minor changes done to the plan after meeting with Dave D'Amico. He asked us to follow the existing grade more closely. Dave has recommended 22 feet of pavement and the elimination of the sidewalk. We are open to that. That would need to be cleared up for the definitive plan. Another thing we did was to swap houses on lots 1 and 5. We moved the duplex to lot 5 and lot 1 will have single-family house.

We also connected path/trail to the end of Riverview road.

We looked at drainage system. We showed where we would discharge. We plan a slow release and not directly to the river.

Another comment suggested we identify location of some prominent trees. We have done so. We needed to see these trees for water main linkages. Which trees to be saved or moved?

We looked at the 180 feet of pavement we are adding to Cherokee. We looked at capturing that stormwater and bringing it into our system. We have some extra work there to do.

ANDY RODENHISER – I would like to report on what we saw when Karyl and I visited the site. We met with the two homeowners as well as Jimmie Smith from DPS Highway. We started on Cherokee and we walked up through the yards. We located the sewer manholes and utility poles. They (Dunn McKenzie) had staked out where the ROW existed. The Ryans were very concerned. The ROW is extremely close to their house. On that site, a house had burned down and a special permit was secured to rebuild it on the same footprint. We feel we should widen the road toward the south.

KARYL SPILLER-WALSH – To get to 18 feet of paved width, it would be probable that there would need to use 1.5 feet of the north side of the ROW (toward the Ryans property).

ANDY RODENHISER – We would recommend an 18-foot road width.

Barbara Ryan, 5 Charles River Road (house faces Cherokee Lane) – We want to be able to park in our driveway. If you go 2 more feet for paving, our cars will extend out into the roadway.

John Parmentier – That would be 1 foot to 1.5 feet at the most.

ANDY RODENHISER – Jimmie Smith stated DPS has concerns on snow storage. If Cherokee is reconstructed out to the edge of the ROW, then there is no room for snow storage. So, we had some conversation regarding the trees on the south side of the roadway not in the ROW. Those need some maintenance to get rid of the dead trees.

Susan DiIulio, 7 Massasoit Street – The stakes that are on the south side of Cherokee Lane, are they on my property line or the ROW.

ANDY RODENHISER – Those are the same thing according to the land surveyors.

ANDY RODENHISER – In the course of this meeting out there, we discussed the possibility of arranging for an easement on the DiIulio property in order to provide a location for some snow storage.

Richard DiIulio, 7 Massasoit Street – Why wasn't I informed of that site meeting? I would have made myself available. I am just concerned about you taking anything away from my property.

ANDY RODENHISER – The whole purpose of the visit was to try to facilitate some benefit for you as well. If I could just finish please.

ANDY RODENHISER – So snow storage was an issue and the next thing discussed was where water and sewer would be laid out and the impact on old existing trees. They felt there is adequate room within the ROW.

John Parmentier – The existing water line to the Ryans and Nyquists is only a 1-inch pipe. The plan would be to abandon the 1-inch pipe and put in a new 8-inch water main on Cherokee. We discussed the road widening. We are thinking of using 2 feet of the ROW on the south side, but there may need to be an easement on DiIulio property for snow storage. When they plow the street, some of that snow would probably go over onto your land.

ANDY RODENHISER – The purpose being so we don't have to pave more on the north side of the ROW.

Mr. DiIulio – That snow will melt and come right into the basement. That already happens now. I have a permanent gully in my cellar. That extra snow is going to cause more drainage problems for me.

John Parmentier – Right now, when the snow is plowed it goes off to the side. It melts and goes into his land now.

ANDY RODENHISER – If the applicant is not able to obtain that snow easement . . .

Susan DiIulio, 7 Massasoit Street – I have lived in the house for 53 years and have seen the whole neighborhood grow up around us. The tennis court area used to be all woods. When that was developed into the tennis courts, the Club could never get utilities to their site. We just ignored that and let it be. If that road (Cherokee) gets continued up, most likely the tennis club will build a parking lot behind the clubhouse. I did see the stakes on the Ryans' yard and I understand their concerns. My question is that when that person built that house there, I thought a variance was given to them.

ANDY RODENHISER – The reason the special permit was given is because the public way could be built out. We are here today to talk about what the applicant has before us. There is a public ROW that they access to. We are trying to find the best solution that suits the Town of Medway and is done in compliance with our rules and regs. We will try to mitigate some of the issues that impact them the best that we can. It appears that the developer may have to work with you privately to mitigate some of these matters.

CHAN ROGERS – What is the width of the roadway going to be?

ANDY RODENHISER – We would recommend 18 feet.

CHAN ROGERS – Is everybody comfortable with that width?

Susy Affleck-Childs – I believe DPS wants it to be 22 feet.

ANDY RODENHISER – If it is less than 22 feet, then we could use pervious pavement.

CHAN ROGERS – Do we allow for snow storage on the south side or push it closer to the Ryan's house?

BOB TUCKER – The developer does have an obligation to mitigate any runoff from the property he is developing. Any snow that is plowed as you are going up Cherokee, it is there, it is now his responsibility to mitigate any runoff from his actual property. That is what our regs require.

ANDY RODENHISER – But he is widening the road by 3 feet. If you look on page 5 of 7 of the drawings, there is a structure that takes all of the water that now comes down off of Cherokee Lane and hits the pavement and takes it into a concrete block receptor on Charles River Road. All that water goes into there now except what gets piled up for snow.

BOB TUCKER – We aren't going to try to eliminate any water from your basement.

ANDY RODENHISER – But we aren't going to let it get worse

John Parmentier – We are going to pick up runoff from 140 feet which is now grass which will now be paved. We will put in double inlets. We will collect anything that flows onto the street.

ANDY RODENHISER – 140 feet of the grassy area will be paved and there will be structures that will catch the water and go into his system.

Susan DiIulio – Is Cherokee any narrower than Massasoit? There is 2-way traffic and snow plowing on that street and we live with that.

ANDY RODENHISER – We are here to deal with the applicant who has a right to develop. Few will follow good planning practices.

Barbara Ryan - What I am concerned about is widening that road any more than 1 foot on our side. The snow will be coming into our house. We are really very concerned. You are taking a problem and putting it onto our house.

ANDY RODENHISER – That land that you are referring to is the Town's land (in the ROW) and the developer is proposing improvements. So to characterize it the way you have isn't very genuine. We need to consider the facts that are before us and get out new information. We have seen the concerns. That is what I was trying to report to the board. We are going to address the water concerns, if you decide you don't want to do any kind of snow easement –

Mr. DiIulio - If you are trying to mitigate, then why hasn't a one-way road been looked at going along Cherokee and out through Neelon?

ANDY RODENHISER – There just isn't enough room on Neelon.

KARYL SPILLER-WALSH – The turning radius at the end of Neelon Street is very tight.

Bob Babcock - The Neelon paving is 12 feet.

Mary McDonald, 9 Neelon Lane – I have a question on the drainage going down to the east side. Will that be off my property? When you put in the cul de sac, where will the drainage go?

John Parmentier – It will all be collected and go into our stormwater system.

ANDY RODENHISER – No water will shed toward your property.

Mary McDonald – I didn't get my invitation to the last meeting (public hearing).

ANDY RODENHISER – Gino, your comment in your note about the attachment. Could you explain?

Gino Carlucci - I had recommended and the Planning Board's Subdivision Rules and Regs require that the ROW be extended to the abutting property for possible future use.

Mary McDonald – So what will be in that ROW in the interim?

Gino Carlucci - Lines on paper, grass on site.

Mary McDonald – What are you going to do along the property line so I don't have lights in my house?

ANDY RODENHISER – This is a special permit. After this, they will come back with a definitive subdivision plan and at that time, we will get into the details on landscaping and drainage design.

Mary McDonald – Is that going to be a gated road?

Bob Babcock - Yes, there is a proposed gate.

Mary McDonald – The emergency road would be gravel? Is that old abandoned farmhouse going to stay?

John Parmentier – No.

Mary McDonald – What is the style of the houses going in?

Kip Dirazonian – Cape style, some duplexes.

KARYL SPILLER-WALSH – There will be a meeting with the Design Review Committee.

Bob Babcock - I believe your regs say that there would not be an island if the ???????????

Mary McDonald – I have 3 acres, it is along narrow lot.

John Parmentier – May I just say that in speaking with Mary McDonald, I understand she does not wish to extend the ROW to her boundary line.

KARYL SPILLER-WALSH– I have concerns about the stormwater management facilities all being located within the “open space”. I want the open space to be left in its natural state without trenches and underground units.

John Parmentier – We will be using Cultic units that detain water and then release it slowly.

KARYL SPILLER-WALSH – But they will be fully underground. I am concerned that in constructing them, there will be destruction of natural vegetation.

John Parmentier – You mention that basins are in the open space, your regs (bylaw) say that open detention ponds shall not qualify towards the minimum open space required.

KARYL SPILLER-WALSH - But then there is another section that says that drainage may be in the open space. It appears we have a conflict.

John Parmentier – We do have more open space than is needed. Do you want to make it (the drainage structures) part of the lots? The town will accept the street and the utilities.

ANDY RODENHISER – Dave D’Amico has some very specific comments in here.

ANDY RODENHISER – With respect to this slated style of drainage, because the water table is so high, it will likely be used during a regular rainstorm. Water will perk up and drain down the slope. What could be expected to flow there? What is the impact on the trail system and the open space?

John Parmentier – The way I would design it is that there would be a cut in the slope and the units would be placed in the cut. I would have a foot of stone beneath it. Any ground water coming through would be intercepted by stones before it hits the Cultic unit. The release of the water to that trench, it could probably store enough water to 1-2 cubic feet per second over a 100-foot trench or more.

BOB TUCKER – Closer to 200 feet length.

Paul Carter – You would use this as a flow spreader?

John Parmentier – More as a flow diffuser. To put an above ground basin there we would have to put in a wall.

ANDY RODENHISER – Any erosion problems?

John Parmentier - If flow is slow enough which is what I am looking at, it is no different than it drains now. As it flows over that slope, it will dissipate.

BOB TUCKER – How deep is that dispersion line?

John Parmentier – It would be cut into the slope, probably a 12-inch pipe, with inspection access.

ANDY RODENHISER - You would see a rip rap on top.

Paul Carter – This is an overflow for your drainage system. You are going to design it so that you don’t increase your flow down that slope. Mine is just a question of what you are going to spread it down over?

John Parmentier – I want to create enough volume to detain water so that the release can be minimized for a 100-year storm.

CHAN ROGERS – Have they seen the letter from Dave D’Amico/DPS?

ANDY RODENHISER – Yes, and they have responded.

CHAN ROGERS – DPS states it is a rather complex system for DPS to handle. That is something that is going to have to be worked on.

John Parmentier – The development is not planned as a condo development. There are two lots that will have duplexes.

John Parmentier – I will need to work very closely with Dave D’Amico during the design process to work out those details with DPS.

ANDY RODENHISER – It may be difficult to get equipment in there to maintain.

John Parmentier – Underground systems are becoming more frequent but one of the precautions you have to take is that you need to have devices in the street to collect sand in the street. There would be a stormceptor manhole device that would be placed in the street. I am amenable to some solution. However, given the slope constraints I don’t think a permanent open detention pond is good. But I am thinking of a temporary open detention basin during construction. Once lots are to begin construction, we would have to go to the permanent system and stabilize the system. Whatever he wants for pretreatment, those devices are accessible from the roadway. If you don’t take care of the street basin, then there is going to be somebody at fault. The state DEP now requires all communities to come up to certain Best Management Practices (BMP) standards. I believe the town has a vacuum pump to suck sand out of catch basins.

ANDY RODENHISER – We can get into the details.

ANDY RODENHISER – Have you talked to the Charles River Watershed Association?

John Parmentier - I spoke to Margaret here. She said they respond to projects that come under MEPA. Then I looked at some of the things they like to see such as rain gardens and rain barrels. These are fairly small lots. Maybe there is a situation where some of that can be done.

Barbara Ryan – I have been in contact with Pavali Monde at the Charles River Watershed Association. She would like to discuss this with them (the applicant).

Mary McDonald – I love the open space and path system. I am concerned about the runoff. In the springtime, it is already like springs bubbling out of the ground. Water gushes out of there now. I don’t know much about drainage. They need to pay attention to that. It looks like natural springs just bubbling out.

Bob Babcock - We would need to go to CONCOM to work on that. We may need to put in some additional structures.

KARYL SPILLER-WALSH – I have some very real concerns about the drainage. I really I don’t think it is supposed to be in the open space. Like our other projects, you need to consider the density. Look at taking out a lot or two and putting the drainage system on some of that space instead. Unless we can see phenomenally squeaky-clean calcs, I think it is a very precarious situation.

ANDY RODENHISER – You bring up an issue that we should talk about a little bit.

KARYL SPILLER-WALSH – The % of open space is a minimum requirement, so the fact that they have more doesn’t really matter.



ANDY RODENHISER – If this drainage area were taken out of the open space, would you have enough open space left (to meet the required minimum)?

Bob Babcock – I think so, but I can't be sure until we actually calculate it

KARYL SPILLER-WALSH – It is a difficult piece of property

BOB TUCKER – Where is ground water?

John Parmentier – 2 feet, but a lot of it percolates, is slow draining.

KARYL SPILLER-WALSH – I don't have any comfort zone yet.

ANDY RODENHISER – What are your concerns?

KARYL SPILLER-WALSH - I would like the stormwater system to NOT be in the open space. I would prefer the open space to be left in natural state. The stormwater facilities should be on the land of the development. Maybe they will need to reduce the number of lots, or whatever and use some of the (buildable) land for the drainage system.

BOB TUCKER – I see a great deal of difficulty in being able to convince myself of the drainage system. I am not sold on how this is going to function at this point. But from what you said earlier, we aren't to look at that quite yet. It will come later with the definitive plan.

ANDY RODENHISER – Is there any additional information you can give to help Karyl

Bob Babcock - We can look at doing a separate parcel for the drainage, not in the open space.

Susy Affleck-Childs – We do have one residential subdivision with an underground system – Grapevine Estates.

Paul Carter – It sounds like you would like the drainage system to be on a separate parcel.

KARYL SPILLER-WALSH – YES.

CHAN ROGERS – I don't think we have solved the problem on Cherokee – re: snow easement.

ANDY RODENHISER – We aren't done with that issue.

ANDY RODENHISER – Gino, do you see any issues relative to the 7 OSRD criteria in the bylaw?

Paul Carter – Does the Board have a feeling about the sidewalk issue. Dave D'Amico suggests eliminating the sidewalk.

ANDY RODENHISER – I would rather see a contribution to the sidewalk fund in lieu of constructing a sidewalk there. More sidewalks creates more impervious surface. I do feel it is necessary to use a pervious pavement on the emergency access road. But it needs to be something more than just gravel.

Susy Affleck-Childs – You might want to look at how the emergency access road at Pine Ridge is being designed.

ANDY RODENHISER – Maybe pave that emergency access road for 8-10 feet wide and something on either side. Look at it through the eyes of the DPS.

BOB TUCKER – In all the work you have done here, have you looked at a conventional layout

Bob Babcock – We came before the PB about a year ago with a conventional plan and were encouraged to consider the OSRD alternative.

BOB TUCKER – I share some of the same concerns that Karyl has but maybe for different reasons. I would caution you that as you are picking up water you end up putting more water out into a smaller area. I am concerned about the amount of water coming down that hill in rainy season.

ANDY RODENHISER – Does the board have any other issues?

Susy Affleck-Childs – What role do you want the DRC to play? And when?

ANDY RODENHISER – I would like them to talk about the open space and trails with Jim Wieler and maybe to the DRC as to how the drainage trench will look.

KARYL SPILLER-WALSH – The rip-rap on top of the trench will be very visible.

ANDY RODENHISER – We should ask DRC to look at landscaping design issues especially for the trench.

NOTE – It was agreed for the applicant to go to the DRC during the definitive plan stage.

Susan DiIulio - On the drainage, beyond the tennis courts, I know you did some soil testing. Will there be any kind of drainage that will be put in there?

ANDY RODENHISER – What other information do you want to have other than what Karyl has outlined?

ANDY RODENHISER – Do we want to see them come up with a separate parcel for the drainage?

CHAN ROGERS – We need to talk to DPS.

ANDY RODENHISER – In terms of Dave D'Amico's letter, as we work through the definitive they will all have to work to address Dave's concerns.

ANDY RODENHISER – So we want to see one more plan with a separate parcel for drainage.

John Parmentier – Back to the snow issues on Cherokee. Mrs. DiIulio, you mentioned something about a parking lot on the back of the tennis courts, which would be off of the Cherokee Lane extension. Might that be an opportunity for a snow easement?

ANDY RODENHISER – Any additional paved surfaces that the tennis club would want to do will have to deal with retaining stormwater on their property.

Bob Babcock - The revised conceptual plan showing the additional parcel, could that be given to Susy or do we need to have another public hearing?

CHAN ROGERS - You need to talk to Dave at DPS to work this out.

NOTE – The public hearing was continued to Tuesday, August 22 at 8 pm.

Mrs. DiIulio - We and members of the Tennis Club Board would like to meet with somebody out there.

ANDY RODENHISER – I would be glad to do that with you. Please contact Susy to set that up.

***River Bend Village ARCPUD and Definitive Subdivision Plan – Public Hearing Continuation***

ANDY RODENHISER – The applicant has requested a continuation to August 8<sup>th</sup>.

NOTE - Susy – reviewed the schedule for August 8<sup>th</sup>

NOTE - Paul Carter reported on work session meetings with the Marian and River Bend development teams. They submitted stuff for both projects just today.

BOB TUCKER – If it is not in within 2 weeks, then we just put it off.

The public hearing was continued to August 8<sup>th</sup> at 9 pm.

***Special Legal Counsel Update***

ANDY RODENHISER – Suzanne Kennedy has given us the OK. Karyl spoke with Mark Bobrowski. We have a handout on his credentials. She has talked to him about representing the Planning Board in the discussion with the Marian community on the myriad legal issues we need to sort out. Special Counsel would be paid for by the applicant as a consultant. The funding would NOT come out of the town budget.

KARYL SPILLER-WALSH – Mark is familiar with River Bend project.

Susy Affleck-Childs – We also have information about Patty Daley, of Daley and Witten.

John Schroeder – We should we still have the attorney attend the August 8<sup>th</sup> meeting even if the applicants haven't met the deadlines for project submittals.

ANDY RODENHISER – I say yes, we need some time to talk with them and with Bill Proia.

CHAN ROGERS – We need to choose somebody.

John Schroeder – So the purpose of that meeting would be to define where we are?

ANDY RODENHISER – Also to define what the potential differences and interpretations are as the Marian community sees it as compared to our perspective.

John Schroeder – Would counselor Bobrowski have all our info and direct the discussion toward the 14 ARCPUD finding? At the end of the meeting, we could have a good understanding of the last document we received from Bill Proia on variations/waivers.

ANDY RODENHISER – We know there is at least one point or issue that hasn't been addressed yet. But I certainly want to define these things and bring some rigor to what the expectation is relative to the 14 approval criteria.

Paul Carter – One thing in connection with the Marian project, I recently found out that one of our guys in our planning division has been working on an Environmental Notification Form for the Marian community to submit to MEPA. Attorney Bill Proia contacted Bill Noll of VHB about preparing the documents. We don't see it as a problem from our point of view. It doesn't affect any of our advice to you. But I needed to let you know.

ANDY RODENHISER – I don't think it will make a difference with the representation you give us. But I don't understand why they did it on their end as it gives an appearance of impropriety.

Paul Carter - Another issue is the septic matter and group wells. In connection with that, Bill Fisher from the Board of Health contacted us to ask us to review the septic design for them. He also asked us to attend at meeting at DEP on Thursday in Worcester. Brian Lynch from our office will attend that meeting. He is our septic and well expert. He did the septic review for us of the Marian Community's life center building several years ago.

ANDY RODENHISER – I would like Susy to attend that meeting and take notes for us.

Paul Carter – Brian Lynch did talk to Bill Fisher about the possible conflict with VHB doing the MEPA Environmental Notification Form.

ANDY RODENHISER – Let's get back to special counsel.

BOB TUCKER – Has either firm worked for the Town of Medway Planning Board in the past?

ANDY RODENHISER – Mark Bobrowski has done work for the Planning Board before (first River Bend project) and Patty Daley did some work for the ZBA on a 40B project.

ANDY RODENHISER – Mark Bobrowski is the author of the Massachusetts land use law book that everyone refers to.

KARYL SPILLER-WALSH – He is accessible, smart, and concerned.

A motion was made by John Schroeder, seconded by Chan Rogers to retain Mark Bobrowski as special legal counsel. The motion passed unanimously.

Susy Affleck-Childs – This is really a request and recommendation to the Town Administrator who will actually execute a contract for his services on our behalf. I will let him know we want him at the next meeting with the Marian folks – August 8<sup>th</sup>.

CHAN ROGERS – Why do we have to talk to him within a public hearing?

ANDY RODENHISER – We would be discussing the project and we can only do that as a group within a public hearing. Unless we are being sued, we can't go into executive session.

### ***Other Business***

#### ***Endorse site plans for Marc and Jayar Road.***

ANDY RODENHISER – We will go ahead and sign the site plans for Marc and Jayar Road.

NOTE – The board signed the Jayar Road plans but held off on the Marc Road plans. The planned easement is not shown and it should be incorporated onto the plans.

### ***Grant Applications - Status report***

Gino Carlucci - I got a telephone call from DHCD regarding the Priority Development Grant. They seem very interested. They had a few questions and asked for some more maps. This would be for the Route 109/Main Street redevelopment project and the Medway Mill reuse analysis and bylaw text.

A motion was made by Bob Tucker, seconded by Karyl Spiller-Walsh to adjourn. The motion passed unanimously.

The meeting was adjourned at 11:20 p.m.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

*Approved – August 22, 2006*

*Andy Rodenhiser, Chairman  
Cranston (Chan) Rogers, P.E., Vice-Chairman  
Karyl Spiller-Walsh  
John Schroeder  
Robert K. Tucker  
Eric Alexander, Associate Member*

## ***Medway Planning Board Meeting August 8, 2006***

PRESENT: Bob Tucker; Karyl Spiller-Walsh, John Schroeder, Andy Rodenhiser; Chan Rogers and Eric Alexander

ALSO PRESENT: Susy Affleck-Childs, Planning Board Assistant; Paul Carter, VHB, Inc.; and Gino Carlucci, PGC Associates.

The meeting was called to order at 7:07 PM

CITIZEN COMMENTS - None

### ***Woodside Condominium/Kingson Lane Presentation***

*(NOTE – Woodside was formerly known as Deerview Meadows)*

Alan Pulito, 9 Kingson Lane  
John Traverse, 3 Kingson Lane  
David Soligon, 4 Kingson Lane  
Michael Leone, 1 Kingson Lane  
Agnes Von Szilassy, 5 Kingson Lane

Alan Pulito – We are here to learn the process (for street acceptance) and what has gone on in the past. Most of us were new to the town when we moved here. We were not privy to what went on beforehand with the Planning Board and the 40B application. The homeowners/residents have asked us (as members of the condo board of directors) to look into having the road accepted by the town. There is 1600 to 1700 feet of road. At the time when the final paving was done, Mr. Henry (prior DPS Director) told me he didn't have any reason to think the road hadn't been built to specs. We are here to learn what went on in the past. Are there any bars to seeking to get the road accepted? We want to put it on the warrant (for a town meeting). There is a significant expense for plowing & sweeping. The first year the town plowed it and charged us but then that stopped. There are 52 units in the development with only 3 kids in the school system. We pay we pay in excess of \$200,000 year in taxes.

JOHN SCHROEDER Traverse – I was told by Mr. Rodenhiser that we should have some kind of discount on our taxes due to the private way status. There is nothing in my tax records like that.

ANDY RODENHISER – I didn't say you should get a discount- I did say you are being assessed as though you have a private way. I said you might have a higher assessment if it was a public way.

ANDY RODENHISER – I would like to read a letter from Britt Hall re: assessing condos.

Attach and make a part of the record.

Any questions on assessing should be directed to the Board of Assessors. Contact them for being on the agenda

Susan Affleck-Childs provided a brief history on project.

This site had originally come before the Planning Board as a conventional subdivision. The original applicant was Mike Narducci. He decided to pursue the site as a 40B/comprehensive permit project which is handled by the ZBA. I believe the 40B plan was reviewed by the town's former consulting engineer PMP Associates. I understand VHB Engineering was retained to conduct construction inspections and we have received a set of inspection reports from 2000 – 2002. It is not clear to what standards the road was design and constructed. I did find the comprehensive permit document from the Town Clerk's office.

JOHN SCHROEDER Traverse – Was the road ever rejected?

ANDY RODENHISER – I don't know.

ANDY RODENHISER - Your deeds all reflect that you own the road as common area.

KARYL SPILLER-WALSH – The only relevant thing in my mind is where are the as-built plans? What was actually built?

Alan Pulito – The comprehensive permit doesn't say the road will be private. I know Mr. Henry was there when the final coat was put down. Why would he have been there if it wasn't to ensure it was built to town specs?

Susan Affleck-Childs – That is not a correct assumption. Inspections could have been to ensure that the road was built to plan. The plan may not have been designed to town standards.

ANDY RODENHISER – We have a note from Dave D'Amico, DPS Director. He was a member of the ZBA at the time this project was reviewed.

The note is attached and made a part of the record. Dave recollects very specific discussions that the road would be a private way.

JOHN SCHROEDER Traverse - That note was written in 2006. The road was put in 2000. Was Dave there during inspections?

David Soligon – We have homeowners who want to have the town accept this street. We had nothing to do with the construction of the road. What is our best avenue? What do you think we should do?

KARYL SPILLER-WALSH – I think that the Town of Medway and the Planning Board need to find out to what standards the road was built. We don't know that yet. It would make sense to me that at the expense of the condo association, they hire an engineer to do some core analyses of the actual construction. We need to see how close it comes to our current standards and then to see what needs to be done to fill in the blanks.

JOHN SCHROEDER Traverse – Is it possible the road was built beyond standards?

BOB TUCKER – Anything is possible.

CHAN ROGERS – As long as Dave D’Amico doesn’t support it, it won’t happen. I expect the developer did not want the expense of doing a fully compliant road. I applaud you for taking the action you have. Let’s let the process take its turn. Dave cannot be here tonight. I looked at the road today but I will not comment without speaking with him

Susan Affleck-Childs – I haven’t yet put my hands on the 40B plan or any as-built plans.

Alan Pulito – If we are going to do this, we want to do it right, and do it once. Is there a set of specs that you would want us to meet? How many core samples would you want? How often? Do we need an engineer? We want to cover whatever you need.

ANDY RODENHISER – I suggest you ask Dave D’Amico about this approach for financing construction work that he mentioned in his letter.

JOHN SCHROEDER Traverse – Is Dave a certified engineer?

Alan Pulito – We have gotten all kinds of mixed messages. When you go to the end of the circle, there is a large guardrail. We were told the developer wanted to put in wooden guardrail, but the Town said it had to be metal. So it seems to us that the Town had some involvement

JOHN SCHROEDER – If anything I have some evidence that the road is not up to standard. In order for us to consider accepting it, the burden of proof is on you. Dave D’Amico suggests a way to do that.

Alan Pulito - It will be easier for us to sell the units if the road is public.

BOB TUCKER – You really need to know what is there now. With the packet of information that Susy will be providing to you and some further investigation on your part, you can come back to us with a complete history and story. Then we can consider it.

Alan Pulito – Can we get some information on the option that Dave D’Amico suggests.

ANDY RODENHISER – You can speak to him directly to find out more..

Susan Affleck-Childs – They asked about construction standards.

ANDY RODENHISER – I would use the standards in the current subdivision rules and regs.

Agnes Von Szilassy – If the street is accepted, would our property values be higher? Why?

ANDY RODENHISER – You should talk to the Assessors.

Agnes Von Szilassy - One of our members did some investigating. There are some streets that are not accepted and they have services the Town of Medway provides.

Susan Affleck-Childs – There is a difference between an unaccepted street (which is intended to be accepted) and a private way.



ANDY RODENHISER – Every person who has bought into the condo has bought a fractional interest in the road.

7:45 pm – ***Public Hearing Continuation - Marian Community ARCPUD***

NOTE – Associate Member Eric Alexander joins the meeting.

Bill Proia, Attorney  
Rich Coppa, Marian Community  
John Spink, Coneco Engineering

ANDY RODENHISER – Some of the issues we have been facing with this permit have involved some legal matters. We haven't felt comfortable making decisions based on some of the legal ramifications that need answering. The applicant has offered to pay for special legal counsel to represent the Town's interest to come to some conclusions about some of the things that have been discussed so we can make a better decision. Hopefully, you have had some time to review our rules/regs and bylaw and Mr. Proia's various letters to us.

Mark Bobrowski - I have reviewed everything you sent me but I need some context.

ANDY RODENHISER – We are looking to have some dialogue about Mr. Proia's letters re: what issues we can address. What are our rights as a Town?

Mark Bobrowski – How far along in the hearing process?

ANDY RODENHISER – This has gone on for a long time.

CHAN ROGERS – This has fluctuated for several reasons. The CONCOM angled us into a condition on a bridge over floodplain.

Paul Carter – We have gotten some revised plans but without drainage calcs so we are waiting.

Mark Bobrowski – Who is helping you make determinations?

CHAN ROGERS – VHB, plus there are two engineers on the board. There are also issues of other land that the applicant owns and controls and whether that can be considered as part of the open space.

ANDY RODENHISER – To be more specific, there is an OSRD application that may come before us in the future on a separate (but adjacent) parcel. The ARCPUD application also has an open space component to it. One of our members has felt strongly about increasing the amount of ARCPUD open space and wants to take it from the future OSRD site. It was discussed a year ago, but we don't know if we can talk about that.

Bill Proia – I don't know if you want to go through these issues one by one here.

CHAN ROGERS – What do you have on the table now?

Bill Proia – The application is on the table.

ANDY RODENHISER – After your recent meeting with DEP, what is going to change relative to those discussions? Are you going to change something that will affect engineering? Then there are certain issues that we should be talking about whether you pull this application tonight and resubmit.

Bill Proia – We are not planning to do that. My understanding of Mr. Bobrowski's role is that there were some specific issues that were raised in some of my letters that the board wanted guidance on. For example, mitigation/impacts, etc. I was expecting he would focus on that.

Mark Bobrowski – Let me respond about what I usually do. My job would be to order proceedings. I would come to the hearings and answer questions that come in. At the end of the proceedings, you instruct me whether you want to approve or deny the project and I begin drafting. At the end of the day, we walk through it. I tell you why I put what in there. I have discussions for you with the applicant's attorney. Generally it takes 2-5 drafts or even more if I am being paid by the applicant through the escrow account. It is going to take me some time to catch up. I will do my best. I may work with Mr. Proia to hone in on the issues and at that point, if we disagree, I will tell you.

KARYL SPILLER-WALSH - Well, what you have described procedurally is the antithesis of what we have experienced. In the beginning, we had a lot of sympathies with the religious, non-profit status of the applicant. We are a little grey and fuzzy about that. Nobody wants to talk about that. What was originally proposed was not architecturally designed. We pushed them to get an architect. There were 10 meetings with the Design Review Committee. The same thing happened with design of the bridge. The CONCOM and the Planning Board were considering lesser structures, how to span this distance in a flood plain less expensively. What we really would have liked would have been a stone bridge, classic, less invasive. We still aren't there. We're concerned about their costs. It is a sympathy driven motive so they wouldn't have to expend so much. But we are in mud, nothing is clear, nothing has formalized, this is an enigma.

Mark Bobrowski – One thing is NOT unclear. You are a special permit granting authority. Your discretion carries the day as long as it is reasonable. If you find something incompatible, you are in the driver's seat. Your decision has to be fairly debated to the extent the applicant can make accommodations. You have to be happy with what they put forward. This is not an entitlement on their part.

ANDY RODENHISER – When you had spoken earlier about process, you detailed how you act as an advisor to a planning Board and help in drafting a decision. You can help us by advising us. But as I understand it, that has to happen in the public arena as part of the public hearing. If there is an appeal of our decision, we want to be able to indicate that our decision reflected your input. We want to make sure we follow the process correctly. We want to have a defensible decision.

Mark Bobrowski – If this goes to court, it will be a de novo proceeding. That means the project is done all over again for the trial and the judge evaluates the testimony and compares it to the planning board's decision.

Mark Bobrowski – Testimony is fact driven.

ANDY RODENHISER – We have been given variations as opposed to waivers. We are unclear about whether we have a defect in our bylaws. We feel the subdivision rules and regs are the basis for how they need to construct the road.

Mark Bobrowski – There is a case from Uxbridge. By special permit you can vary rules and regs. That is OK

ANDY RODENHISER – Is it within our authority to look at impacts? Could you explain that to us, what would the process be? As we look at this proposal for 77 units, we feel the number of ambulance runs will be more frequent here and there will be impact on the senior center. No official “affordable” housing units are going to be provided (as this is a closed community, only for members of the Marian faith group.) Can we have an exaction or a payment in lieu of such construction?

Mark Bobrowski – It is a delicate subject. It generally involves negotiation. To the extent you were to deny an ARCPUD because they didn’t provide an adequate mitigation fee, I wouldn’t go down that road. There is a balancing test. I always say, the traffic is awful today and will be worse tomorrow, but the applicant will provide \$ for key public purposes. You have to consider all the factors and decide it is better or worse?? These are fair negotiations. But if the applicant says no to mitigation, you should not deny.

Mark Bobrowski – For your information, the DOR is starting to say that “donations” have to go to general fund and then be appropriated by town meeting for specific purposes.

JOHN SCHROEDER – We keep asking for more details, and we keep being told that the level of detail will come later.

Mark Bobrowski – You are entitled to definitive level of detail. Have enough info to make a clear decision now but don’t delay too many details for later.

Bill Proia – Can you give an example of that?

JOHN SCHROEDER – About 8 meetings ago, we were talking about the bridge and the culverts. You said at that time that we couldn’t deal with the bridge.

Bill Proia – What we said is that it is a structure regulated by the building code and we didn’t want to provide that information. We would provide footprint and flood plain impact that were enough design related. But we weren’t going to provide structural analysis. We asked the board if we could come up with a different level of detail. We didn’t want to have to get building permit drawings at this stage.

Paul Carter – We need adequate detail to show that it can be built.

Mark Bobrowski – You can ask for design specs equal to building code.

Paul Carter – I want to make a disclosure. I have discovered that one of the members of our urban planning group is preparing an environmental notification application to DEP for the Marian Community. We don’t believe there will be any conflict but I wanted you to know.

Bill Proia - We will not be triggering any MEPA review so we wont be retaining VHB for this.

Mark Bobrowski – Regarding a level of detail, if there is an issue and our engineer is suggesting that there is not enough detail I can interact between you and the applicant to work it out.

Bill Proia – I have some of the drawings that we have for the open space. We had filed for the ARCPUD special permit back last year. We withdrew in February (2006) and refiled right away. We have a 100 acre piece of land and we are trying to figure out how to divide it up. We have a life center on the site. We carved up the land and tried to create an ARCPUD lot and then provide another lot to the south where we could put some under 55 housing (OSRD) in the future. The planning board felt that maybe some more open space would be better. So we have provided an open space plan and a draft conservation restriction in perpetuity. We carved out a piece for 7 lots for 7 non ARCPUD units and there would be a trail going through lot 3 and down to the town land at the south. My remembrance of this, for various reasons, because it wasn't part of the ARCPUD per se, the board decided to not discuss it any more. It is not on the table from our perspective.

KARYL SPILLER-WALSH – It was taken off the table by the applicant and your attorney.  
Mark Bobrowski – Did that technically alter the ARCPUD boundaries?

ANDY RODENHISER – We were trying to condense the issues for discussion rather than talk about two different applications at the time.

Mark Bobrowski – Is there general agreement about what will happen on Lot 3.

Bill Proia – We are trying to preserve that area/Lot 3 for a future OSRD. That is what we presented as an alternative to putting more land into the ARCPUD open space.

Mark Bobrowski – Is the owner the same?

Bill Proia – Yes.

Mark Bobrowski – To the extent there can be a condition in the ARCPUD special permit crafted re: Lot 3.

ERIC ALEXANDER – I was uncomfortable discussing Lot 3 because it wasn't part of the ARCPUD yet it seems that it is connected.

ANDY RODENHISER – This will also impact your sewer and wells.

Bill Proia – In our discussions with DEP we said when the ARCPUD is approved, there will be a condo association. If we get to Lot 3, that will be a separate condo development. We aren't having any issues with DEP.

Mark Bobrowski – We can put in some conditions on Lot 3. If they appeal it, it will have to come out, but if they don't appeal it, it stays in.

KARYL SPILLER-WALSH – The 7 lots were a contrivance. That is the exact number of units they could fit onto this dry ridge. We wanted them to push it as close to the ARCPUD as possible so that all the lands to the south and east that abut the town lands and the other adjacent neighborhoods would be open space.

Mark Bobrowski – If they want to put in an OSRD application, they can do that now. If not, you can have some limitations.

KARYL SPILLER-WALSH – One thing they do have a lot of is land. I want them to push back the boundaries as far as possible.

Mark Bobrowski – When you are trying to make a decision, divide what they are doing into two columns. One column is what they are required to do and then the other column is stuff we would like in addition, things that would be fair & reasonable. That tends to be money, or amenities or more open space. What do you want to see in column B?

Bill Proia – I think that is a great way to summarize what happens. I would divide column B into two – one is open space and the other one is the other kind of mitigation (\$ or other kinds of projects). My frustration is that the Board keeps asking me about \$. I keep asking for what they feel the impacts will be? We got input from senior center and from the fire chief. That is my other request. Maybe you can help them (the Planning Board) with that (mitigation issues).

ERIC ALEXANDER – I have a specific question in that regard. It is a bit of a catch 22 to the town. Sales of these units will be closed in that they will be available only to members of the Marian community. This is going to impact the Town's affordable % on the subsidized housing inventory. They can't provide officially "affordable" units because it won't be available to the general public. Some sort of off site mitigation or an exaction may be in order here.

Bill Proia - This is a good discussion. We haven't heard that before.

Mark Bobrowski – This reminds me of the Templeton Planning Board. Can we ask for this they questioned. You can ask for whatever you want.

Mark Bobrowski – Denying an application for a special permit because it puts you further behind in the subsidized housing inventory is not valid but you could try to find middle some middle ground.

Bill Proia – We have provided our best estimate of our costs.

ANDY RODENHISER – They said they were going to be doing this project at cost for members and that is why they are saying they can't do these other things that are expensive.

Bill Proia – To the extent that you think we are creating impacts, we will let you know what we can or can't do.

Mark Bobrowski – Judy Barrett of the Community Opportunities Group can take the proposed build out and talk to the various departments about impacts – library, fire, etc. To have her go through the exercise is about \$5,000 to -\$10,000.

Bill Proia – That would be a lot for a project this size.

ERIC ALEXANDER – I believe we can come up with a figure from a starting point on the affordable housing issue.

Bill Proia – We can come up with some figures on expected property taxes per year – about \$350,000.

Mark Bobrowski – Sometimes there can be an agreement to make sure costs are covered. But my guess is that with an ARCPUD, the costs are probably going to be covered as there will not be any kids in school.

ANDY RODENHISER – In the absence of a specific fund to go into, it has to go to town meeting?

Mark Bobrowski – Money has to go into the general fund for the town meeting reallocation.

Mark Bobrowski – You could also look at a joint enterprise fund.

Mark Bobrowski – It is very difficult for me to commence negotiations with the Marian folks without your list.

BOB TUCKER – At one time there we had discussed waivers.

ERIC ALEXANDER – For column A, part of my frustration is waiting on some of the figures. We need to see if they meet some of the technical thresholds.

Paul Carter - We have received revised plans but not the drainage calcs and flood plain info which I was waiting for.

Rich Coppa – I have the flood plain information here to submit tonight but not the drainage calcs. Bill Drexel (Northwest Engineering) is in bed with a staph inspection.

ANDY RODENHISER – We start into these discussions but don't have the opportunity to fully review.

CHAN ROGERS – There is no point in having a meeting without the information.

Paul Carter – We still need the drainage calcs for the site before I can do the review.

ANDY RODENHISER – Here are Susy's notes from the meeting at DEP. Please look at them and let us know if you have any objections to her recollection.

Bill Proia – The plans reflect what we are asking you to rule on. We are not going to change the plan for your purposes. We will not construct anything that will trigger needing a groundwater discharge permit from DEP.

KARYL SPILLER-WALSH – In the light of that, I would be much more comfortable if you withdrew and got a better idea of what you are going to do.

Bill Proia - I just see it as a phasing issue. Rather than construct all the units at one time, we want to have the ability to construct all of them.

Mark Bobrowski – You are showing a design for 77 units? But the DEP number is 66 units to not have to get a discharge permit?

Bill Proia – Yes.

Mark Bobrowski – Does the failure to show the septic and wells impact your decision?

Paul Carter – They need to show the overall septic design and the well design.

BOB TUCKER - I couldn't go along with anything right now without showing septic or wells.

ANDY RODENHISER – I think Mr. Proia is saying that because we aren't the permit granting authority for the wells and septic, it isn't in our scope.

BOB TUCKER – Are these the drawings that you want us to make a decision on?

Bill Proia – The objective is to get the drawings complete so a decision can be made. So, if you find these deficient, what else do we have to provide?

Mark Bobrowski – Is there another way to handle the sewage of the units that won't be served by the proposed system (PRESBY).

Rich Coppa – The latest set of drawings show the wells and septic systems.

Paul Carter – Are those approved sites?

Rich Coppa – Not yet.

Bill Proia – The wells will not trigger public water supply rules.

Mark Bobrowski – They have to show that it all is taken care of.

ANDY RODENHISER – Can we approve without this information?

Mark Bobrowski – If they dedicate a specific area for the septic areas and a specific area for water supply, you can take that into your consideration.

Rich Coppa – The percs are scheduled for next week.

KARYL SPILLER-WALSH – I think there are very invasive stormwater techniques. Little detention ponds with rip rap around them. I would like to them to disappear by modifying the shapes. I don't like the rip rap. It needs to be buffered. I find it very invasive. The whole grading and swale system looks to me like it includes a lot of surface flow. How will those swales remain? Are they permanent water movement systems? This is a very aggressive, large massive system.

ANDY RODENHISER – What needs to go to the DRC?

Paul Carter – There is no grading shown for the septic systems.

KARYL SPILLER-WALSH – Is there cease and desist with a special permit?

Mark Bobrowski – Yes. Make the permit specific to a plan.

ANDY RODENHISER – How do you feel you want to proceed relative to these various legal issues?

Bill Proia – I think Mark should take time to review them. I will be available. I would like to get some work done between public hearings.

Mark Bobrowski – The old traffic study that was done as part of the first submission, should be reentered into the record.

ANDY RODENHISER – Mark, please look at Bill Proia's letters and get back to us with comments .

The public hearing was continued to September 12, 2006 at 8 pm.

***Swenson Granite - Flood Plain Special Permit Recommendation***

A motion was made by Chan Rogers, seconded by Karyl Spiller to recommend ZBA approval of a special permit to construct in a flood plain pertaining to the construction of an addition to the existing Swenson Granite building at Main Street/Industrial Park Road. The motion passed unanimously.

***Public Hearing Continuation - River Bend ARCPUD and Definitive Subdivision Plan***

Richard Cornetta, attorney  
Mark Deschenes, Abbott Real Estate  
John Spink, CONECO Engineering

Rich Cornetta – We are here to review some engineering

Paul Carter – We reviewed the revised traffic study that was submitted. They have satisfied and addressed our comments on the traffic study.

Paul Carter – We have comments on the special permit and subdivision. Here is our review letter dated August 8<sup>th</sup>.

We had suggested some additional protection to use mulch tubes instead of hay bales but in addition to silt fencing.

We reviewed the drainage. It has come a long way. There are still some comments. There are a large number of structures that don't have enough cover over them. Please take a look at that. We recommend that a column be added to the design table that shows what the cover is. Why don't you need 2 feet of cover? Please provide justification.

Wheelchair ramp details. Some still show vertical granite curb but I believe you are not planning to use that. Also, make sure to include a detail for asphalt ramp.

You need to label where the wheelchair ramps are on the plans. There are no ramps labeled. They could do it as a note as long as it was clear that they will provided at all the locations.



See the Comments on page 11 & 12 of my letter relative to hydrologic modeling.

The calcs for storm sewer system and inlets have been provided but there are some discrepancies.

Those are the major things.

John Spink - We have to wait and see what this all means.

ANDY RODENHISER – Are you requesting any more additional waivers?

#### TO DO List

1. Master condo documents – We have completed them to about 85%. I am in discussion with engineer to go through details. We should be able to provide those to the department within the week.

Rich Cornetta – We want to be careful. These are working drafts with an opportunity to review and provide comments.

ERIC ALEXANDER – I think we have communicated all the items that need to be covered. We understand a few things might change.

2. Affordable housing issue – LIP application has been submitted

Susan Affleck-Childs – I got some feedback today from DHCD. They are looking for a few changes. I will forward everything to Mark and your housing consultant. There are new regs coming for LIP units only and we are sort of in the middle between the old regs and new regs.

3. Open space - We have submitted a draft conservation restriction

Susan Affleck-Childs – I believe the Charles River Watershed Association suggested having two entities for the conservation restriction. We also had given you some comments from Town Counsel and from the CONCOM.

ANDY RODENHISER – What kind of edging material for pathways? HDPE?

BOB TUCKER – I am OK with that.

John Spink – I did it as we did for the Marian community plans.

4. Easements, etc – That is included in the conservation restriction.

Susan Affleck-Childs – I believe it has to be certified by Mass DCR after our special permit.

Mark Deschenes – With the canoe launch, we have submitted to CONCOM. They are waiting for VHB's final stormwater signoff.

John Spink – The size of the canoe launch has been reduced per CRWA.

KARYL SPILLER-WALSH – I would like to see the canoe launch railing be improved.

5. Deed rider for age restrictions - We will provide that.

ANDY RODENHISER – What about retaining walls? The surfaces that can be seen should have stone.

KARYL SPILLER-WALSH – How tall are these?

John Spink - No more than 3 feet

KARYL SPILLER-WALSH – That which can be seen should look like stone, not block . Use real stone or stone veneer.

Mark Bobrowski – I need to make a disclosure. Abbott’s engineering firm for this project is CONECO. I represent a partner of CONECO on a separate activity.

Mark Bobrowski – I will be happy to help on this one as well.

ANDY RODENHISER - I have a question on roadway widths – 16’ and 20’?

John Spink – For 1 way and 2 way roads.

ANDY RODENHISER – We need to ask Dave D’Amico if he wants to look at this from a stormwater bylaw perspective.

KARYL SPILLER-WALSH – I have a grading question on the large building. It drops off 7 feet. What happens to this corner below level? What happens to the patio and this part of the foundation that shows? What material is it?

John Spink - They become decks rather than a patio.

Mark Deschenes – That is poured concrete . We could cover with landscaping. I can bring some of the siding down further.

ANDY RODENHISER – There is one drawing in here that is a plan of land that shows lots. What is the purpose of that?

John Spink – The ARCPUD requirements are that you have two kinds of residential uses. We had a great deal of difficulty with this. This is one of the decisions that was made a long time ago.

Paul Carter – The cover sheet needs to have an index to specify all sheets.

ANDY RODENHISER – Have you been to the water department yet? Can you get a letter from him?

John Spink – Yes.

ANDY RODENHISER – We have a memo from Jeff Watson from Police Department.

Mark Deschenes – His comments are on the prior plan revision.

Paul Carter – Also street name signs need to be shown on plan.

KARYL SPILLER-WALSH – I have a lot of concerns on extensive swale system. The spaces between the buildings are radical moats of water and provide very little living space. This is very aggressive grading. I think the open space ends up being nuked. When we first discussed swales, they were 2-3 foot drops. Now it looks like 5-6 feet. This whole thing is driven by the density. You do NOT have low impact stormwater design. It sort of defeats the purpose of LID. I am not even sure if the calcs are actually going to work. If they don't work, we are going to look awfully stupid as a town. This hasn't been done anywhere else ever to this extent. There is some risk involved here. I have huge reserves and concerns about what is going on between the buildings. I don't see any solution to that what with the input you have received from the Charles River Watershed Association but for reducing the number of dwelling units. I think it is too bad what has happened to this project. This is a very aggressive grading program.

ANDY RODENHISER - Paul, is it that radical or new of a concept?

Paul Carter – It is a surface type drainage approach with a low impact development. Based on the resource constraints here and the number of units they plan, there are only so many places to build the drainage systems.

CHAN ROGERS – There is a slope from Village Street to the river. I would not call it aggressive.

Paul Carter – You could convey water through pipe system with treatment at ends. They are using some land between the buildings for these vegetated drainage areas.

John Spink – The garage doors are the highest points to get flow out and away. In general that is a 5-foot drop. All sidewalks and driveways are pervious material. The only non pervious areas are the streets. Everything is landscaping. This is a very good solution.

KARYL SPILLER-WALSH - I have talked to Andrea Cooper, Smart Growth Coordinator for the state and Nate Kelley of Horsley & Witten. I showed them the plans. They say it is way over designed. This has actually become very high impact design. It is unproved, risky and unsightly.

ANDY RODENHISER – Is it possible to have an overlay of landscape onto the swale system? I am looking at sheet LS1 now. It might be helpful to have a contour map showing the swale system and how it relates to the plantings that are proposed

Mark Deschenes – I can do that

KARYL SPILLER-WALSH – I am very concerned that it is not going to work. It seems so reliant on this surface system. I think you are going to end up with moats around the buildings.

John Spink - The water ends up getting into the wetlands. It doesn't stay in the swales. It is held up there. That is their purpose. At the 100 year storm, the area does not flood. There will be some pockets of water but once it settles down, it will be gone within a 6 hour period

ANDY RODENHISER – These are going to have to be constructed.

John Spink – We did our infiltration based on the C layer. There will be pervious material from 20 inches to as much as 4 feet of the stuff

BOB TUCKER - Did you look at a cultec type system? Could you use those instead of the swales?

KARYL SPILLER-WALSH – Charles River Watershed said they didn't want those type of systems.

Mark Deschenes - We are creating a drainage layer underneath the landscaping system.

CHAN ROGERS – Where are we in the approval process? Is it the intent to approve it tonight?

ANDY RODENHISER – No. There are still some issues to be completed and more info needed.

CHAN ROGERS – You would have to make major changes to accommodate Karyl's concerns. I feel it is adequate as it is. I don't think you could achieve what Karyl is concerned about without making major change in the layout

BOB TUCKER – I am not sure that I have any great suggestions at this point. Another option would be to build a number of retaining walls.

Mark Deschenes – I gave some stuff to the DRC. I want this to look good.

ERIC ALEXANDER – As far as the functionality, I am going to rely on VHB. Aesthetics is going to be driven by marketability. I have to say that at this point, I am comfortable. I think it would be overly burdensome to start over.

KARYL SPILLER-WALSH – The Charles River Watershed Association only cares about not having the water dump into the river.

John Spink – They have a specific agenda. They work very hard at natural drainage systems. they have a whole plan and program.

Mark Deschenes provided some cross sections that he had given to the DRC.

Mark Deschenes – This needs to be marketable, sellable and successful. I have to rely on the abilities of my engineers and consultants.

ANDY RODENHISER – Karyl, what is the worst case scenario?

KARYL SPILLER-WALSH – There are several spots that have 6 foot drops.

ANDY RODENHISER – Can you prepare a similar drawing?

Mark Deschenes – Please give me specific spots and I can do so.

Dan Hooper, 6 Naumkeag Road – Will there be any lighting from big building?

Mark Deschenes – Nothing big, just porch/deck lights only.

ANDY RODENHISER – Gino, any comments?

Gino Carlucci – No.

ANDY RODENHISER – Paul, anything else?

Rich Cornetta – We should be able to submit the items within a week.

Paul Carter - I really need 3 weeks to turn things around for a project of this scope.

Mark Deschenes – For August 22, I would like to get all the other stuff taken care of – landscaping cross sections of steepest spots and the legal documents.

ANDY RODENHISER – Then we will try to close the public hearing on September 12, 2006.

Public hearing continuations - 9 pm on August 22 and 9:30 pm on September 12.

Susan Affleck-Childs – We have a subdivision action deadline of August 30. We will need to do an extension at the August 22 meeting.

NOTE – Waivers to be discussed at the August 22 meeting.

Rich Cornetta – We would like to have you handle the waiver stuff during the public hearing

ANDY RODENHISER – Please let Susy know if you need a copy of their waiver request document.

10:35 pm – ERIC ALEXANDER leaves . . .

### ***Informal Discussion with Greg Whelan re: West Haven Estates***

Greg Whelan, property owner  
Paul Yorkis, Patriot Real Estate  
David Faist, Faist Engineering

Paul Yorkis – Thanks for agreeing to meet with us. I hope this can be very informal . We want to get your ideas and input.

West Haven Estates is an approved 40B project for this location. It was approved for 5 single family homes and 5 triplexes for a total of 20 dwelling units. We are here to discuss a potential OSRD plan as an alternative. We are looking at 19 dwelling units; all would be 2 bedrooms and would not have garages at all. About 1600 sq. ft per unit. Some would have walk out basement and some would have patios or decks. There would be different floor plans and facades. All owner occupied units with a condo association and a private road. The private way in the 40B plan is a little more than 600 feet. It could be cut back to 600 feet with OSRD plan. There would be much more open space than in the 40B plan. Most of the engineering is already done for this. The CONCOM has already reviewed the road layout for the 40B project and that portion of the new road layout hasn't changed at all. We are trying to minimize any impact at all. There

is a neat opportunity aside from having more open space than 40B project would have. There is a potential that a lot 1 (52,000 square feet) could be donated to an entity within the Town of Medway which could take that parcel and either build an affordable duplex using CPC funds or submit a 40B application for all affordable units.

KARYL SPILLER-WALSH – What kind of sewage system?

David Faist – This would be a shared septic system. 5 units would share a septic system.

19 units x 2 bedrooms = 38 bedrooms

ANDY RODENHISER – Where would the open space be?

David Faist – We came up with 19.7 units under the OSRD formula. The units would have a 26' by 28' footprint

ANDY RODENHISER – Are you proposing that any be affordable?

Paul Yorkis – No.

ANDY RODENHISER – How many of the units in the 40B development would have been affordable?

Greg Whelan – 6

KARYL SPILLER-WALSH – Are you providing the minimum open space per the OSRD?

David Faist – We believe we can meet the requirement.

ANDY RODENHISER – Gino, from a concept standpoint, what is the ultimate purpose of an OSRD project?

Gino Carlucci - To preserve some open space, provide a diversity of housing types, to encourage more compact development vs. spread out.

Susy Affleck-Childs – Also to design around and preserve land features.

ANDY RODENHISER – Any way for open space to be accessible to the public?

Paul Yorkis – The open space would be accessible to the public.

CHAN ROGERS – Didn't you talk to the Selectmen the other night about open space issues?

ANDY RODENHISER – We started the discussion. There are lots of issues to discuss. We went before them for a specific discussion on the Pine Ridge project.

CHAN ROGERS – This bears directly on the question here.

KARYL SPILLER-WALSH – Some of the lands we have looked at and evaluated for OSRD have lent themselves to public traffic through them. This does not particularly lend itself to full public access. But I do see it as an important element to add open space to the town.

Greg Whelan – I think Lot 1 could be very good for a picnic area/pocket park.

Paul Yorkis – The wetlands on the west side of the sheet extends to route 109. If someone is interested in bird watching that would be a neat area. It may not be great for walking paths.

Greg Whelan – In my mind, when you walk the site, you will find this area in back is beautiful. There could probably be some way of having some trails down through there.

Paul Yorkis – Really beautiful for naturalists.

ANDY RODENHISER – Knowing that the town cannot pay for maintenance and upkeep issues, you would need to consider having the condo handle the open space area.

Paul Yorkis – That is not an issue .

ANDY RODENHISER – It becomes an amenity for the condo.

BOB TUCKER – I would prefer this type of layout compared to the 40B.

Paul Yorkis – We know there will be a lot of work.

JOHN SCHROEDER – On a lot of fronts, it is definitely doable. My concern is that we are losing ground on the affordable housing number.

Greg Whelan – I am willing to explore possibilities.

CHAN ROGERS – I feel where we are today with the Town, there are so many open ended issues on how to create open land, that the developer is at some risk. The town doesn't want them. The Town isn't in any position to come to grips to discuss the management of open space. There are too many other issues to deal with right now. It is great to say that we have this option, but who controls it and who looks after it?

Paul Yorkis – In this situation, we are not proposing that the open space be deeded to the Town. Philosophically, the more open space the Town can create, that improves the quality of life for the community.

Paul Yorkis – The condo association would own the open space.

Susan Affleck-Childs – Then it would need a permanent conservation restriction put on it.

Paul Yorkis – The OSRD special permit would limit the number of dwelling units.

KARYL SPILLER-WALSH – I like the idea. A lot of it would depend on what it looks like as you drive into the development. It looks a little offensive as it is presented right now. Landscaping is needed in the middle.

Paul Yorkis – A landscape plan would be part of the submission.

Greg Whelan – When it comes to snow removal, it needs to be kept open as much as possible.

Gino Carlucci – I too am concerned about losing the affordable housing component.

Greg Whelan – This is for the first time home buyers.

Susan Affleck-Childs – This may not be officially “affordable”, but fits a market niche.

Paul Yorkis – These would all be 2 bedroom units.

ANDY RODENHISER – I am pleased to see a change in what was there. It is good to hear there is goodness in your heart and interest in donating land or building an affordable house for the town.

### ***Update on 37 Broad Acres Farm Road./Country View Estates***

Greg Whelan – We submitted a final plan to the Streifers (for repairs to the detention pond). It is being reviewed by Daylor Engineering. We are under the gun to come to an agreement. The detention basin will need to be changed in some ways. It is pretty much the proposal we gave you before.

ANDY RODENHISER – Please give a copy to Paul Carter.

Greg Whelan - I want to move toward street acceptance for this fall.

### ***OTHER BUSINESS***

#### ***Restaurant 45***

Paul Yorkis – Could I ask the board one question about Restaurant 45. The Disabilities Commission has raised a concern that there is no handicap ramp to the deck area between the two buildings from the back. I would like to add this to the plans to be endorsed by you. Bob Speroni would like to have this done.

Gino Carlucci – The site plan certificate requires full handicap accessibility so there is no problem.

Motion was made by Karyl Spiller-Walsh, seconded by Chan Rogers to authorize a change in the final plans for Restaurant 45 to include a handicap ramp to the deck area between the two buildings. The motion passed unanimously.

#### ***Priority Development Grant***

Gino Carlucci – I did get an email last week from DHCD saying that we have been awarded the priority development fund grant in the amount of \$15,000 to advance the concept of the route 109 area becoming a town center including adding a subdistrict of the Medway Mill for residential uses.



ANDY RODENHISER – I heard there are grants for the fast track permitting for a target area. Could we do the same thing for a specific type of development? Could we take some of the areas behind the plaza or the industrial park?

Gino Carlucci – I will look into that.

### ***Construction Observation***

Paul Carter – I was contacted by Taniel Bedrosian regarding a roof drain recharge system at Evergreen Meadow. Jack Lydon went out and inspected that. He called us enough ahead of time.

NOTE - Gino Carlucci and Paul Carter leave at 11:20 pm

### ***Committee Reports***

JOHN SCHROEDER re: Community Preservation Committee – The court case was supposed to start today re: the 2B Oak Street eminent domain case. The CPC met last night in executive session. We had an opportunity to match the updated appraised value. The courts are more in favor of the landowner than the towns. The value range is from \$836,000 up to \$1.6 million. So we agreed to offer a settlement with the funds to come out of CPC funds. If we went to court and we had to pay, it would come out of town's general fund. An offer was made in court this morning. It will have to go to town meeting for approval. It is a beautiful piece of land. We made a settlement offer of \$500,000. The town is getting \$200,000 toward renovation from the state.

BOB TUCKER – I went to the CONCOM meeting re 25 Milford Street (Rolling Hills subdivision). They did sign off on it. They extended the silt fence and mulch tube.

CHAN ROGERS re: SWAP - Paul Yorkis has been pushing park and ride lots out here. I went to a workshop on the new mass highway design manual. Representative Paul Loscocco is interested in offering state land for parks and ride lots.

ANDY RODENHISER – I met with Board of Assessors last night to talk about zoning. They want to make sure that we haven't forgotten about the east end of town. They want to support any of these rezonings that we are going to proposed. They asked me to attend. I also went to the BOS meeting with John and Susy to discuss open space issues.

CHAN ROGERS – We have problems here creating open space that we have to get into. We have to get into this discussion. Nobody wants to wrestle with the problem of how to do this.

JOHN SCHROEDER – I am under the understanding that we can commit to nothing.

ANDY RODENHISER – Ultimately the issue of having to secure new town counsel has created some new topics for policy. There are questions on how town can accept donations of land (BOS or town meeting?) How do conservation restrictions work? Are they in perpetuity? How is open space taxed?? Also, we provided some input to BOS on our needs for town counsel.

JOHN SCHROEDER – We kept the opening to get our own special counsel if we need it.

### ***Country View and Broad Acres Estates Bonds***

Susan Affleck-Childs – Greg Whelan wishes to withdraw the interest earned on his four bond accounts. This has been customary practice in the past that the developer can just do it. However, the new Treasurer/Collector wishes to have the Board's approval for such transactions.

A motion was made by Chan Rogers, seconded by John Schroeder to authorize withdrawal of \$5,883.98 in interest from the 3 Country View Estates bond accounts and the one Broad Acres Estates bond account at Medway Cooperative Bank. The motion was approved. Karyl Spiller-Walsh refrained from voting.

### ***2-4 Main Street Site Plan***

Susan Affleck-Childs – The current deadline for completing the work is August 15<sup>th</sup> or else the temporary occupancy permit can be pulled. The as-built plans will not be completed by then. He has requested an extension to October 16, 2006.

BOB TUCKER – I don't see why we should have to do this.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to have all site work including clean-up and removal of all debris to be done by September 2, 2006. The motion was approved. Bob Tucker voted no.

A motion was made by John Schroeder and seconded by Chan Rogers to change the as-built plan due date to October 16, 2006. The motion was approved. Bob Tucker voted no.

JOHN SCHRODER – This should be strongly worded. We need to let him know that there will be no more extensions.

### ***Marc Road Site Plan***

Susan Affleck-Childs – The Marc Road site plan was revised to show the easement area.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to sign the Marc Road site plan. The motion was approved.

A motion was made by John Schroeder, seconded by Chan Rogers to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 12:05 am on Wednesday, August 9, 2006.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

*Approved – August 29, 2006*

## ***Planning Board Meeting August 22, 2006***

PRESENT: Andy Rodenhiser, Chan Rogers, John Schroeder, Bob Tucker

NOTE PRESENT: Karyl Spiller-Walsh

ALSO PRESENT: Gino Carlucci, PGC Associates; Susy Affleck-Childs, Planning Board Assistant, Paul Carter, VHB Inc. (at 7:50 p.m.)

Andy Rodenhiser called the meeting to order at 7:06 pm.

ANDY RODENHISER - Karyl is not able to join us tonight due to personal issues. We have contacted the applicants and offered to continue the Rolling Hills and River Bend projects to the next meeting as her presence is needed for that. For the Charles River Acres OSRD project, the applicant has decided to go ahead tonight with the public hearing only 4 voting members. So we will be rearranging the schedule.

### ***Kelley Street/Vine Lane ANR Plan – Cheryl Rosenberg***

ANDY RODENHISER – The applicant has requested an extension for considering this proposal. The applicant's attorney cannot be present tonight.

A motion was made by Chan Rogers, seconded by John Schroeder to extend the Planning Board's deadline to act on this ANR application to September 15, 2006. The motion passed unanimously.

It was agreed to consider this application at the September 12, 2006 meeting.

ANDY RODENHISER - We are not going to discuss the specifics of this ANR application, but we will use this time for a bit of an educational process. I have asked Gino to give us a mini workshop for us tonight on the ANR process and criteria.

### ***ANR Workshop with Gino Carlucci***

Gino distributed a simple handout he had prepared on the background and purpose of ANR plans. He also reviewed key court cases.

Gino Carlucci – An ANR can create a lot without going through the formal subdivision process. It has to have the amount of frontage required by the local zoning bylaw. Frontage has to be on one of three types of ways:

- a. way in existence when SCL came into effect in the town and only if it has adequate, width, suitable grade, etc. as determined by the Planning Board
- b. road approved under the subdivision control law
- c. accepted public way.

You have to go back to purpose of the Subdivision Control Law – To ensure that adequate vehicular access is provided to newly created lots; convenience, safety, etc.

There was a 1999 Land Court case in which the court ruled that the ANR process is not meant to circumvent the Subdivision Control process.

Non-compliance with zoning is NOT a reason for denying (not endorsing) an ANR plan.

A note can be placed on the plan that this is not a buildable lot

Susy also prepared a handout, more of a checklist of criteria to go through in making an ANR decision.

You can't presume that somebody is not going to get permission from CONCOM to cross wetlands and therefore decline to endorse an ANR plan. It is a grey area. You have to make your best judgment on a case-by-case basis.

ANDY RODENHISER – Do they have to show where the driveways will be?

Gino Carlucci – State law doesn't require that those be shown.

For ANR purposes, the access has to be able to come from their legal frontage. But for local zoning compliance, access can be from something other than the frontage. It could even come from a common driveway.

The entire frontage doesn't have to be accessible as long as part of it is satisfactory.

There was a case in Lincoln where their zoning bylaw required 120 feet of frontage. Each lot had from 20 – 87 feet of accessible frontage. It should have been approved..

Another aspect of ANRs is that ANR approval freezes the zoning use for 3 years, but not the dimensional requirements.

ANDY RODENHISER – I would like to open the continuation of the public hearing on the Rolling Hills Definitive Subdivision Plan. Because of Karyl's absence tonight, we need to continue this. Let's do 8/29 at 7 pm

A motion was made by Chan Rogers and seconded by Bob Tucker to continue the public hearing for the Rolling Hills Definitive subdivision plan. The motion passed unanimously

## **BACK TO ANR DISCUSSION**

ANDY RODENHISER – When a public way or a paper street is created – who owns it? Does the road stay that way in perpetuity? if somebody mows the grass, is it available by adverse possession?

Gino Carlucci – My understanding is unless the fee in the road is specifically addressed, the abutters own to the halfway point in the road.

ANDY RODENHISER – Owning to the centerline of a private way? How does that work? When we are looking at these ANRS, if there is some ambiguity on ownership, who can be concerned about that?

Gino Carlucci – Ownership is not one of the criteria a planning board can look at for ANR endorsement.

## ***MINUTES***

A motion was made by John Schroeder; seconded by Bob Tucker to approve the draft meeting minutes of the July 25 and August 8<sup>th</sup> meetings. The motion passed unanimously.

## ***INVOICES***

Motion by John Schroeder, seconded by Chan Rogers to approve \$149.23 to WB Mason for office supplies. The motion was approved.

Motion by Chan Rogers, seconded by John Schroeder to approve \$5,657.24 to VHB, Inc. for plan review services. The motion was approved.

Motion by Chan Rogers, seconded by Bob Tucker to approve \$5,936.36 for VHB for construction observation services. The motion was approved.

Motion by Andy Rodenhiser, seconded by Chan Rogers to approve \$150 to VHB, Inc. for construction observation services. The motion was approved.

Motion by Andy Rodenhiser, seconded by Chan Rogers to approve \$80 to the Massachusetts Federation of Planning and Appeals Boards for FY06 membership. The motion was approved.

## ***Public Hearing Continuation - Charles River Acres OSRD Special Permit***

ANDY RODENHISER –Just to refresh everyone’s understanding, this is the first step of the approval process. After this, they will have to file a definitive subdivision plan with the details. John Parmentier, Dunn McKenzie Engineers  
Kip Dirazonian, applicant

John Parmentier – At the last meeting, the consensus of the board was that you wanted to have the area of the detention basin on a separate parcel. We went back and computed that and it works adequately to do so and still have enough land for the open space.

We were contacted by Susy Affleck-Childs and asked to meet with the Diiluo of 7 Massasoit Street. That happened yesterday (8/21/06). Andy Rodenhiser attended as well. The applicant was there and also some members of the Charles River Tennis Club. We talked about the project and how we plan to loop the water main. We walked the area and also the area behind the tennis courts, then in and out of Cherokee. We discussed the southern edge of the Cherokee roadway at the Diiluo’s property. The consensus was that the Diiluos and Mr. Dirazonian will get together to work out some kind of detail as to what work will be done along the Diiluos property (tree removal, fencing, etc.) We will assist our client in those dealings.

Regarding the recent letter from the Charles River Watershed Association (CRWA), it seems like their standard report requesting things that are typical of a conventional development. I don't know if they understand that there is a lot of property between the developable area and the Charles River. That is my only comment on that letter. I don't know how you want to handle that.

I brought with me additional sets of the plan and several half-size versions.

I also prepared another letter to the board dated 8/22. We show the drainage parcel on sheets 3 and 4.

We did some revisions to address some of CRWA comments. We now have some spots for rain gardens and there is plenty of room for snow storage.

We also provided a detailed description of the open space calculations. We still meet the minimum requirements for open space.

The letter also recaps our site visit from 8/21/06. We looked at the area where we would use the property for the road widening. We will be able to assist in dead tree removal and work with them to decide what other trees should come down. We would probably consider moving the existing fence and possibly replacing it.

We will consider the recommendations of the CRWA as much as possible and deal with those matters during the definitive plan review phase.

We are hoping that this evening could be the culmination of this hearing.

CHAN ROGERS – How are the improvements listed in the CRWA going to be installed on the existing properties?

John Parmentier – Drywells will depend on the water table and finish grade. Could be cultech type units.

ANDY RODENHISER – One of the things we talked about out there on site was the cultech type system. Any type of mitigation that gets more of the water back into the ground vs. on top of the ground is desirable.

John Parmentier – We would do this just for our 8 lots.

Paul Carter – Rain barrels are so you can provide water for landscaping but they still need an overflow that would go into the infiltration units.

John Parmentier – Rain barrels are sort of like water that you would have to have a pump connected to for watering. Limited to the size of the barrels. It is an extra ordinary device that not too many people like to adapt to. Recharging under the lawns with cultec units can be done very shallow. For rain barrel examples, see the CRWA web site. They are OK if away from the street or on a deep lot. It might work.

BOB TUCKER – I would tend to agree with him. I wouldn't put one on the front of my house

JOHN SCHROEDER – I think what CRWA is pointing us toward these things because Medway is starting to have issues with water here . There will be limits on our use of water. They are trying to push us toward water conservation techniques.

John Parmentier – Typically, most towns don't allow irrigation. We will collect roof runoff and recharge into the ground for most storms. We want the water to disappear within a few hours after a storm. To do that we need to make sure there are limits to puddling and something underneath the trenches to absorb the water.

BOB TUCKER - How large are the trenches?

John Parmentier –I don't now exactly today. But with the definitive plan, we will provide the details.

BOB TUCKER – I am not sure I am in favor of the mosquito traps (rain gardens). But I like the idea of putting the roof water directly into the ground.

John Parmentier – You can trap most of the water from most storms. We will certainly control the water so it doesn't affect the neighbors

John Schroeder – I am still concerned about the soil. I want to be convinced that the sheeting of the water is not going to be made worse by this development, but made better because of it. You talk about catching water runoff from the roof. My question is for Paul (Carter). Are you convinced the water is being retained?

Paul Carter – This is only a concept at this point. It is not (meant to be) a detailed drainage design. You will have to size that flow spreader trench so it doesn't make for erosion

John Parmentier – How much storage can we get and do? With that amount of storage how much can you afford to let go and at what rate? There is some concern that the soils on this site are very tight and are not conducive to absorbing. We want to spread out the flow so it can reenter the slope reabsorbed into the ground. We can do some permeability tests on the rate of absorption. We could go back and dig a test pit and examine what the perc rate is. But until I know that, we can't predict what we will do with the storage water.

ANDY RODENHISER – What are you going to do if you find that it just doesn't work? What is your plan B?

John Parmentier – The only option is to detain the water as long as possible.

ANDY RODENHISER – What about in the instances of the roof water? You are planning to use the culvec chambers. Are you satisfied you are going to cover the water?

John Parmentier – They are going to be installed in fill that would be placed around the houses. Because of the nature of the site in the wet season, there is a need for the foundations to be raised to not be too deep. There will have to be some fill around the houses. The fill will have to be pervious material where the chamber could be placed.

ANDY RODENHISER – The details on all this will come out during the definitive plan.

John Parmentier – We don't expect the rooftop drains will handle the 100-year storm, but the larger drainage system in the street will handle any overflow. We are going into quite a bit of detail on this.

ANDY RODENHISER – It has just been a theme in determining how and what you are going to build. We don't want to have a negative impact on the Charles River neighborhood.

JOHN SCHROEDER – Or the river itself.

ANDY RODENHISER – Have you taken into consideration Dave D'Amico's comments?

John Parmentier – We are going to have to work with him to properly size the unit to do this. I don't believe it can be an open detention basin as he suggests. There is no physical way to do that. I need to sit down with him and convince him of that. I am sure that the devices that are available today to work with are maintainable. The town has a vacuum truck that will work well. The devices that are out there today and approved by DEP have to be maintained. Most of the material that goes into there will be sand from the town's sanding trucks.

Gino Carlucci – I have a couple of comments. One I raised the last time. I suggest you extend the right of way to the abutting property (McDonald property to the east.) It wouldn't change anything that is constructed. That way it could be made available sometime in the future to extend that road. If that happened, it would have to be removed from the open space area.

Gino Carlucci – Also, the driveway off the emergency access road, would that be to the house lot?

John Parmentier – We would repave the part that is already paved (on Neelon Lane.)

Kip Dirazonian – Whatever way you want it is what I will do.

Rich Diiluo, 7 Massasoit Street - I am confused. What area is he talking about?

Gino Carlucci – Just the ROW are east of the cul de sac.

John Parmentier – If you did that, I don't think the open space numbers would work.

Gino Carlucci – You could certainly shave some land off of the house lots.

John Parmentier – We can do that if you want us to.

ANDY RODENHISER – An idea has come about regarding a possible traffic light. It is very difficult to get out of Charles River Road onto Village Street. It was suggested we look into a traffic light that would be flashing yellow on Village Street, which could change to red when there is a back up on Charles River Road. It could also have a button to allow kids to cross Village Street.

BOB TUCKER – Was there a traffic study done?

Barbara Ryan, 5 Charles River Road – It would be a good idea to do some speed bumps.



ANDY RODENHISER – Actually speed bumps cause problems with drainage and snow removal.

Paul Carter – There is a certain level of traffic volumes to warrant a pedestrian signal. A traffic study would need to be done to determine whether a signal was warranted.

Mr. Diiluo - You are adding River Bend traffic as well. That will have a big impact.

Paul Carter – A traffic counter measures quantity and time. It will measure the number of vehicles in a particular hour.

BOB TUCKER – If we were to go back and look at the River Bend traffic study, I expect it was broken down by various times of day. I think that might give us some indication as to what the volume is and will be.

ANDY RODENHISER – I think the conclusion was that there wasn't enough traffic to warrant any signal.

Paul Carter – Your rules and regs require that a traffic study be done for 20 units, but you could decide if you want to have them do one.

A traffic signal is based on a particular intersection. It would have to relate specifically to Charles River Road and Village Street.

Susy Affleck-Childs – You could include a condition with the special permit to require them to do a traffic analysis during the definitive plan phase.

CHAN ROGERS – I don't think this will merit a signal.

Chris Kersananon, 2 Charles River Road – The River Bend traffic study was probably done before Medway Commons was constructed. There is a lot more traffic on Village Street now, especially truck traffic. There are more safety issue than you know. When was that traffic study done?

ANDY RODENHISER – I think it was done in April. We can check that.

ANDY RODENHISER – I had a conversation with Dave D'Amico about the light signal idea. We tried to think of other spots in town where there is only one roadway that provides access to many homes – Kelley Street couldn't think of too many other spots in town . . . Kelly Street off of Holliston and Azalea Drive off of Summer Street.

ANDY RODENHISER – Any other comments, or questions?

Chris Kersnason – How would the new house at the end of Neelon be accessed?

ANDY RODENHISER – Off of Neelon, but there will be an emergency access road there with some kind of surface.

BOB TUCKER – Mr. And Mrs. Diiluo, I heard their engineer provide his interpretation of the site meeting yesterday. Do you feel that this accurately represents what was discussed?

Mr. DiIulio – It was worth a lot to us. Things became much clearer. Some of the things will address our needs to not get water. Cleaning up the trees would be fine. I wouldn't mind having some as firewood from the tree cutting!

ANDY RODENHISER – And they will be working on a snow easement agreement.

Susy Affleck-Childs – Is there any more information the applicant wishes to provide?

John Parmentier – No.

A motion was made by Chan Rogers and seconded by Bob Tucker to close the public hearing. The motion passed unanimously.

Susan DiIulio - What are the next steps?

ANDY RODENHISER –We will make a decision and file that decision. Then they will take the next step to a definitive plan.

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Public Hearing Continuation - River Bend Village ARCPUD and Definitive Subdivision Plan

ANDY RODENHISER – Due to Karyl's absence, the applicant has asked to have their hearing continued. We also need to extend the deadline for action on the subdivision. We have a letter here from Attorney Richard Cornetta making such a request.

A motion was made by Chan Rogers, seconded by Bob Tucker to continue the public hearing for River Bend Village to Tuesday, August 29, 2006 at 7:30 pm. The motion passed.

A motion was made by John Schroeder, seconded by Bob Tucker to extend the subdivision action deadline to September 30<sup>th</sup> – john, BOB TUCKER – all yes

### ***OTHER BUSINESS***

CHAN ROGERS –The letter we got from CRWA is quite important. My understanding is that they are advisory and do not have any enforcement capacity.

ANDY RODENHISER – I asked Paul Carter to make some comments on that letter as it pertains to this application. Paul said that we really have to look to the Rules and Regs. But I believe that one of the OSRD criteria is the impact on the community. Every home is going to be using water. Sooner or later, we as a town need to come to grips with water conservation.

JOHN SCHROEDER – I think the letter from the Charles River Watershed is more long term about what the town needs to do.

CHAN ROGERS – Yes, but it has to be in concert with other town boards/departments.

ANDY RODENHISER – These guys have taken 50% of the land that abuts the river and protected it.

Susy Affleck-Childs – FYI, I sent the Charles River Watershed letter to the Water/sewer department, DPS and to Suzanne Kennedy.

### ***COMMITTEE REPORTS***

ANDY RODENHISER – Mark Flaherty (Sewer/Water) told me you cannot reserve sewer capacity. With respect to the District Improvement Financing (DIF) plan for the industrial park, I don't know if that qualifies as intent, but it seems like that constitutes a commitment.

I met with the Water/Sewer board to discuss how they monitor sewage usage. There are issues of whether some pipes from Franklin are metered properly. They have agreed to set up a meeting with the Charles River Water Pollution Control Board to nail down capacity and process so as a board we can work closer with them.

Gino Carlucci – Water conservation efforts will help that effort as well – low flow showerheads, replace old toilets with low flush toilets; etc.

CHAN ROGERS – Also more efficient dishwashers and washing machines.

ANDY RODENHISER – Mark Flaherty had detailed that they can institute some water conservation programs. That is within their jurisdiction. That is the job for the water/sewer board..

CHAN ROGERS – How do private wells contribute to the process?

ANDY RODENHISER – If you have well and town septic, it flows together. Mark said they are surveying for the new well. They got their capacity upped for what they can withdraw. Things move fairly slowly at the state DEP but the Water/Sewer folks are constantly working on this. They are looking at all kinds of monitoring devices. It was a good meeting. They have their work cut out for them.

CHAN ROGERS – No one has ever said that those with private wells should follow the water ban, but that is coming.

NOTE – Paul Carter leaves at 9:25 pm

NOTE – The Board started to review the criteria for granting a special permit for the Charles River Acres OSRD project using a worksheet that listed the design, open space and review criteria. Susy and Gino will start to draft the special permit.

### ***OTHER BUSINESS***

1. Andy distributed a letter from Bob Speroni regarding a series of zoning and building violations at \_\_\_\_ Winthrop Street, owned by Tony Biocchi. Apparently there are two buildings on one lot being uses for dwelling purposes.

2. Susy briefed the board on the proposed changes to lot 37 at Country View Estates. These are mostly repairs and improvements to and around the detention pond. The question is whether this scope of work constitutes a modification to the subdivision plan such that a new public

hearing has to be conducted. It was felt that it did not need to be handled as a formal modification with the public hearing as there is no change in roadway layout or lot lines. Susy recommended that whatever changes are finally approved be recorded at the Registry of Deeds and made a formal part of the plan.

A motion was made by Chan Rogers, seconded by Bob tucker to proceed with this as a minor modification, without a public hearing. The motion passed unanimously.

A motion was made by Chan Rogers, seconded by John Schroeder to adjourn. The motion passed unanimously.

The meeting was adjourned at 11:05 p.m.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

*Andy Rodenhiser, Chairman  
Cranston (Chan) Rogers, P.E., Vice-Chairman  
Karyl Spiller-Walsh  
John Schroeder  
Robert K. Tucker  
Eric Alexander, Associate Member*

*Approved 9-12-06*

## **PLANNING BOARD MEETING August 29, 2006**

PRESENT: Andy Rodenhiser, John Schroeder, and Karyl Spiller-Walsh. Bob Tucker and Chan Rogers arrived shortly after 7 pm.

ALSO PRESENT- Paul Carter, VHB, Inc.; and Susan Affleck-Childs, Planning Board Assistant

Call meeting to order at 7:00 pm

**CITIZEN COMMENTS** – None

ANDY RODENHISER- We will wait for two more members to arrive before we start the Rolling Hills public hearing

**INVOICES** - No invoices to consider.

**MINUTES** - Minutes of August 22, 2006 meeting. No comments or revisions.

Andy Rodenhiser – We need to wait until BOB TUCKER and Chan arrive to vote on the minutes.

NOTE – It was agreed that Susan Affleck-Childs would email the rough meeting notes to Planning Board members the next morning after Planning Board meetings.

### **COMMITTEE REPORTS**

KARYL SPILLER-WALSH – The DRC met last week.

ANDY RODENHISER – What is the status on the design guidelines? Are there examples of what buffer zones should look like?

KARYL SPILLER-WALSH - Not yet. It should be brought up and we should articulate something.

KARYL SPILLER-WALSH – It would be a great tool to have a computer white board to display some of the good examples we find. We should look into it. It is called a SMART board, with display options.

JOHN SCHROEDER – I believe it is a plasma screen.

NOTE – Bob Tucker and Chan Rogers arrive.

A motion was made by Bob Tucker, seconded by John Schroeder to approve the minutes of the August 22, 2006 Planning Board meeting as presented. The motion passed. Karyl Spiller-Walsh recused, as she was not present at the 8/22/06 meeting.

***Public Hearing Continuation - Rolling Hills Definitive Subdivision Plan***  
7:08 p.m.

Olga Guerrero, applicant  
Edward Cannon, attorney  
Paul DeSimone – Colonial Engineering

Paul DeSimone – We made a couple of small revisions, fixed some discrepancies between the sheets. We reworked the island landscape design and called out the 10-foot area around the island with pavers. The retaining wall is a big thing. As far as the height of the wall, anything above 4 feet requires a fence on top. I brought you some special pictures. We propose using 4' by 4' concrete blocks, essentially a huge cinder block type approach. They have texture on the front of the blocks. Look at profile on the last sheet. It shows you where the ground is and the sections of fence are needed. The fence is on and off – 40 foot stretch and 40 foot break.

Susan Affleck-Childs – That will look kind of weird.

Paul DeSimone – There will also be a guardrail all along the way in addition to the picket type fence. The guardrail is for vehicles and the fence is for pedestrians.

KARYL SPILLER-WALSH – What kind of material for the fence?

Paul DeSimone – Vinyl.

KARYL SPILLER-WALSH – I thought that kind of fencing had to be sturdier, with some metal in to hold up well.

Paul Carter – What is the maximum height of the wall?

Paul DeSimone – I think 6 feet is the highest. I left it up to the applicant whether she wants to run the fence the entire length of the retaining wall.

Paul Carter – The corner of the wall is near the entrance to the site?

Paul DeSimone – Yes.

ANDY RODENHISER – Looks like it is about 240 feet long

Paul DeSimone – Actually it is more like 325 feet but not all of it is visible plus there is a return of about 30 feet

KARYL SPILLER-WALSH – This is a big wall, long and high. It looks like Lowe's (Milford) You should look at something faced with stone; it should look better than this. It should be much better. It is a long high retaining wall. Could you buffer the wall with landscaping?

Paul DeSimone – That would infringe on the wetlands.

BOB TUCKER – I would think there will be a lot of green, growing stuff that will grow up around it from the wetlands.

JOHN SCHROEDER – I am less concerned about the wall material than I am with the up and down nature of this.

KARYL SPILLER-WALSH – I am reading from Section 7.14.4 of the Subdivision Rules and Regs. Wall and fence designs to be reviewed by the Design Review Committee. We are looking for a stone appearance.

JOHN SCHROEDER – Has the DRC reviewed this wall?

Susan Affleck-Childs – No. The Planning Board didn't receive this until August 24<sup>th</sup> so it hasn't been scheduled yet for the DRC.

Paul DeSimone – I think we could get any type of surface. I have seen a granite type. But we prefer this to a poured wall.

KARYL SPILLER-WALSH – I don't have trouble with that. Structurally it has to work. But the concern is how it looks.

ANDY RODENHISER– The visual appearance is what we are focused on and the regs are fairly clear about a stone appearance and meeting with the DRC.

Paul Carter – How are you going to do the two 12" drain pipes through the retaining wall?

Paul DeSimone – These are just huge cinder blocks that you can break at the joints.

Paul Carter – So you will pour concrete around the pipes?

Paul DeSimone – Yes.

ANDY RODENHISER– From a logistical standpoint, this needs to go to the DRC before we can close the public hearing.

KARYL SPILLER-WALSH – Please describe the fencing.

Paul DeSimone – Heavy PVC.

KARYL SPILLER-WALSH – That kind is subject to breaking and is difficult to repair.

Paul DeSimone – The pickets go through the rails. This is a sturdy version and is maintenance free. You don't have to paint.

ANDY RODENHISER – It will be interesting to see how the fencing will stand up to snow.

KARYL SPILLER-WALSH – What happened to wrought iron or aluminum fencing? That is the standard we have been moving toward.

Paul DeSimone – They say this is sturdier than aluminum, according to the salesman.

KARYL SPILLER-WALSH – I would recommend wrought iron or aluminum instead.

ANDY RODENHISER – We need to keep the public hearing open so we can get the DRC's recommendation.

Paul DeSimone – I thought the DRC was for commercial sites. I didn't think it pertained to a small residential site.

ANDY RODENHISER – It is in the regs. 390 feet of length.

BOB TUCKER – It will probably only be 3 layers high.

ANDY RODENHISER – Each layer is 18 inches

CHAN ROGERS – A highway wall wouldn't have to go to the DRC. The Town wouldn't decorate it if it was building it. I don't know why a developer has to have a fancy wall.

ANDY RODENHISER - If we were to skip this step, they would need to request a waiver.

Susan Affleck-Childs – And how you justify not complying.

CHAN ROGERS – I think we are making too much out of it.

JOHN SCHROEDER – The regs say the DRC should look at it and give us a recommendation and that is the way we should proceed.

BOB TUCKER – I don't know why that regulation was set up the way it was. Personally I don't have a problem with the wall as proposed. I am listening to Chan and I don't disagree with him. I have seen a lot worse things that the state has done. But we have our rules and regs that we should follow.

KARYL SPILLER-WALSH – The reason we created this regulation was because there have been walls built around town that look awful. Broken Tree Road is an example of a poured concrete wall and a chain link fence. Broad Acres has the same thing. We have hideous looking bridges and walls and fences that are substandard to the cost of the housing in the neighborhood. All the surrounding towns are requiring more naturalized looking walls. There is no reason why we have to look at this stuff. They make a lot of products that look like natural stone. It is better for the neighborhood and the Town. Anywhere we can get vertical surfaces to have natural look



we need to do that. That is why we created this regulation. We, the DRC and the former Planning Board decided that is what we want to see.

Ted Canon, representing the applicant Olga Guerrero – If we do have the DRC to tackle the wall, I would like to make sure that we have all the other issues resolved.

ANDY RODENHISER – The only thing was the little vertical area.

Paul DeSimone – That is in the CONCOM's "no disturb" area.

Paul Carter - I had asked about the size of the stones around the pipes. What is the size of the rip rap? 3 inches seems a little small. I would do something bigger, more toward 4-6 inches.

Paul DeSimone – We can do that (larger rip rap) but we can't do any landscaping within the 25-foot area from the wetlands. But we can do something outside.

KARYL SPILLER-WALSH – What can you do there to cover up the little rip rap trap?

Paul DeSimone – It would be woods and lawn, pretty natural.

KARYL SPILLER-WALSH – But in the process we have to look at a mess until it grows over. Put in some bushes or some trees. We want to hide how it looks.

Ted Cannon – The natural growth around it will fill in very quickly.

ANDY RODENHISER– I am all right with it the way it is proposed. Our only issue is with the wall and the fence. The Rules and Regs have been adopted over the years and in this instance whether or not the state or the town would build something like this is immaterial. It is our job to follow the rules and regs and represent the town's interest. Certainly what the DRC will come up would benefit us. They have a better idea of design aesthetics. Then we would take their recommendation under advisement.

KARYL SPILLER-WALSH – If this were to be short little retaining wall that nobody is going to see, it wouldn't be a problem.

Paul DeSimone – You won't see this wall.

ANDY RODENHISER – You need to go to the DRC.

CHAN ROGERS – In 10 years you aren't going to see it.

Paul DeSimone – The walls that Karyl is talking about are high retaining walls that face the street.

ANDY RODENHISER – We need to have some caution. Some people took advantage of a lax standard. We need to do our job. We will keep the public hearing open.

CHAN ROGERS – Can we close the public hearing subject to their complying with the DRC review?

ANDY RODENHISER – No, because we can't take in the DRC recommendation after the public hearing is closed.

Ted Cannon – I understand the process. We just want to resolve any other issues.

Paul Carter – The concrete pavers for the island, what is going to be under the pavers?

Paul DeSimone – A 12-inch gravel base, the same as our whole road base. I can put that on in.

Paul Carter – If you are going to change the wall detail, make sure the other wall details match each other. There must not be a conflict in the plans. The plans now show 2 different wall designs

Paul DeSimone – The face is your concern. Who doesn't like it?

ANDY RODENHISER – I am OK with it.

CHAN ROGERS – It is nice looking.

JOHN SCHROEDER – Paul, the other issues you have brought up in your last letter . . . have those been taken care of ?

Paul Carter – Yes.

Paul DeSimone – I can get you a copy of the disk.

NOTE - The next DRC meeting is September 11. Susy will schedule that.

ANDY RODENHISER – Plan to bring some photos or samples of the products you want to use.

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to continue the public hearing for the Rolling Hills Definitive Subdivision Plan to September 12, 2006 at 7 pm. The motion passed.

Susy Affleck-Childs – We will need the applicant to request a deadline extension that night to give us time to write the decision.

KARYL SPILLER-WALSH – I am still concerned about the fencing too. We need to check into that some more from the Hartney project.

***Public Hearing Continuation*** – River Bend Village ARCPUD Special Permit and Definitive Subdivision Plan.  
7:58 p.m.

NOTE – Associate member Eric Alexander joins the meeting

Mark Deschenes, Abbott Real Estate Development  
John Spink, Coneco Engineering

Mark Deschenes – There are several things we want to address this evening. Last time, you had some comments on the elevations and grading and swales and if it is OK with the board, I would like to touch on those issue. Then we can talk about the list of waivers after that. Also, I have brought 4 full size copies of the landscaping plans and will get you some small size ones this week.

NOTE - John Spink distributed a revised waiver list dated August 22.

ANDY RODENHISER – We are working from the May 26<sup>th</sup> version received by us on June 5<sup>th</sup>.

John Spink – There was another version that I gave you that you should have.

Mark Deschenes – I have revised elevations. The one we submitted had the wrong entry portico for the large building. It has been corrected on the west elevation. On the south elevation, we pulled the siding down to within 18” – 2 feet off the ground. That detail was brought all the way around the back. It will also be hidden by the foundation plantings. I hope that this has addressed the concerns you had about the building.

Mark Deschenes – The other question was regarding the swales and grading. I have a handout for you, 11x 17 size to show some of these areas of concern, based on a conversation I had with Susy based on her conversation with Karyl Spiller-Walsh.

Mark Deschenes – We have tried to soften some of the steep slopes and flatten out the bottoms. We looked at 4-5 areas and softened the grading to make it more gradual to 1:8 slope. There are some cross sections through these same areas and it goes from a 1:3 to 1:10 slope in another location.

The updated landscaping plan shows the site trees. There is a substantial amount of screening between the two sets of units. We can revise that again if we are gong in the right direction.

If we are headed in the right direction, we will incorporate into the final plans.

I tried to address Karyl’s concerns from what I understood from your conversation with Susan Affleck-Childs.

BOB TUCKER – Generally there is a 3:1 slope. What are you at now?

Mark Deschenes– 1:8 and 1:10.

ERIC ALEXANDER – I think Karyl was most concerned where the elevation changes were most significant.

KARYL SPILLER-WALSH – Yes, I think this is an improvement in those areas.

ANDY RODENHISER– So are we OK to tell them to go ahead with these changes?

Agreed.

Mark Deschenes – Regarding the waiver list. What I remember of the history is that we submitted a list with the regs in their totality. Paul Carter’s first comment was that it was not very helpful and he suggested we just focus on the ones that we need waivers on.

ANDY RODENHISER – This version is much better. Let’s walk through them.

Susan Affleck-Childs – I believe this is my error in not getting the newer version of the waiver requests to you. I am not remembering getting them, but that doesn’t mean we don’t have it.

CHAN ROGERS – The street will be built to some standard and there will need to be construction inspection. Also, the plans should have a statement about the private way status.

BOB TUCKER – I consider the Mass Highway Standard Specifications to be a fair minimum standard. It is too broad in scope and nature to have us waive section 7.1.2 regarding the Standard Specifications.

Paul Carter – Those standards are about quality of materials.

JOHN SCHROEDER – If you look at those specs, there are a lot of things in that document that don’t apply.

ERIC ALEXANDER – The MHD standard specs are incorporated by reference.

Mark Deschenes - This is a reasonable request.

KARYL SPILLER-WALSH – You can’t separate design from materials. I think the design and materials are going to be integral elements. Am I wrong?

CHAN ROGERS – Your general statement is correct. They have to specify the exceptions.

The waiver requests have to be very specific.

ERIC ALEXANDER – Whatever the waiver grants wipes away any conflict.

NOTE – The Board went through the 8/22/06 waiver requests on an item-by-item basis. Based on that discussion, John Spink will revise the document and resubmit.

KARYL SPILLER-WALSH – This is truly a high impact design, not low impact as they claim. Very little of the existing material will remain. It will be removed to allow this magnitude of swales to exist.

Mark Deschenes – I want to address Karyl’s concerns. We have a 55 acre site. We are impacting less than 16 acres where we are building significantly. Around the areas where we are not building we are pretty much leaving the natural vegetation. Yes, we are building heavily in the developed areas. We have gone through a lot of painstaking efforts to leave a lot of the land naturalized. We are looking at close to \$1,000,000 in landscaping for 16 acres. In terms of the roadway, we have minimized the size of the road. We have taken off some of the curbing so water sheds back into the natural environment and we can avoid having huge detention ponds. I

still think the integrity of the design has been preserved. We have consolidated to try to minimize that impact.

CHAN ROGERS – Well that first series of cross sections shows how you lessened the pitch and we all liked that very much, so they have done a lot to change it

Paul Carter – You need to add impervious core to detention area dikes.

Susan Affleck-Childs – In 15 years, how are the condo members to know what they can't mess with these stormwater management areas. .

Mark Deschenes – I will look at our documents to make sure it is clear.

KARYL SPILLER-WALSH – Has this been done elsewhere, something of this scope?

Mark Deschenes – Yes.

John Spink – Done everywhere except in Massachusetts.

Susan Affleck-Childs – All of these will be on the commonly owned land?

Mark Deschenes – Yes.

KARYL SPILLER-WALSH – I see the entire project as its own stormwater lot.

Paul Carter – They are recharging roofs, using pervious pavement for sidewalks and driveways, but the development is being concentrated within 16 acres and it is an open system drainage.

Mark Deschenes – I could go bigger and have less open space.

KARYL SPILLER-WALSH – Or you could pull out half the units.

ERIC ALEXANDER – With all due respect to Karyl, I don't know if that is even a fruitful discussion to have at this point. We have gone this far.

KARYL SPILLER-WALSH – It was their choice to leave the stormwater management till the 12<sup>th</sup> hour. It was unfortunate that the Charles River Watershed Association had a discussion with them so late which then impacted their design.

ANDY RODENHISER – It wasn't intentional on their part.

KARYL SPILLER-WALSH – The swale system was a response to the CRWA issues.

KARYL SPILLER-WALSH – According to Paul Carter, the drainage design is not squeaky clean.

Paul Carter – The swales serve to convey water.

ANDY RODENHISER – We have to compromise at this juncture.

CHAN ROGERS – Would it help to say we approve of the general concept.

ERIC ALEXANDER – I don't think we should spend time rehashing where we are and how we got here.

JOHN SCHROEDER – I have a concern about 10 years from now. It is a complicated system and fully integrated. Will this complicated system be changed by somebody?

Mark Deschenes – I want to check out the Operations and Maintenance Plan to make sure your concerns are addressed.

Mark Deschenes – It is a complicated system, but it is a very redundant system. If one method fails, there is another method that serves the function.

Mark Deschenes – We have given you the Operations and Maintenance Plan.

Susan Affleck-Childs – I am afraid that is another piece that I didn't provide to you.

KARYL SPILLER-WALSH – That is what I need to know that there is a backup system. If this fails, this is going to turn into a moat. I think this is a very adventurous project. If it doesn't work there will be a lot of people in a lot of trouble.

ANDY RODENHISER – You need to visit with the Fire Chief on the road/driveway stubs to see if he has any turnaround issues.

Mark Deschenes – We submitted revised drawings to VHB last week to discuss on September 12 at our next public hearing.

ANDY RODENHISER – It is all our expectation to wrap this up on September 12<sup>th</sup>.

Paul Carter – Did you fully address our previous comments? I did talk to the guy who is doing the drainage review. He had some comments but we are still in the process of reviewing it.

Mark Deschenes – Would it be possible to have a meeting next week at your office to address any of those remaining issues?

Paul Carter – I will talk to him and see if he can do that.

A motion was made by John Schroeder, seconded by Chan Rogers to continue the public hearing to September 1, 2, 2006 at 9:30 p.m.

NOTE – Eric Alexander leaves at 10:10 p.m.

## ***OTHER BUSINESS***

### ***Hartney Acres - Letter from John Claffey***

Susy Affleck-Childs – As part of the approval of Hartney Acres, the developer is to provide the Town of Medway with \$25,000 to make improvements on Blueberry Hill Road. Mr. Claffey has asked to have until the end of December 2006 to provide those funds.

A motion was made by Karyl Spiller- Walsh, seconded by John Schroeder to extend the deadline for payment to December 2006. The motion passed unanimously.

***Country View Estates – Estimate from VHB to review proposed plan revisions***

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder, to approve VHB's estimate of \$3,650 for plan review services related to proposed revisions to the Country View Estates definitive subdivision plan. The motion passed unanimously.

NOTE - Paul Carter leaves at 10:20 pm

***Fall Town Meeting***

Susan Affleck-Childs – Last night the Selectmen set October 23, 2006 as the date for a special town meeting. The warrant is open now and will close September 11, 2006. I have a master list of articles we have talked about.

ANDY RODENHISER– I understand there will also be a special town meeting in December to set the tax rate.

ANDY RODENHISER – Let's go for adopting the Mullins Rule.

JOHN SCHROEDER – I would like to aim for December for the affordable housing trust fund.

ANDY RODENHISER– We should work between now and the annual town meeting on a good program of public information.

JOHN SCHROEDER – Buffer zone issues, let's aim for spring, 2007.

ANDY RODENHISER – Also look at the areas to be included in the open space for OSRD and ARCPUD.

CHAN ROGERS – I would like to look at building permit limitation options. That is one of the only recourses we have.

JOHN SCHROEDER – I understand it can be done, but there has to be a reason, a timeline, a plan to address the defect that is causing the problem. Maybe we could restrict development until more sewer capacity comes online.

JOHN SCHROEDER – As a planning board and considering the goals of the town, we are trying to increase commercial development for our tax base. If residential development takes up all the current capacity, what can we do?

CHAN ROGERS – There is another whole set of negotiations that needs to occur with Water/Sewer Board. And now we have the CRWA letter. We have done nothing as a town to set up a response to the issues raised. This issue should be brought to the town administrator to emphasize the point that all these things have to take place or we wont be effective.

ANDY RODENHISER – Mark Flaherty takes his cue from DEP. I went before the Water/Sewer Board and told them about our upcoming projects and shared our capacity concerns. They are going to go down and meet with the Charles River Pollution Control Board re: capacity.

JOHN SCHROEDER – How can the CRPCB tell us if they can't keep track of what is being used?

CHAN ROGERS – The town administrator should be made aware of these issues, especially regarding sewer capacity.

Susan Affleck-Childs – We have to recognize that Water/Sewer board is a very independent entity and not under the jurisdiction of the Board of Selectmen or the Town Administrator.

ANDY RODENHISER – I will stay abreast of this issue.

It was agreed that we would work on the following articles for the fall town meeting.

Restaurant 45 – License to use part of right of way for parking, signage and landscaping

Mullins Rule – To accept state law that allows some flexibility on attendance at all public hearings. Ask Mark Cerel to help.

Groundwater Protection District Locations – 2 changes as requested by Water/Sewer Board

OSRD – Add decision criteria re: neighborhood impact.

NOTE – Susy and Andy will work on drafts and circulate to PB members next week for feedback.

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KARYL SPILLER-WALSH – We need to anticipate more what the comments and concerns will be on rezoning proposals

JOHN SCHROEDER – Maybe the east side industrial park wasn't the best choice for last year. I would have preferred to focus on the Route 109/126 area.

### ***Planning Board Fees and Bond Schedule - Ideas for Revisions***

Susy Affleck-Childs – We take a look at this annually. Here is a handout with the current fees and some ideas on adjustments.

ANDY RODENHISER – What about adding a per meeting fee for projects? We need to address the cost of doing business. We need to work toward becoming a self sustaining board.

JOHN SCHROEDER – Can we do that? Any precedent?

Susan Affleck-Childs – I can put together something on what we have brought in for \$ for the past few years. This will help us evaluate options.



A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

*Andy Rodenhiser, Chairman  
Cranston (Chan) Rogers, P.E., Vice-Chairman  
Karyl Spiller-Walsh  
John Schroeder  
Robert K. Tucker  
Eric Alexander, Associate Member*

*Approved 9-12-06*

## ***Planning Board Meeting September 5, 2006***

PRESENT: John Schroeder; Bob Tucker; Chan Rogers and Andy Rodenhiser

ABSENT WITH NOTICE: Karyl Spiller-Walsh

ALSO PRESENT: Gino Carlucci Carlucci, PGC Associates; Susan Affleck-Childs Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:16 p.m.

### ***DISCUSSION -- Planning Board Goals/Priorities***

***NOTE*** – Reference the previously prepared handout dated 8/25/06

ANDY RODENHISER – Any priorities for anyone?

CHAN ROGERS – I have no particular priority, but some are more compelling than others.

BOB TUCKER – The first item here re: streamlining the PB review and approval process is my focus.

ANDY RODENHISER – We need to set up the applicants for success. Our goal should be to provide a more streamlined approval process. Maybe we should send a letter out to them and set a new tone for our expectations.

BOB TUCKER – Do we need to announce it or just do it?

Susan Affleck-Childs – I think we may need some better structure to our public hearings

### ***Planning Board Fees and Bond Schedule***

ANDY RODENHISER – Our goal should be to sustain this department. We are providing a service for the applicants and to the Town. If you look at all the fees we have and charge we should be able to do that. What about a per meeting fee?

Susan Affleck-Childs – Maybe we could build in a reasonable number of meetings as part of the basic application/filing fee.

ANDY RODENHISER – That could include up to 4 meetings, for example.

Susan Affleck-Childs – We might want to think about a different number of meetings for various types of projects.

Gino Carlucci – You could have them pay a pre-application fee and then reduce that amount from the actual filing/application fee.

BOB TUCKER – Susy, do you keep track of your time?

Susan Affleck-Childs – Not at a really detailed time level.

ANDY RODENHISER – The law says we can charge up to our costs.

ANDY RODENHISER – How much more should we try to raise? Can we try to take in \$30,000 more?

BOB TUCKER – I think we need an incremental approach. We need to direct the applicants to become more professional and provide better products for our review. I like the per meeting charge idea.

ANDY RODENHISER – 3<sup>rd</sup> and 4<sup>th</sup> meeting is one price and 5<sup>th</sup> and 6<sup>th</sup> is a higher price.

JOHN SCHROEDER – That feels too complicated. When we go longer, how about an extension fee?

ANDY RODENHISER – Do we have a build out study?

Gino Carlucci – Yes, MAPC and the State did one in 2001 based on zoning considerations at the time. They deducted for wetlands, adjusted for roads. It is on the EOEA web site.

ANDY RODENHISER – What would it tell us?

Gino Carlucci – It would probably showed an ultimate population of 17-18,000. It also includes the number of school age children, water usage to support that, etc. There is a one-page summary.

ANDY RODENHISER – What would you expect to see us dealing with?

Gino Carlucci – More OSRD projects.

ANDY RODENHISER – DEP raised Medway’s water withdrawal amount but put some restrictions on the amount.

Susan Affleck-Childs – What about you get 6 meetings for the filing fee. If you are not done by then, then you have to pay a new filing fee.

CHAN ROGERS – WE should just raise our fees. If they have to resubmit, then they pay new fees.

BOB TUCKER – We could adjust our regs to specify that after 6 meetings, a new filing fee is required.

ANDY RODENHISER – Could we come up with some standard universal language for each filing fee? How much you get for the standard fee and so on?

Susan Affleck-Childs – I can play around with some language on that.

Susan Affleck-Childs – Maybe we shouldn’t agree to do informals for subdivision projects. I think people may do that to avoid filing a preliminary plan.

Gino Carlucci – I think it is not a bad idea to not do informals for subdivisions, but I think you should keep informals for special permits.

ANDY RODENHISER – I want to get the work of planning done. I want to get ahead of the curve.

Gino Carlucci – For an ARCPUD, if there is not to be a subdivision, then the fee should be comparable to a subdivision.

NOTE – Town Administrator Suzanne Kennedy joins the meeting.

ANDY RODENHISER – Suzanne Kennedy wants to find a way to cover the cost of the legal services we need.

Suzanne Kennedy - Susy and I chatted a bit last week. You have several sources of money.

NOTE – Susy provided a brief overview of our general fund accounts and our special accounts for plan review and construction observation.

ANDY RODENHISER – We want to raise our fees to try to cover more of our operating budget.

Susan Affleck-Childs – Some of the money we generate is for very specific purposes like plan review expenses and construction observation expenses of outside consultants.

Suzanne Kennedy – We have a very small limited funding for legal services - \$92,000 for this year and a good portion is going to labor counsel. Dick Maciolek is now special town counsel and he is charging us regular hourly rates. Could we take some of the money that you generate through filing fees, and send some of that to a special fund?

Susan Affleck-Childs – I think we can do it through the plan review fund and use it for outside consultants as long as it applies to a specific development project.

Suzanne Kennedy – Maybe we could create a special fund for legal services for non-project specific services that would be paid for out of a portion of the filing fee.

BOB TUCKER – It would make sense then we could get legal opinions, as we need them. We would be prudent in how we ask for those.

Susan Affleck-Childs – We are trying to UP our revenues and become self-sustaining.

ANDY RODENHISER – We had talked in one of our preliminary budgets to seek \$10,000 to try to update the master plan. .

Suzanne Kennedy – I will ask DOR if we can include a master plan in a bond sale?

ANDY RODENHISER – Do you have any priorities for us?

Suzanne Kennedy – I want you to have the services you need.

Suzanne Kennedy - Do you still want to have a workshop with the BOS on open space issues?

ANDY RODENHISER – Yes

Suzanne Kennedy – I will set that up with Jim Galligan.

ANDY RODENHISER - We need to develop an idea of what we want.

Suzanne Kennedy - When we put the budget together for next year, let's think about creating a special revenue account to be funded through a % portion of your filing fees that you could then use for legal counsel for non project work. I will ask about how it would have to be set up.

NOTE – Susy will further revise the proposed fee changes for the board's consideration.

### ***Articles for October23, 2006 Special Town Meeting***

The Board reviewed a series of warrant articles Susy had prepared for the October 23, 2006 special town meeting.

ARTICLE # \_\_\_\_: To see if the Town will vote to accept the provisions of Chapter 79 of the Acts of 2006, an Act Further Regulating Meetings of Municipal Boards, which allows a member who has missed one session of a hearing to continue to participate in the hearing and decision upon satisfaction of the stated conditions.

***Motion to approve by John Schroeder, seconded by Chan Rogers. Unanimous vote.***

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ARTICLE #\_\_\_\_\_: To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section T. Open Space Residential Development, paragraph 11- Decision of the Board, by adding items (h) and (i) as follows:

- (h) Whether the OSRD is compatible with the existing and probable future development of the surrounding area and with the character of the adjacent residential neighborhoods;
- (i) Whether the OSRD's impact on abutting residential neighborhoods has been adequately mitigated.

*Motion to approve by Chan Rogers, seconded by John Schroeder. Unanimous vote.*

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Susan Affleck-Childs – There are 2 options for the article on the license for Restaurant 45. I did a draft and then I asked Dick Maciolek for one.

*Susy's Draft – 8/30/06*

ARTICLE # \_\_\_\_\_: To see if the Town will vote to grant to PMAM Group, LLC of 45 Milford Street, Medway, MA a license and privilege to use 3,369 sq. ft of the land located within the limits of the Town's right of way at the southwest corner of Summer Street and Milford Street which is shown as the Proposed Easement on a plan entitled *Proposed Easement Sketch Plan* by O'Driscoll Land Surveying Co., dated August 21, 2006 and a legal description to which reference may be made for a more particular description of the licensed premises, both of which are on file in the office of the Town Clerk, to construct, maintain and use the premises solely for seven (7) parking spaces, existing signage, and landscaping.

*Dick Maciolek's Draft – 9/1/06*

ARTICLE # \_\_\_\_\_: To see if the Town will vote to authorize the Board of Selectmen to grant a license to PMAM Group, LLP a/k/a Restaurant 45, to use portions of the right of way in Summer Street (Route 126) and Milford Street (Route 109) for parking, signage and landscaping containing 3369 square feet which is shown on a plan entitled "proposed Easement Sketch Plan", dated August 21, 2005 by O'Driscoll Land Surveying, Co., a copy of which is on file in the Town Clerk's office.

Susan Affleck-Childs – I would ask that you allow me to blend them into one article. There is language from each one that I like.

***Motion by Chan Rogers, seconded by John Schroeder to approve a combined article to be prepared by Susy Affleck-Childs. Unanimous vote.***

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ARTICLE \_\_\_\_: To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section V. Groundwater Protection District, paragraph 6. *Use Regulations*, a) Permitted Uses, by deleting item 6) in its entirety and replacing it as follows:

- 6) New construction, subject to Section B. Prohibited Uses and Section C. Uses and Activities Requiring a Special Permit.

Susan Affleck-Childs – This was requested by Mark Flaherty of the Sewer/Water Department to clarify that all new construction (not just residential development) in the groundwater protection district is allowed, subject to the list of prohibited and special permit uses.

***Motion by Chan Rogers, seconded by Bob Tucker to approve. Unanimous vote.***

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ARTICLE \_\_\_\_: *To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section V. Groundwater Protection District, by deleting in its entirety paragraph 4, Establishment and Delineation of Groundwater Protection District, and replacing it as follows:*

4. ***Establishment and Delineation of Groundwater Protection District:*** For the purposes of this district, there are hereby established within the Town certain groundwater protection areas consisting of all Department of Environmental Protection approved Zone II recharge areas located within the Town of Medway's boundaries, which are delineated on four (4) maps. These maps are entitled:
  - a) "Medway, MA Zone II and Zone III Delineation", prepared by D.L. Maher Co., and approved by the Department of Environmental Protection in October 1998 (Well #2);
  - b) "Zone II Delineation, Well #1 and Well #3, Medway Water Department, Medway, MA", prepared by Tighe & Bond, Inc., and approved by the Department of Environmental Protection in August 2001;
  - c) "Bellingham, MA Conceptual Zone II – Wells #7 and #8, Zone II and Zone III Delineation", prepared by Anderson-Nichols & Co., Inc. and approved by the Department of Environmental Protection in November 1992;

- d) "Wellhead Protection Zones – Medway Production Well No. 4", prepared by Haley and Ward Inc., dated February 25, 2004, and approved by the Department of Environmental Protection in

\_\_\_\_\_.  
These maps are hereby made part of the Town Zoning Bylaw and are on file in the Office of the Town Clerk.

Susan Affleck-Childs – Again requested by Mark Flaherty. This adds two more areas to the Groundwater Protection District (items c) and d). I will get the date that DEP approved map d).

***Motion by Chan Rogers, seconded by Bob Tucker to approve. Unanimous vote.***

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ANDY RODENHISER – We will need to do a public hearing on the zoning articles.

Susan Affleck-Childs – Let's plan to do the public hearing during the first meeting in October.

### ***Other Business***

BOB TUCKER - Where do things stand with the site plan work at 2-4 Main Street? It is now September 5. Is the work done? There is still stuff is still piled up in front. The lighting installation is a problem. I am concerned about light spillage onto the street.

Susan Affleck-Childs – I suggest we draft a letter to Bob Speroni as the Zoning Enforcement Officer to check on the status. All site work was to be done by September 1<sup>st</sup>. But we had agreed he could have until October 15, 2006 to do the as-built plans. If the site work isn't done, the site plan decision provided that the temporary occupancy permit for the tenant could be revoked.

Motion by Chan Rogers, seconded by Bob Tucker to send a letter to Bob Speroni re: the incomplete site plan work at 2-4 Main Street. Unanimous vote.

ANDY RODENHISER – We are going to need another meeting to finish this discussion on goals and fees.

The Board gave Gino Carlucci the go ahead to start work on Priority Development Grant activities for the Route 109 Redevelopment Plan.

***A motion was made by Bob Tucker, seconded by Chan Rogers to adjourn the meeting. Unanimous vote.***

The meeting was adjourned at 11 p.m.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant



*Andy Rodenhiser, Chairman  
Cranston (Chan) Rogers, P.E., Vice-Chairman  
Karyl Spiller-Walsh  
John Schroeder  
Robert K. Tucker  
Eric Alexander, Associate Member*

*Approved - September 26, 2006*

***Planning Board Meeting  
September 12, 2006***

PRESENT: Bob Tucker, Andy Rodenhiser, Karyl Spiller-Walsh, John Schroeder and Chan Rogers. Eric Alexander (later).

ALSO PRESENT – Paul Carter, VHB, Inc.; Gino Carlucci, PGC Associates, and Susy Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:05 pm

Public Hearing Continuation - Rolling Hills Definitive Subdivision Plan

Paul DeSimone, Colonial Engineering  
Ted Cannon, attorney

KARYL SPILLER-WALSH – At last night's DRC meeting, we focused on that area of the retaining wall that would be visible. We wanted them to do anything they could that would make the wall less industrial looking with the block. Dan Hooper suggested a boulder facing. We thought it would be a good compromise with some plantings close to the road.

Paul DeSimone – We agreed to a black aluminum fence. We will plant 6 hemlock trees in the front area. We will use 3-4 foot boulders instead of blocks. We had talked about planting some vines, but I talked to my botanist and vines will choke out the trees.

KARYL SPILLER-WALSH – The vine was just an idea.

KARYL SPILLER-WALSH – Please get spacing on the fence correct from (Safety Officer) Jeff Watson. There needs to be some sort of organization/order to the boulders.

Paul Carter – Is it going to be a rock slope or a dry laid stone wall?

Paul DeSimone – 3-4 foot boulders laid dry; for the first 175 feet (from the street), then tan/brown concrete blocks. We would go with the ones you saw at the last public hearing. 96 inch x 44 length block weighing 6 tons each.

CHAN ROGERS – I disagree with the statement that this wall will be seen from the road. I am disappointed that such a big deal was made of this. But on the basis that the applicant has agreed, let's go ahead. This is the first time we have had a subdivision developer have to do what private commercial projects are expected to do.

KARYL SPILLER-WALSH – I disagree. I think you can see part of the wall from the road itself. The whole point of the DRC is to upgrade the way things look in town. Read our Rules and Regs.

Paul DeSimone – We have always had a wooden guardrail. Pressure treated, not steel.

Paul DeSimone – We are going to continue the sidewalk along route 109, past the driveway up to where the property line is.

Paul Carter – Do you have a detail of the dry laid stone wall?

Paul DeSimone – We do have a detail for the boulder wall; I need to find one.

Susy Affleck-Childs – You can make that a condition of the certificate of action, to revise the plan to show the proper detailing for the wall.

Paul Carter – You should have a detail of the cap too.

Paul DeSimone - We will just fill in the top with concrete. You won't see any wall from the roadway.

Paul Carter – What are these blocks back filled with?

Paul DeSimone – Stone.

Paul Carter – You should fill in the voids with concrete and then loam on top.

KARYL SPILLER-WALSH – Capping finishes off the wall. We heard something at DRC about loam and. plantings on top in lieu of a cap.

Paul DeSimone - We can put a cap on top of the blocks. There is a matching cap design.

ANDY RODENHISER – That seems to make a sense

BOB TUCKER– Whenever we talk about a concrete cap, it will likely crack. You would be happier with the block cap in the long run.

Paul DeSimone - The system comes with a cap.

NOTE – Andy Rodenhiser read the 9/12/06 memo from the Design Review Committee.

A motion was made by John Schroeder, seconded by Karyl Spiller-Walsh to accept the DRC's recommendation, except for use of vines and allowing use of the manufacturers cap for the top of the wall. The motion passed. Chan Rogers opposed.

ANDY RODENHISER – Any other open issues?

Paul Carter – Just for the dry gravity retaining wall and cap to be shown on the plan.

A motion was made by Bob Tucker, seconded by John Schroeder to close the public hearing on the Rolling Hills Definitive Subdivision Plan.

A motion was made by Chan Rogers, seconded by Karyl Spiller-Walsh to approve the applicant's request to extend the deadline for Planning Board action on the Rolling Hills Definitive Subdivision Plan to October 15, 2006. Unanimously approved.

***ANR Plan for Cheryl Rosenberg for Kelley Street/Vine Lane***

Paul Yorkis – At your last meeting, Gino Carlucci provided an explanation to the Board that cited legal precedents. To respond, the applicant has retained an attorney to assist in this process. He is in the process of gathering some information to prepare a response. He just is not ready yet. We request an extension to October 31<sup>st</sup>.

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to approve the applicant's request to extend the deadline for Planning Board action on the ANR plan for Kelley Street/Vine Lane to October 31<sup>st</sup>. The motion passed unanimously.

BOB TUCKER – I would like to make a comment. I would certainly hope that in the future, when applicants come in, that before they submit, they are ready to do business. I would strongly recommend that the application be withdrawn and then resubmitted when it is ready. We don't have a lot of time to keep looking at issues again and again. This is not directed at you Paul, but to all applicants.

Paul Yorkis – I don't happen to agree with all the issues Gino Carlucci raised. The Board is responsible in a positive way of listening to the advice that is provided. I felt that the issues Gino Carlucci raised merited legal response. I think this is a little bit of a grey area. I have a responsibility to the applicant to do the best job I can. The attorney has not just summarily dismissed Gino Carlucci's commentary; he is trying to develop the best response he can.

BOB TUCKER– I hope that when he does come before us, he is not only ready to address Gino Carlucci's questions, but any question we might have as well.

ANDY RODENHISER – We are trying to function more efficiently so there is more time to do planning work.

Paul Yorkis – I clearly understand where you are coming from.

***Discussion on Amending Zoning Bylaw to allow more uses in the industrial zones***

Paul Yorkis – Now I am representing George Popadopoulos and myself. I approached Bob Speroni and raised a question about a certain industrial use in the west side industrial park. Bob

felt the use as I described it is now presently allowed. Let me explain. Here is a handout showing a conceptual site plan for industrial condominiums. One of the possible uses would be as an (inside) contractor's yard. Bob Speroni has determined that it is not allowed anywhere in the Town of Medway. They are allowed in Franklin. I wanted to share this with you. This is not to say that this should be the only allowed use. What we are trying to do at this site, which is not a permitted use at this time, to create an opportunity for someone involved in the building trades to have their equipment at a location along with their office and an area to store materials. We are calling it more of a contractor's condo.

BOB TUCKER – We do have some occasions in town where there are these uses. I know of one quite close to me.

Paul Yorkis – I expect that may be a preexisting nonconforming uses. This type of use is not allowed anywhere in town by right. We can build the buildings, but the issue is the use of these buildings. Bob Speroni has indicated that we could try to get a variance from the ZBA or get the property zoned the way the community would like to use it. I don't want to give the impression that you should only look at this use for this area. We feel we can work with DRC on the overall design of the site and buildings?

ANDY RODENHISER – Are you proposing outside storage?

Paul Yorkis – No. The probability exists that all units would not be purchased by contractors. There might be some light manufacturing going on in some of them. We can see how these could work for a contractor for storage of equipment, materials, and to have a small office. My request is to get an indication from you to see if you would consider a zoning bylaw amendment for December town meeting to permit this kind of use.

Gino Carlucci – Just a comment/suggestion that the IDC could be solicited for comments as well.

Paul Yorkis – We don't need their assistance.

ANDY RODENHISER – Does that mean you won't talk to them?

Paul Yorkis – We would want this to connect to sewer in the future so we will put in a dry line to connect with a future sewer line – site is already served by water –

CHAN ROGERS – I am surprised to hear you say that. I don't think you could get the land rezoned without the IDC's supporting this. I would not want to do anything at that site without their IDC's approval. It will need lots of restrictions.

ANDY RODENHISER – I think we should consult them.

Paul Yorkis – I think that board is available to folks in the community who need their assistance. We don't need their help.

ANDY RODENHISER – We can't zone something just for you. We would consider making an amendment but we should consult with the IDC about what you are proposing so we can enlist their support.

Paul Yorkis – The last time we had an application go before the ZBA, the IDC took a stand in opposition to it. That did not sit well with George or myself.

ANDY RODENHISER – That is something that none of us knows much about.

Paul Yorkis – We were never asked to attend an IDC meeting or to explain what we were proposing. We were confronted at a meeting 5-7 years ago. We chose to let that application lapse. When the IDC did some improvements, they took some of our property for a detention pond. There is a lot of history here. When the DRC and Planning Board see the site plan – you will see how some of the actions that were taken in the past have been detrimental to the site rather than advantageous.

CHAN ROGERS – Are you prepared to explain how these would be handled?

Paul Yorkis – The only request is to ask the board to consider amending the zoning bylaw to permit a contractor's condo within this site, to add this to the other uses that are permitted. We have 4 folks who are interested in doing contractor condos.

BOB TUCKER– If we are going to look at an amendment to the zoning, and I was not aware that this was not a permitted use in town, we might want to broaden that type of amendment to address any other gaps there may be.

ANDY RODENHISER – When we put our planning hat on, we know we need to bring in more commercial tax base. How can we help?

Paul Yorkis – We want to do this. I would be happy to meet offline and discuss things with Gino Carlucci.

BOB TUCKER– I would like to open this up and take afresh look at what is allowed in the industrial zone.

KARYL SPILLER-WALSH – Where we are at this point, naively, there is a lot of grey here by what you are intending. What do you mean by a contractor's yard? You mentioned there would be restrictions on storage of materials outside. What do you actually mean? What could that be?

Paul Yorkis – We are really talking about Medway Industrial Condos. I understand what you are saying. This is really a use within the district. Firms in the construction trades could use the space for an office, storage of materials, subassembly, etc.

KARYL SPILLER-WALSH – That is what I would want to see. Something very specific.

Paul Yorkis – I am not presupposing to the Board what that language should be.

John Schroeder – I was having trouble with the term contractor's yard.

Paul Yorkis – Right now, a heating contractor and a plumber cannot use space there to put material, to receive or store or warehouse or put their office there. They could not do preassembly there. I think there are a number of trades people in our community who work from their homes who from time to time run into problems with their neighbors. This would provide

those folks with a place to run their business at an industrial location. It would be an opportunity to create some good tax base.

ANDY RODENHISER – Just for the record, I am not one of the interested people.

CHAN ROGERS – I think you should work with Gino Carlucci on this.

Paul Yorkis – Is there a sense of the board?

BOB TUCKER – I just don't want to see it so short sighted, if there are other uses that are not permitted by zoning, I would like to flag those as well.

Paul Yorkis – I will pick Bob Speroni's brain on that one.

CHAN ROGERS – I think you should get the IDC involved to solicit their ideas.

ANDY RODENHISER – We are going to ask Gino Carlucci to discuss this with the IDC and get some feedback from them.

Gino Carlucci – Yes, absolutely, I can do that.

Paul Yorkis – The appearance of these 3 buildings on the site will be more attractive than the building to the north of this area. There is something similar in Franklin on Grove Street.

Susy Affleck-Childs - Also on Upper Union Street in Franklin.

Paul Yorkis – I do think that somewhere in the community, we should allow a contractor's yard (with outside storage) by right. It is an aspect of business that we need in our community.

CHAN ROGERS – The military uses the word "base".

Gino Carlucci – Or "headquarters".

ANDY RODENHISER – Do you think that a special permit for that is a problem?

Paul Yorkis – If you looked at the number of special permits (allowed by the ZBA), it has been declining.

ANDY RODENHISER – I like the special permit because it allows for conditions to prevent abuse.

CHAN ROGERS – I would like to ask you, do you agree with Andy?

Paul Yorkis – You have not heard me complain about the site plan review process. The site plan for this project would have to come before you and work with the DRC and go thru the process

ANDY RODENHISER – But as a realtor, philosophically, give us your recommendation on how to do this. How can we provide this service to these potential tenants but at the same time take care within the community.

Gino Carlucci – In Norfolk, they have contractor’s yard/headquarters. It is a use allowed by right but using outdoor storage is a special permit from the Planning Board.

Paul Yorkis – I think it is better for planning boards to grant a special permit in conjunction with site plan review.

ANDY RODENHISER – We look at the link with the DRC to provide some creative insight and have a better package for the community. I think it works out better for the owners too. They get better ideas with what the DRC is capable of doing. We are trying to balance design, planning, industrial development, and legal. When I suggested a special permit, I wasn’t talking about restricting what goes on in the building, but only if there was to be some outside uses.

Paul Yorkis – I think a special permit for outside stuff should rest with PB as part of a site plan process.

Susy Affleck-Childs - We looked at contractors yard a few years ago but couldn’t get through it.

KARYL SPILLER - WALSH - We rushed into that and didn’t do our homework. Timing is everything.

Paul Yorkis – It is incredibly difficult to make zoning text precise. You can do your best job to show your intent.

CHAN ROGERS – I would like to say that Karyl’s observations about timing are important. But we should do anything we can to get some zoning changes to attract some commercial property. What you are on to is a need.

Paul Yorkis – I view this more as a technical change as opposed to a wholesale gross change. I am hoping that we can work together and put together the right language that would be acceptable. Then you can figure out where it should go.

### ***Public Hearing Continuation – Marian Community ARCPUD***

ANDY RODENHISER – We have a memo from attorney Bill Proia requesting a continuance to October 10<sup>th</sup>. That is very tight assuming they get the stuff in by September 26<sup>th</sup>.

Paul Carter – They haven’t submitted the drainage calcs. It doesn’t make sense to do the review without the drainage calcs. I don’t know if they are going to revise the plans or not. In terms of the flood plain stuff, he said they would submit some revised flood plain crossing plans. They reduced the height of the box culvert from 3 feet to 1.5 feet when they put in the cast in place slabs. I commented there were just inches of clearance between top of weir and top of box culverts.

BOB TUCKER – It almost sounds like from what you have described so far that they would need to have their septic design completed. Wells, septic and drainage – these all need to be tied together. That discussion itself could take up an entire evening.

ANDY RODENHISER – I can’t imagine . . . this feels like it is starting all over again.

KARYL SPILLER-WALSH – Maybe we should ask them to withdraw.

CHAN ROGERS – It seems like they are going to need more time to prep the plans and more time for Paul to review them.

ANDY RODENHISER – If they withdraw and resubmit, the last time we waived the application fee. I wouldn't do that again.

Paul Carter – We are waiting for revised drainage calcs and revised flood plain info.

JOHN SCHROEDER – Give them time at the end of the night so we don't hold time aside for them that others cannot use.

BOB TUCKER – The package could still be submitted by September 26. But because of the size of the project and their past history, we have to give Paul an adequate review time.

A motion was made by Karyl Spiller-Walsh, seconded by Chan Rogers, to continue the public hearing on the Marian Community ARCPUD Special Permit and Plan to October 24<sup>th</sup> at 9:30 p.m. Unanimously approved.

***DISCUSSION - Draft OSRD special permit for Charles River Acres***

KARYL SPILLER-WALSH– I am not voting on this because I was absent. But I would like to make a comment. I think something happened here that we need to be mindful of for the future. When they were describing the needed stormwater management facilities, we recommended that there be a lot for the stormwater facility and underground storage. In fact, what they did was to draw a line around those elements. I would have recommended that they drop a unit and put the drainage stuff there but instead, they took the land out of the open space. Whenever we can, we should try to get more open spaces. We have been very generous with the number of units we have allowed. We need to err on the side of being conservative and for open space in the town.

JOHN SCHROEDER –I see 2 issues with the open space. One is the amount of it. The other part is the quality of it. I think we have succeeded there in that the open space is truly open space doesn't have anything on it.

KARYL SPILLER-WALSH – But you gave up land that could have been for open space.

NOTE \_ The Board worked on the draft OSRD Special Permit Decision until 9:30 p.m.

NOTE –Associate Member Eric Alexander joins the meeting @ 9:30 p.m.

***Public Hearing Continuation – River Bend Village ARCPUD Special Permit and Definitive Subdivision Plan.***

Rich Cornetta, attorney  
Mark Deschenes, Abbott Real Estate  
John Spink, engineer

Mark Deschenes – There are a couple of things we want to achieve tonight. We want to respond to Paul Carter's most recent letter with a letter from John Spink. We also revised the waiver for you based on our last meeting.



NOTE - John Spink highlighted his responses. His response letter dated 9/12/06 is attached.

John Spink - We met on Friday going over all of Paul's items. This letter is my response to that meeting and how we had agreed to handle things.

All revised items to be submitted by this Friday, 9/15/06.

The Board reviewed the items in John Spink's letter.

There was considerable discussion re: Section 7.7.2 (a) (subdivision rules and regs) about the use of impervious liners in swales 3, 5, 6 and 9.

CHAN ROGERS – I want to suggest that we let Paul and John deal with this on their own. This is technical stuff they can work out.

ANDY RODENHISER – Please don't make a unilateral assumption about what the chairman wants. Karyl has a lot of concerns about this. Not all of us have the same level of knowledge about these items.

Paul Carter - I think John is almost done with his list.

KARYL SPILLER-WALSH – I have a lot of concerns about water in the project – at least I have an understanding of how this works. I am concerned we are only moving water around with these impervious liners and not infiltrating the water.

Paul Carter – This approach applies to 4 swales out of 33 swales.

ERIC ALEXANDER – I feel like there is an understanding of the solution. I am comfortable as long as there is sufficient opportunity down the line to infiltrate.

ANDY RODENHISER – Is the board OK with Chan's suggestion?

John Spink – Paul probably has 3-4 places that really need some comments.

Paul Carter – He has 3 detention areas. He needs to increase width of berms, provide freeboard and drainage calcs that go with those. Use average rate rather than high rate in doing calcs.

John Spink – The only other one that might be of interest is fencing type. What do you want? It is about 50 feet long.

KARYL SPILLER-WALSH – We want aluminum that looks like wrought iron. Be careful, the safety officer has a formula for the width.

Mark Deschenes – We would do commercial grade aluminum fence, picket style on the retaining wall.

ANDY RODENHISER – Fencing and walls have to be referred to the DRC.

KARYL SPILLER-WALSH – Anything that can be seen by the public, needs to have a stone veneer.

Paul Carter – There are several retaining walls.

John Spink – I was thinking of lock walls.

Mark Deschenes – I would like to use stone from the site. I like to reuse that for the walls.

Paul Carter – That would be a dry laid gravity stone retaining wall. You need to show a detail of that. What you show now is block. You need to add this to the plans and go to the DRC with a sketch/detail of the wall and railing.

BOB TUCKER– If they have enough of a slope on a gravity retaining wall, they may not need a fence.

ANDY RODENHISER – What is the status on all the condo docs?

Susy Affleck-Childs – I have not yet referred this to counsel. I need some guidance on whether to have Mark Bobrowski do it or local counsel.

NOTE – It was agreed that Andy and Susy would determine how to proceed with legal review of the condo docs.

CHAN ROGERS – Because you are crowding this into limited space in order to have open space, you are using some appurtenances that the Planning Board would not normally deal with.

KARYL SPILLER-WALSH – I have some questions I want to discuss. This isn't just a density issue. There are real idiosyncrasies of this particular piece of land, inherent difficult characteristics of the site. That will present problems during construction and we are trying to foresee what could happen

Mark Deschenes – What is affordable housing status?

Susy Affleck-Childs – Geoff Engler sent in revised material to DHCD. No response yet.

Mark Deschenes – What is status on conservation easement?

Rich Cornetta - We can make the changes as requested by CONCOM Chairman David Travalini and Town Counsel Dick Maciolek.

BOB TUCKER – The important part is to submit a complete package for the next go around.

It was agreed that the revised plans would be filed by September 15<sup>th</sup>.

John Spink – There might be a few more waivers to add to the list.

ANDY RODENHISER - We will review the waivers at the October 10<sup>th</sup> meeting.

John Spink – What do you want in terms of plans?

JOHN SCHROEDER – I would like a small set to work from and one large set for the office.

A motion was made by Bob Tucker, seconded by John Schroeder to continue the River Bend public hearings to Tuesday, October 10<sup>th</sup> at 8:30 p.m.

Rich Cornetta – I have a working draft of a decision.

A motion was made by John Schroeder, seconded by Chan Rogers, to extend the deadline for Planning Board action on the River Bend Village subdivision to October 30, 2006. The motion passed unanimously.

10:55 pm – Eric Alexander departs meeting.

### ***OTHER BUSINESS***

#### ***Plan Review Estimates for Daniels Village ARCPUD***

A motion was made by Bob Tucker, seconded by John Schroeder to accept the VHB plan review fee estimate of \$15,305, Unanimously approved.

A motion was made by Bob Tucker, seconded by John Schroeder to accept the PGC plan review estimate of estimate of \$1,275. Unanimously approved.

Susy Affleck-Childs – We received the application package in for this ARCPUD project. Gino Carlucci and I did a completeness review. They were short a few items. I did a letter to them and those items are coming in.

CHAN ROGERS – Regarding River Bend. I don't feel we should be sitting for the detailed reviews during a meeting. That is the job for the PB's engineer.

Paul Carter – The only thing that is necessary is to discuss is the major comments.

BOB TUCKER – Where Paul Carter and the applicant agree, it is a done deal. It is where there is a difference of opinion that we need to get involved.

BOB TUCKER – How about on a typical application, we expect each one of those types of projects to take X number of meetings. How about if we assign our expectations to various meeting dates? Susy Affleck-Childs would have a copy of the expectations for each session.

KARYL SPILLER-WALSH – It seems after working on these projects, there is a common element that is adding to the difficulty factor. Most of the problems are caused by the density levels we are allowing them to retain.

ANDY RODENHISER – Then those densities need to be changed through the bylaw.

CHAN ROGERS – It is not only the density but also the topography.

KARYL SPILLER-WALSH – Topography is really what controls the density.

CHAN ROGERS – We are all going to have separate concepts of what it should be. We need to end up with a common decision.

KARYL SPILLER-WALSH – With all of the projects, all of the problems dealing with water, traffic, etc. relates to density. If the numbers were reduced the issues would go away.

JOHNSCHROEDER – I, for one, am looking for some denser neighborhoods.

ANDY RODENHISER – We are offering a diversity of housing stock.

NOTE - Paul Carter leaves at 11:20 p.m.

KARYL SPILLER-WALSH – We need to articulate that some of the land is just unbuildable and they shouldn't be able to count it as open space.

### ***Committee Reports***

#### ***Community Preservation Committee***

JOHN SCHROEDER - This question of maintenance of trails keeps coming up. I am trying to get a grasp on this. I talked to the CPC last night about possibly paying for trail maintenance. We could do a workshop with PB, BOS, CONCOM, etc. to discuss.

KARYL SPILLER-WALSH – Let's just have the condo associations to do it. Mark Bobrowski doesn't think it is to a Town's advantage to own open space. He says it is better to have the open space owned and cared for by that project.

CHAN ROGERS – Open space land from these developments should be retained by the developers.

ANDY RODENHISER – Have you talked yet to Jim Wieler?

JOHN SCHROEDER - I think we need some organization that walks these trails and takes care of them. That is going to require some amount of money.

ANDY RODENHISER – Imagine 10 years from now after we have done all these deals, there will be a lot of open space.

JOHNSCHROEDER – Can we create a trail fund to be managed by the CPC for trail maintenance? Mark Cerel's suggestion was to have a couple of workshops to discuss.

### ***Minutes***

A motion was made by Bob tucker, seconded by Chan Rogers to Motion to approve the minutes of the August 29<sup>th</sup> and September 5<sup>th</sup> meetings. The motion passed unanimously.

### ***Invoices***

\$494.99 – Construction Observation for VHB. Motion by Chan Rogers, seconded by John Schroeder to approve. Unanimously approved.

\$2,240.91 – Plan Review for VHB. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers to approve. Unanimously approved.

\$131.25 for Consulting Services for PGC Associates. Motion by Karyl Spiller, seconded by Bob Tucker to approve. Unanimously approved.

\$506.25 for Plan Review for PGC Associates. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers to approve. Unanimously approved.

***HANDOUT Materials***

1. Memo to Bob Speroni re: site plan completion at 2-4 Main Street.
2. Submittal memo to Town Administrator/BOS on PB articles for special town meeting.

JOHN SCHROEDER - What about changing the time for getting materials in to VHB from 2 to 3 weeks?

NOTE – It was agreed we can adjust the time frames for VHB’s plan reviews depending on the scope of the project.

A motion was made by John Schroeder, seconded by Karyl Spiller-Walsh to adjourn the meeting. Unanimously approved.

The meeting was adjourned at 11:45 pm.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

*Approved – November 2, 2006*

***Minutes of Medway Planning Board Meeting  
September 26, 2006***

BOARD MEMBERS PRESENT: Andy Rodenhiser, Chan Rogers, John Schroeder, Karyl Spiller-Walsh, and Bob Tucker

ALSO PRESENT: Gino Carlucci Carlucci, PGC Associates; Paul Carter, VHB, Inc.; and Susan Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:12 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.

***CITIZEN COMMENTS*** – None

ANDY RODENHISER – We will wait until Bob Tucker gets here and until 7:30 PM to start the Daniels Village ARCPUD public hearing.

***OTHER BUSINESS***

***Construction Observation*** – Paul Carter, VHB

*Evergreen Meadows* – They are installing vertical granite curb. We did an inspection out there.

ANDY RODENHISER – Will there be some marrying of the berm to the granite curb? It seems like there is quite a distance. I am concerned that a snow plow will grab it.

Paul Carter – I am not sure what the transition detail is. I can ask Jack Lydon about that.

*Pine Meadows II* – There was a preconstruction meeting. Jack went out with the contractor, the new owner and Paul Yorkis. They may end up having to do some blasting and crush the rock on site. The roadway layout should have been done at the end of last week.

ANDY RODENHISER – If they crush on site, what is our role in terms of dust control?

Paul Carter – They would need some water on site.

Susy Affleck-Childs - We can be very directive on that with them.

ANDY RODENHISER – Susy, did we ever meet with Paul Yorkis on the matter of water runoff from individual sites and developing a policy on how to handle abutters concerns?

Susy Affleck-Childs – Not yet. We need to invite him in to discuss.

ANDY RODENHISER – How do we handle enforcement when we get a complaint?

NOTE - It was agreed that Susy should call VHB and the developer with a complaint.

NOTE – Celeste Hanson stopped by to operate new broadcast machine. Thanks Celeste

### ***Minutes for September 12, 2006***

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to approve the minutes of the September 12, 2006 meeting. The motion passed unanimously.

### ***Committee Reports***

JOHN SCHROEDER – Susy and I met with Mark Cerel on an affordable housing trust fund. We will probably try to plan a workshop.

KARYL SPILLER-WALSH - No major issues to report on DRC.

ANDY RODENHISER – How close are they to culminating the Design Guidelines?

REMINDER - Joint DRC/PB meeting on 10/2 at the senior center.

ANDY RODENHISER – Gino, when will you be at the BOS meeting?

Gino Carlucci – On October 16, I will make a presentation to the BOS on overlay district and concept plan for Route 109 redevelopment.

ANDY RODENHISER – I went to the Medway Business Council planning session yesterday. There was good feedback on the presentation that Gino Carlucci had given on the Route 109 project. A lot of people got excited about it. There is a strong desire among the Business Council board to see that work continue.

7:29 pm –Bob Tucker arrives.

KARYL SPILLER-WALSH – I remember something on DRC. We did have River Bend in at the end of the last meeting to discuss stone embankments. We want to see hassock sized rocks. We want them to find stone for anything that is visible. If they don't have enough on site, the DRC wants them to get stone to make these embankments.

BOB TUCKER – I attended the last CONCOM meeting. No new issues to report.

ANDY RODENHISER – Did they talk about CONCOM member Christine Linebur attending a meeting with Bill Fisher and us re: the Marian community? Last week, Bill Fisher invited me and Susy to a meeting with him and a VHB engineer and CONCOM re: the soils, etc. at the Marian site and how the soils will affect the septic and well designs and how they were going to impact the overall plan. Christine did not attend. The CONCOM was worried it would be a violation of the Open Meetings Act. Essentially the soil report from a soil scientist that the BOH retained indicates that the soil is probably less than desirable in the areas for the septic systems.

They will need to use a mounded system. The impacts could be severe on ground water. An alternative is to construct a private sewage treatment plant and pump to the existing leach field. It might be prudent for them to consider withdrawing their application to resubmit after they regroup.

BOB TUCKER – Where it is a major change in approach and philosophy, they should resubmit anyways.

CHAN ROGERS – Where do they stand with us on the bridge?

ANDY RODENHISER – We told them they needed a 2 lane bridge.

Paul Carter – They haven't submitted any revised plans.

***Public Hearing – Daniels Village ARCPUD***

7:40 p.m.

ANDY RODENHISER – We have a notice of the public hearing.

NOTE – John Schroeder read the notice. Attach and make apart of these minutes.

ANDY RODENHISER – I would like to briefly outline for everybody how the public hearing will work. There is a yellow handout in the back that describes how the permitting process works and how the public hearing works. It also includes the criteria used by the PB to make an ARCPUD decision. We will conduct the hearing as follows. The developer will make his presentation on the opening night (tonight). The second night we will focus on stormwater management, the third night on traffic and safety and design issues on the fourth night. After that meeting, there will be a period of time when the developer will go through and make revisions based on the public hearings and submit revised plan. It will not be an evolving plan changing from night to night. On the fifth evening, most of the revisions and improvements that were asked for should be condensed onto the drawing at that time. Six meetings total, with additional meetings if required. We have tried to provide some definition to what can be a long process and take into consideration all the issues. Hopefully, with your participation, a good decision can be made.

Jim Williamson, Barberry Homes

Rob Truax, GLM Engineering

Ken Labarre – Barberry Homes

NOTE – Jim Williamson presented the certified mailing return cards to verify the public hearing mailing.

Jim Williamson – I will speak first about Barberry Homes. We appreciate the abutters coming tonight. I want to thank the PB for the format for setting up these hearings. I expect it will save us a lot of time. Thank you for doing that. I think it will work.

Barberry Homes has been around for 20 years. We have built over 500 homes in Wayland, Westborough, Southborough and South Natick. Presently, we are building in South Natick, Sherborn and Westwood. Our development team includes GLM Engineering of Holliston and



Sanford Ecological of Southborough. We have already met with CONCOM for wetlands delineation. We used Devereaux Associates out of Virginia for the overall site plan. They designed the best +55 community in the US at Red Mill Village in Norton. We had some early meetings with the Planning Board, pre-application discussions. Our local architect is HP Design out of Wrentham and we are using MS Traffic Consultants out of Framingham. The traffic report is not quite done yet. We waited to do traffic counts until after Labor Day. The counts have been completed and it will be ready shortly. We will provide it to VHB. Our attorney is Shirley Sheridan out of Southborough.

Project Overview – The site is located on the corner of Lovering and Winthrop Streets, 51 acres in size. We are going to be building in the southern portion 86 units – 52 single-family detached homes and 10 triplex buildings and 2 duplexes. Originally when we came before the Planning Board last spring, we had 118 units. The Planning Board did not care for that plan very much. We have taken their suggestions to heart and changed the plans and reduced the unit count by 32. We listened carefully and that gave us some direction. We didn't just want to come in with a too high plan. Our main criteria for this design are based on criteria in the zoning bylaw – to create a sense of neighborhood and New England scale. We have common driveways between some of the buildings, shown as light grey on this drawing. It should provide a nice sense of community. We do propose a community house. Generally, there is supposed to be 100 units to support a community house through a condo association. Your bylaw also suggests you can have a retail component to the project to serve the development and neighborhood. We will discuss that with the Planning Board. We haven't been totally convinced of the economic feasibility of such. We have contacted convenience store operators and they tell us the site generally doesn't meet the traffic requirements that they have. So, we are not totally convinced it can happen.

ANDY RODENHISER – There will be a presentation, and there will be a time to ask questions, we want to be fair to everybody.

Rob Truax, GLM Engineering - This is a 51 acre site, mostly hayfields with some woods and vegetated wetlands. The field is elevated and around the perimeter is the wetlands that slope off. Some drop off 15 feet. We have gone out and done soil test pits. That is information we need for drainage calcs and road design. The soil is primarily sands and gravel. Very good percolation rates, very rapid. Very good for drainage and for recharge.

This is an 86 unit project with 52 single family houses and 34 townhouses. 10% will go to the town for 9 affordable units. The affordable units will probably sell for around \$150,000 – \$165,000. We just did one in Holliston and priority was given to local residents. It can be a challenge to qualify people for an affordable unit because of state limitations on their assets.

For architecture, this is what they are proposing as a single-family unit. The driveway and access will be to the rear of the building. Every unit will have a 2 car garage, family room, open Living/dining room area, and a master bedroom and bathroom on first floor. The second floor is one bedroom and an open loft and a second bathroom. The experience has been that the upstairs is used for guests/grandchildren. We do have a view of the 3 family unit. Again all will be rear loaded. We are trying to break up the front so that each unit has a little bit different style. We want to make it look like connected single-family homes. Each unit would have different shingles, colors. It will look like a village as you drive down. Each one of the townhouses would have a similar layout – 2 car garages, master bedroom on the first floor, etc. The other

style would be a front loaded detached home with the garage in front facing the street. The criterion for the site is that one occupant has to be 55 or older to live there.

We have almost 500 feet of frontage on Winthrop Street. We are proposing 2 styles of housing with a possible convenience store and recreation/community center. There is a question on whether the size of the development can support a community center.

Under the bylaw, the maximum number of units that could be allowed is 153 units. This proposal is for 86 units. That is 1.7 units per acres. It will operate as a condominium with a master deed.

We do show 6000 square foot exclusive use areas around the detached homes. These are not separate house lots; this is not a subdivision.

The access to the site will be off of Winthrop Street. The primary access would be across from Clover Lane. About 200 feet north would be a second access. Inside the site is a loop roadway system. The primary route, Road A is 22 feet wide. It has single-family homes that face the road. The interior roadway is a boulevard type with 18-foot wide one way streets and a little rotary in the middle. The idea is to make the roadways smaller. The units in the middle will face the main road or the middle boulevard with the driveways behind. We can't do rear entrances on all the sites due to wetlands. The boulevards would be landscaped and have walkways and lamp post lighting. The idea is to keep it very residential looking. The boulevards have 50-60 feet wide of green space. There is some off street, parallel parking on the boulevards in front of each building. We did the same on the middle boulevard. The on-street parking would be primarily for visitors. Each unit will have a 2 car garage and driveway space for 2 cars. However, we do want to provide some guest parking,

I do want to touch a little on the utilities. We do provide street drainage throughout the site with manholes and catch basins. Within the boulevards we will do underground recharge systems to infiltrate back into the ground. We will catch roof runoff. There will be two retention/detention basins. We were able to mitigate the increases of runoff from the site (volume and rate). It will run off to the wetlands. All will be treated with stormceptors and sediment basins. The site will be serviced by the Town sewer system, connecting from Winthrop Street. It will also be connected to the Medway water system. All utilities will be underground. For lighting, there will be lamp posts, very residentially styled. We are really looking to create a village type atmosphere out there. There will not be bright lighting throughout the site.

In terms of open space, we are required to provide 40% of the land area for open space, passive or active. We decided to do it in one large area. That portion of site is 20.4 acres. Of that, 50% has to be uplands and it does require that it be used for active or passive. It can be used for several things. It could even be used for playing fields.

Within the developed portion of the site, around the perimeter there is about 12 additional acres that will not be used for buildings and will be left in its natural state. That brings us up to a total of 32 acres of the 51 that will be preserved on the site as open space.

At this time, we haven't shown a trail network through the site. We need to talk to Conservation and the Trail Committee. We want to tie into the trail system and provide public access to the open space. Over the course of the hearings, that will evolve. Just as a side note, we have not yet filed a notice of intent with Conservation. But the wetlands have been delineated and verified

by the CONCO. We are all in agreement. We will be filing a Notice of Intent in the next few weeks

We will also file a Scenic Road application. We have one tree that is in the ROW that we will need to cut down.

Other permits we will need include a sewer extension permit and an ENF filed under MEPA and a NPDES with the federal government.

ANDY RODENHISER – Any questions? Gino, could you review your letter?

Gino Carlucci, planning consultant - I had a few comments on the plan. My first concerns the open space. Among the requirements is that 50% is preserved in natural condition. That area is already a disturbed site with power lines and drainage easement. That is something to look at and calculate. There is provision in the bylaw that if the land has previously been altered, there can be some give on that requirement.

Another comment is that buildings are required to be set back at least 20 feet from the paved road surface. Looking at the plan, it looked like some of the single-family homes may not be quite 20 feet. That needs to be checked. There may need to be a clarification on the distance. This may need a determination from the ZEO. Personally I think it is a better situation. I like the parallel arrangement but because of the wording of the bylaw there may be a problem.

Rob Truax – There is 22 feet from the face of the building to the edge of the traveled way. Each unit has 4 spaces – 2 in the garage and 2 out in the driveway. We did visit the site in Norton and they have the same type of setup with parallel parking for visitors.

KARYL SPILLER-WALSH – Will the footprints of the buildings show some variations?

Rob Truax – We will need the architect to work up some special design for the upper lots.

Gino Carlucci – Another requirement is that buildings be set back 50 feet from existing public ways. Those units on Winthrop Street look too close.

Rob Truax – We can revise that, we just missed it, we did 35 feet. We can correct that.

ANDY RODENHISER – It will be important for you to get all these changes down so you will know what to do for the revisions.

Gino Carlucci – The minimum lot size is 6000 sq. ft. I had interpreted those lines to represent separate lots but that is no longer relevant as all are operating as a condominium.

ANDY RODENHISER – When they have a condo arrangement, how is the exclusive use area handled?

Rob Truax – Typically, I don't even show them on the plans. We showed it because the bylaw references 6000 sq. ft. We wanted to show you that we were putting 6000 sq. ft around each unit.

ANDY RODENHISER – In what they are trying to do, in terms of trying to comply with the spirit of the bylaw, is there anything else?

Gino Carlucci – The terms of the bylaw require 2 types of housing. That is something that is going to need some clarification.

Rob Truax – Under the bylaw, it doesn't suggest that the single family units have to be in a subdivision. It is kind of confusing.

Gino Carlucci – But there has to be 2 types of uses as uses are explained in the bylaw. So it is just something we need to look at. You may want to look at "coordinated units" in the bylaw as one type of housing.

Rob Truax – Under the definitions in the bylaw, you are saying that all this housing is essentially the same. What did River Bend do?

Susy Affleck-Childs - They did some zero lot line subdivisions lots.

Gino Carlucci – The retail space is kind of murky at this point. It is not possible to determine if there is adequate parking because we don't know the size of the store.

Gino Carlucci – The 24 foot road is fine. The 18 foot roads need Planning Board approval.

Rob Truax – Is that a waiver.

Gino Carlucci – No, just part of the decision.

Gino Carlucci – As a general comment, please consider the use of some common driveways for the single family homes on the perimeter. This would reduce the number of curb cuts and allow for some side garages.

Gino Carlucci – Sidewalks on both sides of the street could result in 22 foot roadways. There is a cart path that goes on to private property. I suggest there be an access point at the end to connect the cart path at the southwest corner of the site.

ANDY RODENHISER – We follow the standards of the subdivision for construction.

Gino Carlucci – The construction standards for ARCPUD roads are the same as the subdivision construction standards.

Rob Truax – In your ARCPUD bylaw, it says all roadways shall be a minimum paved width of 22 feet.

Gino Carlucci – One way streets can be approved for less than 22 feet if the Planning Board agrees.

Rob Truax – What we want to do is to submit a subdivision waiver list to you formally. There are only 2 items.

CHAN ROGERS – I would like the applicant to state whether the road will be public or private.

Rob Truax – The entire project will be privately owned and plowed by the condo association.

Jim Morrison – Trash collection will also be private.

Rob Truax – There will be condo fees associated with that. The Town does not take any burden. This is really a benefit to the town as it does not really impact the schools and does not impact DPW but is taxed as a single-family home. It is a net positive for the community.

KARYL SPILLER-WALSH – I have a myriad of comments and observations. I think initially that I still see it as very dense. I would like to see some relief by dropping some units out of the top (west) – units 12, 13 and 14 so you can see through to the open space beyond as you come up the boulevard. Take out lot 36 and 37 and then 42 and 22 and then 32 and 5 to open up some green space.

Why aren't there some existing details remaining on the plan. With this shape and perimeter, it doesn't seem like there are any of the existing trees or walls remaining. Couldn't some of those existing trees remain?

Rob Truax – What happens on a project like this is that they are dense. What ends up happening is that you need a pretty flat site. That has been the case in every single one of the I have done. The only way you can do what you are saying is that if this would be a cluster subdivision with lots of retaining walls. People are going to be over 55. They want it flat around the buildings. It may be difficult to follow the contour of the land.

KARYL SPILLER-WALSH – We want you to be more creative. Maybe some of the triplexes could be made denser. I hate the fact that they nuked everything out at Red Mill Village in Norton.

Rob Truax – We can take a look at that for you. This is the 5<sup>th</sup> +55 community we have done.

ANDY RODENHISER – I kind of share a similar concern. The power lines are necessarily usable open space and yet they are counted toward the usable space. If the density could be reduced, that might be a way to bridge some of the concerns.

Jim Williamson – Just to get Karyl's idea straight, your concern is getting some breaks in the open space?

KARYL SPILLER-WALSH – Yes, but I am concerned about the density too.

BOB TUCKER – I think the open space you show under the power lines is a joke. I don't like that concept at all. It is not an area where you wouldn't want to have people roaming around.

CHAN ROGERS – Question, did the 150 maximum units include units under the power line?

Rob Truax – Yes, the bylaw specifies 3 units per acre.

Gino Carlucci – If you exclude totally that open space, the remaining area is 30 acres, and they could still have 90 units. It works even without that area.

BOB TUCKER – What is the zoning there? One acre?

Rob Truax – That is not relevant for the project?

ANDY RODENHISER – We need to compare what you are proposing to other options such as a conventional subdivision or a 40B project.

ANDY RODENHISER – If we were to net out the power line area, what is that portion of the open space calculation? Can you make it up elsewhere on the site thru dropped unit count? It needs to be contiguous.

CHAN ROGERS – The power company that owns the right of way would have some limitations.  
Jim Williamson – The power company has an easement to run lines over that land.

Rob Truax – You couldn't build a house there.

ANDY RODENHISER – There is also a natural gas easement. Do we want to have people recreate under the power lines?

JOHN SCHROEDER – I am concerned about the area too.

Jim Williamson - One of the criteria in the bylaw is to make the open space contiguous to other open space. We selected it to be there to be next to the open space at the adjacent Evergreen Meadow OSRD project.

Jim Williamson – Also, town fields can be done under power lines. Example - Route 27 in Sherborn. All the soccer fields are under the power lines.

JOHN SCHROEDER – I think all the issues I had have been addressed – I don't think we are quite as far apart as it sounds. I like the idea of opening things up at the end.

KARYL SPILLER-WALSH – I would like them to relook at the triplexes and see if something could be done more interesting using existing site features.

ANDY RODENHISER - I recommend you guys get to the DRC fast so that when we are prepared to have you guys before us on the design stuff (November 14<sup>th</sup>) it will have been Reviewed by the DRC already.

Jim Williamson – We have been to the DRC Board informally.

ANDY RODENHISER – We will look for a recommendation from the DRC.

KARYL SPILLER-WALSH – We are discussing generally types of architecture with a nice village feel.

ANDY RODENHISER – I would like to open this up to the public for questions. Please direct your question to Rob Truax, the engineer or Jim Williamson from Barberry.

Gayle Kadlik, 2 Clover Lane – You have an email from my husband.

Joanne Davenport - Please read this letter.

NOTE –John Schroeder read the email letter from Stephen Kadlik, 2 Clover Lane. It will be attached to these minutes.

ANDY RODENHISER – We have another email note from Joseph Vadakekalam of 78 Winthrop Street.

NOTE – Andy Rodenhiser read the email letter. It will be attached to these minutes.

Gayle Kadlik, 2 Clover Lane – What is the status of the traffic impact study?

Rob Truax – They are in the process of finishing the report. It should be ready in a couple of weeks.

ANDY RODENHISER – From this point forward, we will announce a date certain when we will meet again. This session will be repeated on cable TV. This is a new system. We are recording it and hopefully they will show it again.

JOHN SCHROEDER – The reason the traffic study wasn't done earlier, was to delay it to get more accurate readings.

ANDY RODENHISER – We are going to talk about traffic on October 24<sup>th</sup>.

English lady – Does the traffic study look at accident history?

Rob Truax – It will look accident history and police records. They will look at specific intersections and levels of service.

Rob Truax – One of the email notes asked about a financial impact statement. That was not part of the regulations but we could do so if you would like us to do it. I think you will find that it is more of a benefit to the town. The school system is not impacted. Schools are your biggest budget item in town.

ANDY RODENHISER – If you would like to see that, we will have them do it.

Rob Truax – We would provide it if you want.

Jim Williamson – We will do one.

Rob Truax – By offsite mitigation you mean such things as sidewalks and traffic signals. We are not proposing anything at this point in time. We definitely would not propose a traffic signal at this point.

Gayle Kadlik – If it comes down to needing a signal and sidewalks, who would pay for it? The developer?

ANDY RODENHISER – Yes.

Rob Truax – Someone asked if the Town's water system can handle this.

Jim Williamson – I have consulted with the Water/Sewer Board and the Charles River Pollution Control Board and both have indicated that there is a capacity.

Rob Truax – There will be a filing with the Water/Sewer Board.

ANDY RODENHISER - The state has put a restriction on the amount of water Medway can pump out of the ground. The amount can be increased if we have sufficient conservation measures in place. Mark Flaherty is the person you should talk to about water usage in town and what the water restrictions are.

Rob Truax – There are 2 bedrooms in each unit. Children are unlikely.

Jim Williamson – When we did this kind of project in some other towns, there has not been many kids.

Rob Truax – Often, folks don't live there year round. They have 2 homes and are here part of the year.

JOHN SCHROEDER – This is a 51 acre parcel. Hypothetically, 51 single family homes with 3 or 4 bedrooms each. This is an alternative use which is why the ARCPUD bylaw exists.

ANDY RODENHISER – Or a 40B.

Gayle Kadlik – We just want you to be honest with us.

Jim Williamson – Historically, there is very low incidence of children. People generally don't choose these developments as family neighborhoods to raise kids.

ANDY RODENHISER – Please give us some historical data that could be introduced during our traffic and safety session.

Joanne Davenport – Will this always be an ARCPUD?

ANDY RODENHISER – Yes.

Rob Truax – I think we have already touched on the impacts to public services.

ANDY RODENHISER – Water is paid for as they use it.

Rob Truax - The second letter has similar concerns. It mentioned runoff between the homes. I am not sure where he is talking about but we can address that when we get into the details of the drainage design.

JOHN SCHROEDER – The Town has a consulting engineering firm that looks at that in great detail.



ANDY RODENHISER – All that water has to be drained onto the site. It cannot go off site. They have to prove that they are not going to make the problem any worse.

Craig Dresser, 80 Winthrop Street – You mentioned 9 affordable units. Can you give us an idea of what the market rate units will be?

Jim Williamson – Under \$400,000.

Theresa O'Brien – I am a member of the Affordable Housing Committee and have lived here for over 20 years. I am concerned about the size of the units. I don't want 1800 or 2,000 square feet at my age. People are downsizing. It seems to me that those are pretty large for one or two seniors.

Rob Truax – If you look at the units, the living area is really the first floor, about 1200 square feet. The additional space is the second floor for 600 square feet for a guest bedroom. The houses get kind of wide and long to get everything on the first floor and then there needs to be a roof so you might as well put in a second bedroom and bath.

Theresa O'Brien – 1800 to 2000 sq. ft seems like a lot. I have lived in the same house for 50 years and raised 4 kids.

Sue Shemuga, 83 Winthrop Street – What is going to happen next to me to the south?

Rob Truax – The present owner is retaining that piece of land.

Sue Shemuga – So, you are going to put a football field in there?

Rob Truax – No.

Sue Shemuga – You want trails but you aren't doing sidewalks on Winthrop Street.

ANDY RODENHISER – When we get to the traffic and safety portion, we will discuss sidewalks.

ANDY RODENHISER – There is a network of trails that is trying to be designed for the community, we just want to tie into it.

Jim Williamson – I have a question for the board. Could I get some feedback on how they value the retail component there?

KARYL SPILLER-WALSH – I don't see a value in it. Is it something that you would value?

ANDY RODENHISER – How do you the neighbors feel about having a convenience store there? Any benefit to you?

KARYL SPILLER-WALSH – If the retail comes out, what goes in there instead?

Jim Williamson – A triplex.

Jim Williamson – The bylaw does encourage a retail store as an amenity to the project. We are hearing that you don't care.

Irene Streifer, 37 Broad Acres Farm Road – Where is the access to it? Where is the parking lot??

ANDY RODENHISER – I don't think they were seriously advancing this. It was just an idea.

Joanne Davenport – Do the houses have basements?

Jim Williamson – Yes.

Joanne Davenport – To there is potential for more people living there.

ANDY RODENHISER – Any other questions.

Sue Shemuga – On the letter we got, it says that Betty still owns the property. So, it is not a done deal?

ANDY RODENHISER – What typically happens is that the developer puts together an offer that is contingent on securing the special permit. The buyer and seller close on the real estate deal after the special permit.

Marie Dobachesky, 135 Lovering Street – I live in the red house. Where is this location compared to me?

ANDY RODENHISER – In your back yard.

Marie Dobachesky – Does the open space include the paper road?

ANDY RODENHISER – No.

Marie Dobachesky – So the open space is the field behind me.

Rob Truax – Yes.

Marie Dobachesky – There are quite a number of trees there.

Rob Truax – The whole 20 acres will be protected.

ANDY RODENHISER – That is part of the reason we like these open space projects.

Sue Shemuga – Are they going to allow pets in these homes? There are environmental concerns.

Jim Williamson – We haven't thought about that yet.

ANDY RODENHISER – Are there any other questions?

Paul Carter – In terms of the 2 entrances coming in from Winthrop Street, if you are going to change the retail, we have some concerns about emergency access.

JOHN SCHROEDER – You could flip the residential building for the community house location.

Paul Carter – It looks like very tight turning radii.

ANDY RODENHISER – That will be very important to the Fire Chief.

The public hearing was continued to October 10, 2006 at 8:15 p.m. The focus will be on stormwater.

***Discussion on Country View Estates - Plan revision for Lot 34, 37 Broad Acres Farm Road***

David Faist, Faist Engineering  
Attorney Ed Denn for the property owners  
Irene and Mark Streifer, 37 Broad Acres Farm Road

David Faist – I am the project civil engineer. I would like to give you some background. We were in last fall with a preliminary plan. There is an existing detention pond in the Country View Estates subdivision. It was built in 1998. There are several issues and problems with the pond. I was hired to come up with a plan to fix it. I have done a repair design. That is the plan we have submitted to the board. Paul Carter has reviewed it and I understand there is a review from Dave D'Amico, DPS Director.

The forebay wasn't constructed properly. It still functions but it needs some cleaning up. One of the key features of the original design was a secondary overflow 12 inch pipe. That was figured into the drainage calcs but it was never constructed. We will put that pipe back in and add new rip rap. There has been some deterioration to the berm. We need to bring it back to the grades and do some landscaping. We will fix the forebay area near the Streifers' house. There is a steep grade over in that area. We looked at the original design and have modified it slightly. We will regrade to a 4:1 slope, reloom and seed it and also raise the elevation of the forebay so it will be 6-8 inches higher to better trap the sediments. We will reconstruct the berm to operate effectively and make it easier to maintain.

The other phase of the project is to basically add some landscaping around the pond. There have been several meetings with the Streifers and Daylor Consulting. This design is acceptable to both parties. We want to limit access to the pond. We had proposed a 10 foot wide berm around the detention pond. Dave D'Amico has suggested a 15 foot berm. We know that there are some 10 foot berms in town. Dave is concerned that plantings may inhibit access. We have not met with him yet. I was just reviewing it today. There is also a proposed agreement between the developer, the town and Streifers for maintenance of the system.

KARYL SPILLER-WALSH – Paul, has VHB seen this? Is it going to work?

Paul Carter – We reviewed the new drainage calcs. We reviewed what both Faist and Daylor had submitted almost a year ago. We have reviewed the revised plan here. The original calcs included a 12 inch outlet, but that didn't make it onto the plans, so it wasn't built. What is being

proposed for the sediment forebay makes sense. Make sure it drains. We recommend a fence be provided around detention since it has 18 inches of standing water.

David Faist – Both parties would prefer to not have a fence. We would use landscaping to screen. I know there are other wet ponds in town that don't have fencing.

Paul Carter – They are proposed landscaping and the gate.

BOB TUCKER – Who is the landowner there? The Streifers?

David Faist – Yes, and some of it is on the DeSimone property.

KARYL SPILLER-WALSH – It should be noted that the original plan actually had the forebay slope at the foundation of the existing house. The original lot by any other standard was probably unbuildable. They actually moved the location of the forebay and slope so fit in the house. It was a marketing decision.

ANDY RODENHISER – Once this repair is made, will water be standing?

David Faist – Yes. It is designed as detention pond, but the forebay should not have water in it.

ANDY RODENHISER – The Town of Medway will assume maintenance responsibilities but we do not accept ownership of it.

Edward Denn – Technically speaking, the town would not own the property, but have an easement.

ANDY RODENHISER – In this document you have provided, a stormwater maintenance and operations plan, I don't think we have the authority to accept it.

Edward Denn – We are willing to work with you on the language. Whether there is a fence or not, should somebody drown in the pond or not, everybody will be sued.

Susy Affleck-Childs – I know DPS has strong feelings about this document. We should send this to town counsel or special counsel for review. That expense needs to be billed back to the applicant/Greg Whelan.

KARYL SPILLER-WALSH – Is there any possibility that the detention pond could become its own lot as required now under our new rules and regs?

Ed Denn – That would certainly involve considerable discussion with my client.

ANDY RODENHISER – Let's let counsel look at this option.

Paul Carter – You need to meet with Dave D'Amico to work this out.

ANDY RODENHISER – Mr. And Mrs. Streifer, I assume you are happy with what has been proposed?

Irene Streifer – Yes, we are glad to have it resolved.

Paul Carter – This also involves adjusting the easement line away from the house.

ANDY RODENHISER – We are going to support Dave D’Amico so try to make him happy.

Dave Faist – We will meet with Dave D’Amico.

Susy Affleck-Childs – We will arrange for legal counsel.

Dave Faist – Who will decide on a fence?

KARYL SPILLER-WALSH – I believe that is a legal question. If there is one, then we need to work through the Design Review Committee. No chain link fences

Paul Carter – The Town is going to have a drainage easement on the property.

It was agreed to revisit this again once legal counsel has provided input and they have met with Dave D’Amico.

***ANR Plan – Cheryl Rosenberg – Kelley and Vine Street***

Susy Affleck-Childs – The applicant’s attorney is doing a title search. They will come to the October 10<sup>th</sup> meeting.

BOB TUCKER – This is the third continuation. I would like to suggest if they are unable to come forward prepared, let them withdraw without prejudice and resubmit when they have their act together.

CHAN ROGERS – Gino Carlucci has given an opinion that the road has to be constructed. The applicant’s contention is that it does not have to be constructed.

ANDY RODENHISER – I think we may residents here from Kelley Street.

BOB TUCKER – The applicant is obviously not ready.

ANDY RODENHISER – The attorney representing the owners wasn’t ready to respond to Gino’s review.

BOB TUCKER – Why don’t they just withdraw it?

ANDY RODENHISER – We should not put it on the agenda until he is prepared. Let’s not schedule anything until we have paperwork in hand.

Gino Carlucci – You have to act by October 31, 2006.

Susy Affleck-Childs – I would want to see stuff in hand here by next Wednesday, October 4<sup>th</sup> to put them on the agenda for the 10/10 meeting.

CHAN ROGERS – I think we should deny it now.

ANDY RODENHISER – it behooves us to

BOB TUCKER – When they are ready, let them come forward.

KARYL SPILLER-WALSH – Is it possible to have legal representation that night?

CHAN ROGERS – We don't have anything in front of us to approve. The plan doesn't adequately conform to approval not required.

ANDY RODENHISER – There is a difference of opinion on that.

CHAN ROGERS – There is not sufficient evidence. I move we deny the plan.

NOTE – The motion fails for lack of a second.

Gino Carlucci – Just one point, since it is not a hearing, you could wait and see if something comes in.

A motion was made by John Schroeder, seconded by Chan Rogers to put this matter on the agenda for the 10/10 meeting if we have something in hand from the attorney by the close of business on October 4<sup>th</sup>.

NOTE – Paul Carter leaves at Paul leaves at 10:25 pm

### ***Charles River Acres OSRD - Draft Decision***

NOTE – The board worked through the last few pages of the 9/6/06 draft.

ANDY RODENHISER - We have final authority to approve the project at the definitive plan stage. The potential exists for possible conflict re: item 4 on page 8. We are going to have to make sure that when we get to that bridge we are working OK. We need to be very clear about what we want in building elevations.

A motion was made by Chan Rogers, seconded by Bob Tucker to grant an OSRD Special Permit for the Charles River Acres project and approve the concept plan. The motion was approved by Rodenhiser, Rogers, Schroeder and Tucker. Karyl Spiller-Walsh abstained.

The final decision will be signed at the 10/10 Planning Board meeting. Susy will make all the edits as agreed to and distribute for final review.

### ***Pine Ridge Open Space Definitive Subdivision Plan – Plan Endorsement***

The Board reviewed a memo from Susy Affleck-Childs dated 9/26/06 re: status of plans and documents for endorsement.

KARYL SPILLER-WALSH – I can tell you about the DRC's intent. They had a general façade direction to go in that was OK. Each position of the units in the quad would be staggered. The drawings were computer projected.

NOTE – Susy Affleck-Childs showed Karyl the elevation drawing of the front façade that was included in the plans to be endorsed.

KARYL SPILLER-WALSH – Yes, that is what the DRC saw. We did not see any side elevations.

ANDY RODENHISER - It is clear we got a letter from the DRC, but it is pretty vague. As a board, what are we to use as a reference point? The DRC was agreeable with a one dimension drawing to base their recommendation on. If the DRC didn't require different drawings of different angles of the buildings, is it fair for us to do so?

BOB TUCKER – What is the need for additional views?

KARYL SPILLER-WALSH – There were none provided for the other elevations. This is a good example of what happens when we delay the design decision to the definitive stage.

ANDY RODENHISER – We are pretty far down the road to ask these guys to submit additional drawings at this time.

Paul Yorkis – I think this board has an obligation to be thorough and reasonable. I am going to let you know how I feel about this process. This board issued a special permit. That permit contained information and you voted and tonight you are discussing, absolutely wrongly, the need for drawings that were part of the special permit. You are going backwards. You are trying to go back to the special permit. The appeal period is over. We met repeatedly with the DRC and it was a benefit to our participation. The DRC also raised a question about sound attenuation for a driveway and that was unreasonable. There is a process that you have laid out. We have tried to follow the process to the best of our ability. It is unfair to say at this juncture that you wanted more drawings. If you wanted more drawings, you should have asked for that. But to ask for it now, when we are in the definitive plan process, I think it is unreasonable. I want to be fair and responsible in this community. We need fairness back from the board. I apologize if we have offended anyone.

ANDY RODENHISER – We need to talk about these things and the issues that have been raised.

Paul Yorkis – Every time a question is raised, it costs the applicant money in attorneys and engineers fees. Issues raised by your administrative assistant and planning consultant. It is escalating costs. When is it going to stop?

ANDY RODENHISER – I want to put this whole issue on pause. That is why it was my concern earlier tonight when we discussed the Charles River Acres project and waiting for elevations until the definitive stage. I am inclined to agree with you personally. When we have a letter that is somewhat vague, that is how we get into this deep water if you will. Let us work through these issues knowing we need to be fair to the community as well as the applicant.

Paul Yorkis - I would say to the board that the DRC never requested side or rear elevations. Karyl commented that certain aspects of the layout of each building we presented to the PB and the DRC were based on the topography of the site. We need to be amendable to the preferences of the individual buyers. It was not feasible for us to come up with all the different iterations. The DRC understood that and therefore there was not a request made of us. If a request had been made, we probably would have said there is no way we could have done that. We have changed the front façade.

KARYL SPILLER-WALSH – I thought that the DRC was extremely fair to allow those many subjective changes.

CHAN ROGERS – Karyl makes some very positive statements when she speaks, but we don't know how the other DRC members feel. I said earlier we cannot abdicate our authority to approve.

BOB TUCKER – Let me be real dumb, what is he before us for?

ANDY RODENHISER – Endorsement of a definitive subdivision plan.

BOB TUCKER – Did the board accept the DRC's recommendation?

ANDY RODENHISER – I believe so. There isn't much we can do about it at this time. I don't think we should ask them to come up with this at this time.

BOB TUCKER – We learn as we go forward.

ANDY RODENHISER – I would like to think we would be fair. Different interpretations of the definition of façade.

KARYL SPILLER-WALSH – We are being rushed to the special permit and then assume that the details and end product will be worked out during the definitive plan stage.

JOHN SCHROEDER – Getting to the OSRD special permit early is part of the appeal, but at the time of the definitive, it (the architecture) needs to be definitive.

Paul Yorkis – One of the things which we did with the DRC is we brought samples of a vinyl cedar shake siding. We explained to the DRC that we were using vinyl, but different types, and highlighting different areas with cedar shake. The feedback we got from the DRC was very positive about that. It helped us change the appearance and added variety. I felt that that happened because of questions from the DRC. We felt we were working in good faith with the DRC. There was never an attempt or effort on our part that we weren't going to do what we said we were going to do. The drawings show clapboards and textures. If it is the Planning Board's desire, and I am not sure it should be, the colors and materials could be specified. If that's what you want, you should communicate that. I would urge you to be very cautious, very careful with that. Things change. I don't think you want to get bogged down in changes and plan modifications in the future.

KARYL SPILLER-WALSH – That was our thought too to leave a little latitude.



JOHN SCHROEDER – colors should be different;

BOB TUCKER – Both John Claffey and Paul Yorkis have done buildings in Town and we haven't been disappointed.

Susy Affleck-Childs – But this could be sold and the new builder wouldn't be a party to any of the discussions or gentlemen's agreement.

CHAN ROGERS – I want to go back to Bob's original question. What are we being asked to do?

ANDY RODENHISER – They want us to endorse these plans. Susy has a list of questions whether they are ready or not.

Paul Yorkis – Let me address what is going on with the paths. Based on the CONCOM Order of Conditions and the overall discussion, there is an existing walking path that goes behind some of the abutters. That portion of the walking path will be returned to its natural state. There will be a new access created with some pruning shears and trimming back. It will open up the new path from the 3 parking spaces. I think what is described adequately represents what we will do.

ANDY RODENHISER – Condition #7 of the Certificate of Action requires there to be an easement over Candlewood Drive. They don't want to do this. I discussed this with Town Counsel. We could use the bond. The bond would not be reduced if the easement isn't provided.

BOB TUCKER – From a legal standpoint, could an easement document be prepared and placed in escrow and then be executed in the future?

Paul Yorkis – I would like to give you a different approach. The Planning Board is going to issue a certificate of compliance for as-built plans for this project. At that time, you are also going to want the as-built plans for Candlewood Drive. He is obligated to complete a whole host of things that he is responsible for doing as part of the approval. So to me, when you agree that the Village of Pine Ridge is complete, it also means that all of the other things are completed. It doesn't mean that the town has accepted the road, but that it is understood to be in acceptable condition.

Susy Affleck-Childs – What if Candlewood is not accepted? The general public will not have any right to drive on Candlewood to get to this open space.

ANDY RODENHISER – What can you do?

Paul Yorkis – I would say it is there already. When the Planning Board recommends that the way be accepted, it is out of your hands.

ANDY RODENHISER – Is the board comfortable with that?

CHAN ROGERS – Yes, if there is unfinished work and it is covered by the bond.

Paul Yorkis – It is my understanding that the Planning Board does not release the bond until street acceptance.

John Schroeder - What is the reason they don't want to do it?

John Claffey – I don't want to be held responsible for people coming onto my property during construction.

Susy Affleck-Childs – I don't want that either. I just want to make sure that the public has access to town owned land if the street acceptance doesn't occur.

KARYL SPILLER-WALSH – They are both right.

BOB TUCKER – I don't have a problem for what they are proposing. We are still holding their money

Paul Yorkis - It is to the town's fiscal benefit to have as many public streets as possible. The residents would like to have the street finally accepted.

ANDY RODENHISER – Do you want to vote on this? Are we OK with this as long as we have adequate security?

JOHN SCHROEDER - Based on recommendation of Town Counsel, I am OK going ahead.

KARYL SPILLER-WALSH – I move that we secure an easement beginning when Pine Ridge has been finished until the date when Candlewood is accepted as a public way as a means of access to the open space.

There was no second to the motion. The motion fails.

ANDY RODENHISER - He does not want to put an easement in escrow

Susy Affleck-Childs – The Planning Board listed this in the Certificate of Action. They chose not to respond to it at all. So then I notice that nothing has been provided. If they had a problem, you should have addressed it and not just ignored it.

ANDY RODENHISER – What about putting up a fence at the site to keep public out?

Paul Yorkis – But eventually people will be living there during construction.

ANDY RODENHISER - Condition #14 to make clear that the road and stormwater system are privately owned and operated. Town Counsel says the master deed adequately addressed these things. My point to town counsel is that we have residents that come in and want their street accepted. Mr. Maciolek disagreed. He feels it is the job of the buyers to understand. Paul says he will always inform buyers.

Susy Affleck-Childs - Is there any reason to not include reference to the roadway and stormwater drainage system as being part of the common area in the master deed?

KARYL SPILLER-WALSH – I think they should be included.

ANDY RODENHISER – This is a legal matter. You have to decide whether it is adequate or not.

ANDY RODENHISER – I agree with Susy. I feel we are fairly restricted on what we do. It is a problem.

ANDY RODENHISER – Does anybody here feel they have the expertise to deal with this – what is the board's preference on condition #14?

KARYL SPILLER-WALSH – I would like to include them in the list. It just makes sense.

ANDY RODENHISER – Paul, do you have any objection to that?

Note – Paul Yorkis did not object.

Paul Yorkis – I would ask the board to endorse the plan and hold it until Mr. Claffey can provide town counsel with an easement which would reflect granting the public the right to go over Candlewood when the Planning Board approves a certificate of completion on Pine Ridge. We will also make the other changes in the master deed to include Pine Ridge Way and the stormwater drainage system as part of the Common Area and Facilities.

The Board agreed.

ANDY RODENHISER - I want to thank everybody for hanging in here on this.

NOTE – The Board signed the Pine Ridge Open Space Definitive Subdivision Plan.

ALSO – The Board signed one new sheet for the Restaurant 45 site plan re: handicap access to the outdoor deck between the restaurant and the new commercial building.

A motion was made by Chan Rogers, seconded by Bob Tucker to adjourn. The motion passed unanimously.

The meeting was adjourned at 12:30 am on 9/27/06.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

Revised DRAFT – October 26, 2006  
Approved – November 2, 2006

***Joint Meeting  
Medway Planning Board and Design Review Committee  
Monday, October 2, 2006  
Medway Senior Center***

DRC MEMBERS PRESENT: Katie Tortorello, Karyl Spiller-Walsh, Rachel Walsh, Gwen Hendry, Dan Hooper

PLANNING BOARD MEMBERS PRESENT: Bob Tucker, Chan Rogers, Andy Rodenhiser, Karyl Spiller-Walsh and John Schroeder (9 pm).

Also Present: Susy Affleck-Childs, Planning Board Assistant

The meeting began around 7:10 p.m. at the Medway Senior Center with informal discussion before Andy Rodenhiser arrived.

CHAN ROGERS – The DRC Committee is illegal. You cannot do anything in subdivision control that isn't in your rules and regs.

KATIE TORTORELLO – Our job is to make recommendations on how things look.

CHAN ROGERS – I have been in the design build business for 40 years. We couldn't spend one nickel for aesthetics. Things have changed somewhat. I applaud what you are doing for site plan review activities but you can't do it for subdivisions.

GWEN HENDRY – These projects that we are reviewing are not on public land.

DAN HOOPER - We can use whatever guidelines we want. We give a recommendation to the PB. You cannot make a ruling based on our aesthetic. If you vote solely on the premise of an aesthetic decision, then that is illegal and it is outside the rules and regs. But that is not what we are doing. In the technical realm of site plans and decisions, our hope is that our recommendations will have some weight.

CHAN ROGERS – And we would be well to follow your advice. This came up with a subdivision recently (Rolling Hills).

DAN HOOPER – The applicants were quite agreeable with our suggestions.

GWEN HENDRY – Projects are referred to the DRC from the PB, building inspector and Selectmen. I think we need to clarify the process for the applicant if the PB recommends they see us for advice.

KATIE TORTORELLO – Our job is to help the PB and to help businesses be more effective.

CHAN ROGERS – I reserved this discussion for this meeting and not to have it public and not give developers any ideas.

KARYL SPILLER-WALSH – Chan is talking about subdivisions and asking what right do we have to insist, urge, implore, etc. to improve the visual aesthetic for a subdivision.

CHAN ROGERS – I have fought my whole career to get things done under the Federal Highway Administration.

KARYL SPILLER-WALSH – The WPA produced aesthetically beautiful bridges.

CHAN ROGERS – I do feel like it is important.

KARYL SPILLER-WALSH – Let's go back to subdivisions.

GWEN HENDRY – The only things we have ever had a discussion on for a subdivision are cul de sac islands, buffers and landscape design issues. We never have anything to say about the structures. So where is it written that landscape design should be left to the applicant?

CHAN ROGERS – Regarding cul de sacs, as far as I am concerned with the circles you shouldn't have islands if the DPW doesn't want them.

KARYL SPILLER-WALSH – We have reached a good compromise. Dave D'Amico was willing to accept it and do it. These cul de sacs are better now with the landscaped islands. Everything we do, if we push it, if we can get it, the project is going to look better because of it. We have had tremendous success.

CHAN ROGERS – But DPS has to maintain these islands.

KATIE TORTORELLO – Which is why when we work with developers we are looking for low to no maintenance plants & landscaping materials. We are all aware of the issues. We are trying to make it nicer looking for all of us and for the people who live there. That is our job. Sometimes we wish we had more teeth behind what we suggest.

CHAN ROGERS – I applaud the group for the time and the interest you show to this.

DAN HOOPER - Do we have an agenda for tonight?

KATIE TORTORELLO – Susy made up some notes for us. OK. What is working? Is it helpful?

GWEN HENDRY - The letters of recommendation, do you use them?

ANDY RODENHISER – I respect them and find them helpful in boiling out what needs to happen at a level we can't get into. Absolutely they are helpful.

BOB TUCKER – I haven't seen any of these.

CHAN ROGERS – I refrained from discussing this in front of developers. I am a bear because of the time I spent on a PB in the past.

BOB TUCKER – How do you feel about the DRC?

CHAN ROGERS – It is a fantastic set up particularly to deal with site plan work for commercial and industrial and business sites and for site plans for cluster projects and special permits. But they are not appropriate for a straight subdivision. You cannot force a developer to put in something better than what the state or town would put in. I am speaking about the retaining wall Rolling Hills. You won't even be able to see it.

GWEN HENDRY – I walk on that street every day and I disagree.

CHAN ROGERS – You cannot force a subdivider to do something beyond the state specs.

KATIE TORTORELLO – What if the developer likes the idea?

CHAN ROGERS – Because he bought into it, I wasn't going to say anything.

ANDY RODENHISER – It is important to note that we have a bylaw that authorizes us to do this work.

GWEN HENDRY – It would be helpful if you could bring in what you are referring to.

DAN HOOPER – He is saying the PB cannot use aesthetics for making decisions about a subdivision. That is where I am getting lost.

GWEN HENDRY – You are afraid it might happen.

CHAN ROGERS – I can tell you that I tried to get subdivision control laws more favorable to planning boards many years ago.

ANDY RODENHISER – We want to flush this out.

Susy Affleck-Childs – Let me recap. On May 12, 2003 at the Annual Town Meeting, the DRC was established.

NOTE – Susy distributed copies of the town bylaw that was approved.

CHAN ROGERS – The PB cannot abdicate its decision making to any other board. I agree that you should try to push them. You cannot go beyond the Mass Highway standards

RACHEL WALSH – We can suggest.

DAN HOOPER – You as a PB member can agree or disagree with the DRC's recommendation. You are authorized to not use that recommendation solely to base your decision on.

CHAN ROGERS – I would like to add that I don't want this attitude I have on this one issue to predominate our discussion. The standard of the law is what the courts have ruled over the years.

ANDY RODENHISER – What Chan is referring to is when an applicant comes before us without needing any waivers. But when they need a waiver, we can bring aesthetics into the picture. With the town bylaw, we are building a defensible decision when we want to push.

BOB TUCKER – It is not a far reach to take aesthetics and turn it into engineering practices.

CHAN ROGERS – I am not going to raise this at public hearings but only in open discussion. I applaud you for getting away with it today.

ANDY RODENHISER – I feel that the service of the DRC provides is establishing what the look, feel and scale of Medway will be. These are all the design elements that are going to be the future of Medway. We are trying to retain the rural character.

KARYL SPILLER-WALSH – We need to be careful about overplaying rural character. We may need to village character.

ANDY RODENHISER – The DRC plays an important role in this.

CHAN ROGERS – Medway is changing from a rural town to a semi-suburban community amongst a lot of horse farms and cow farms, living together harmoniously.

KATIE TORTORELLO – I think it would be helpful to have a little bit more history when a project comes before us. Where does the project stand and what do you want us to do?

KARYL SPILLER-WALSH – We need to do a site visit early on to analyze existing conditions.

ANDY RODENHISER – Think of what went wrong with the Pine Ridge project as we worked on that decision recently.

KARYL SPILLER-WALSH – That was a very specific situation. We agreed to take it to a certain level. They presented a very rote village façade. Some things were indigenous to the site. It was hidden way in the back with tons and tons of landscape buffers that we were part of designing. Because it was so hidden and they talked about the market issues that would change and whether a unit had a porch or deck, or whatever. It seemed logical we didn't need more information. It wasn't relevant. Also, we had other mitigating elements. John Claffey was going to own Candlewood Drive. If it is an OSRD project, it needs to have a village feel. They had agreed to provide end views. They had pushed to get the special permit and then work out the architectural details at the definitive plan stage.

Susy Affleck-Childs - I challenge all of us involved in writing decisions to be as clear and descriptive as possible. We need to be very specific about what we want. In the case of Pine Ridge, there were differences of opinion on what façade meant. Front only or all 4 sides?

KARYL SPILLER-WALSH – What level does the PB want to see? What level is good enough before the PB hands out a special permit?

DAN HOOPER – For example – entryway signage, landscaping for River Bend. Give us some direction of what you want us to look at.

KARYL SPILLER-WALSH – The DRC has to be involved early on in these larger projects. There is a litany of stuff to look at. We need a list of stuff to address that we haven't even thought of yet. What can be seen from the street? Curb appeal? There are signature elements that the DRC should be looking at especially on the entry pieces that impact the whole community.

Susy Affleck-Childs – Would a checklist be helpful?

DAN HOOPER – Sometimes they (an applicant) come in and ask us to look at this or that.

ANDY RODENHISER – We are going to give you more direction from here on forward. What are the challenges you have with working with applicants?

KARYL SPILLER-WALSH – The DRC needs to understand what it wants for that specific site. The DRC has a goal and then don't get milk toasted about. Where do we want to go and stick to our guns!

ANDY RODENHISER – I think we look to the DRC to give us a recommendation. That should be happening at the DRC level, not at the PB. We wait for your letter.

GWEN HENDRY – We want to trust the PB has done the homework that all of the other safety issues, road works, etc. are going to be taken care of.

ANDY RODENHISER – The aesthetics of what things look like we want to turn over to you.

BOB TUCKER – But then your recommendation should include what has been agreed to or what the DRC believes should be done but which hasn't been agreed to by the applicant.

ANDY RODENHISER – My point is to have a priority one, priority two approach. Have some level of escalation. What is imperative? What is recommended?

ANDY RODENHISER – We have to give these guys a lot more specificity on what to look at.

CHAN ROGERS – At the last meeting, Paul Yorkis accused us of leading him down the garden path and then changing things at the last minute.

KARYL SPILLER-WALSH - We need to play our levers.

BOB TUCKER – The important thing there is that we had it in previous minutes, where he committed in previous documents that he would do.

Susy Affleck-Childs - We need the DRC's written recommendations to be more agreed to by the various board members.



ANDY RODENHISER – We need to know how you feel about relevant priorities.

BOB TUCKER – Has the DRC letter of recommendation been in our packets?

KATIE TORTORELLO – I think with River Bend, there have been as many as five.

BOB TUCKER – Why are there that many?

KATIE TORTORELLO – This is where some more direction from the PB would be helpful.

KARYL SPILLER-WALSH – What is before us is what gets reviewed. The large building at River Bend. . We may have had at least 8 meetings on that . . . maybe 5 on other things.

GWEN HENDRY – Each time we refer to the drawing and the date.

CHAN ROGERS – I find your work extremely valuable. I entered this profession as a big road builder. I got the only example of traffic calming in Boston to be constructed. I just came on very hard. I have been in the hospital. I am leaving town for a several days. I need to go.

ANDY RODENHISER – Do you have any goals for the DRC that you want to ask them to work on going forward?

CHAN ROGERS – No. I haven't thought that much about it. There aren't enough good people like you. Thank you for what you do.

ANDY RODENHISER – What about DRC membership composition and leadership?

GWEN HENDRY – We are down. Deirdre (Murphy-Sullivan) has resigned.

Susy Affleck-Childs – We really need to have an architect on the DRC.

Leo McDermott, 71 Lovering Street – I recently moved here from Dorchester and am just trying to learn about the town.

DAN HOOPER – Any experience relative to design issues?

Leo McDermott – I work in the marine industry work on tug boats. What I have seen is different is that city neighborhoods become their own town broken up by parishes and we discussed everything that was going on.

KARYL SPILLER-WALSH – People are notified of projects if they are an abutter.

Leo McDermott – I am trying to get a feel for what is going on in the community as a whole.

ANDY RODENHISER – Do we have architects in town that we could get involved?

KARYL SPILLER-WALSH – Paul Crisafauli won't do it.

GWEN HENDRY – I know there are other architects in town.

ANDY RODENHISER – I will talk to Paul Crisafauli.

KATIE TORTORELLO – I am going to be done in June. I think it would be great if somebody else took on some leadership. We have missed Gary's presence and leadership. We need some consistency.

ANDY RODENHISER – Things have prospered under your tutelage.

DAN HOOPER – The recent meetings have been very efficient. We seem to be getting to the point.

GWEN HENDRY – We do have a lot of sidebars with Gary.

DAN HOOPER – We have to coddle the applicants a little bit. The more they are in front of us, the better.

KATIE TORTORELLO – I would like to see more communication. I feel like we need to talk between meetings. I wish Gary would send group emails. Heads up guys, we are going to do this at the next meeting. I would love it if he would do that.

GWEN HENDRY - It would be handy if when we get the agenda we are told what more info should we get.

KATIE TORTORELLO – We need more specifics on when the PB needs a Letter of recommendations.

DAN HOOPER – The leadership question is one the DRC will have to discuss. We need to discuss how we want to approach this. I just know what I have experienced on both sides; it seems to be pretty well done.

ANDY RODENHISER – So we know that you guys need 2 members, and one of which should be an architect. I would like to get off the DRC as the Medway Business Council representative.

KATIE TORTORELLO – I can't wait until Stacey comes back. She has the experience from Bellingham.

ANDY RODENHISER – So what goals does PB have the DRC? I feel they need to be common and shared.

BOB TUCKER – In their letter of recommendation, does the applicant agree and how strongly do you feel about a recommendation. I like numbers.

GWEN HENDRY – We tend to work by consensus. Taking hard votes is different for us.

ANDY RODENHISER – One of my goals is to have the PB be more planning focused and proactive. When we talk about zoning changes, I would like to be able to say that we have worked with the DRC and they have come up with the buffer zone options so we can then apply the standard to the zoning change that might be before us. So can you provide us with some ideas on buffers?

KARYL SPILLER-WALSH – I think what you are looking for is a rote solution. That is very dangerous to do. It doesn't take into consideration the particulars of the site.

BOB TUCKER – How about instead if you were to define or recommend mitigation methods – lighting, noise, dust protection, etc.

KARYL SPILLER-WALSH – Andy is looking for a standard to make things simple.

ANDY RODENHISER – I am looking for guidance to help us build a zoning district for areas where industrial meets residential or commercial meets residential such as Walgreens and Restaurant 45

KARYL SPILLER-WALSH – You are not going to have a guideline that is specific.

GWEN HENDRY – The Adaptive Use Overlay District has a good buffer requirement between the commercial district and the historic district.

BOB TUCKER – We need to deal with such issues as manufacturing noises.

ANDY RODENHISER – And dust.

KARYL SPILLER-WALSH – I find it hard to put it in categories.

ANDY RODENHISER – Let me explain myself. Let's look at a particular zoning district. Let's make one up. What is acceptable to go on in that zone and what is not if it abuts up against a residential zone. These are the appropriate buffers that are needed.

KARYL SPILLER-WALSH – I say that because of a lot of elements, topography, trees, vistas, a lot of details might vary the need for different buffers within that one zone on each side of that development.

ANDY RODENHISER – Then why not write the recommendation that allows for the 4 step design process to choose the type of buffer? But we need to have language that comes from you to consider scale, etc.

GWEN HENDRY – We have been writing the design guidelines for residential. We haven't got to commercial areas which is what we have to do next.

ANDY RODENHISER – This is important to me personally. I want to try to increase the commercial tax base of the town but I don't want to hurt the town. Let's do it appropriately and safely and smartly. That is my personal objective. To do it properly means it needs to take into consideration the design elements.

KATIE TORTORELLO – If there is an industrial district you want to create, we could look at it and come up with ideas.

BOB TUCKER – What types of things would be acceptable? We need to provide guidance to those who might develop.

BOB TUCKER – We have the Rosenfeld site? How do you mitigate that?

KARYL SPILLER-WALSH – We added some trees and a stockade fence. Would we have done that if we were starting from scratch? With the site we were looking at to convert to industrial, on the Green Valley side, there are a lot of wetlands so you don't need any more buffer area. You couldn't build for probably 50 feet behind there.

ANDY RODENHISER – If it is not necessary, then it is not necessary. What about if there are parking areas within 30 feet of the zone line, what do you want?

BOB TUCKER – We have to give them something to work with.

ANDY RODENHISER – Land gets used to the highest and best value regardless. We all want better things for the town. That is an appropriate area for industrial development but we need to protect the surrounding areas in the community.

KATIE TORTORELLO – At one point, didn't we have a piece of paper to think about when they first came? What if we did that for an industrial zone?

BOB TUCKER – They still need to be given some guidance.

GWEN HENDRY – There is an example from Rhode Island design guidebook.

DAN HOOPER – If what drives your question about getting a recommendation from the DRC is rezoning the industrial park down there, you don't have to appease all. Often what happens in Medway is that the first go around on something fails - the sign bylaw, ARCPUDS s, etc. - because the neighbors have to get up and spew up and bitch and moan. We do listen to that feedback and then we go to the next meeting with a better proposal.

DAN HOOPER – I literally know 3 abutters to that area very well. It is a NIMBY situation. The proposal is exactly what the town needs. It really doesn't affect residential owners at all, other than the perception that 150 feet beyond my property line is industrially used land.

KARYL SPILLER-WALSH – It is a comfort zone. All they have to look at is what they see in Ellen Rosenfeld's industrial park.

ANDY RODENHISER - Have I given you a clear direction as to what I am looking for. We could give you a specific area to evaluate. For example changing the residential zoning on Summer Street from Route 109 south to Main Street to some sort of commercial

BOB TUCKER – We have to show due diligence to address the issues you are going to force out.

Susy Affleck-Childs – Use the zoning bylaw to establish the minimum standards and use site plan rules and regs for the more flexibility.

GWEN HENDRY – Can't we as an exercise, take this little plot of land and discuss it as a DRC and see what we come up with?

DAN HOOPER – What kinds of aesthetic elements can be included in a zone?

NOTE - John Schroeder arrives 9:20 pm after attending a meeting of the Community Preservation Committee.

NOTE – Gwen Hendry leaves at 9:35 p.m.

ANDY RODENHISER – Another area of interest would have to involve Bellingham. You know where the Bellingham Cumberland Farms is? Across the street from there behind Mobil Excavating there is 3 acres in Bellingham. I heard that Bellingham had tried to make it commercial. There is probably about

15-20 acres in Medway that about Mobil Excavating. We need to work with Bellingham to get access through there to get to the Medway land. There is Hopping Brook back there. There are power lines that go through there. It is a good area for development to increase our commercial tax base.

KATIE TORTORELLO – Maybe we could look at that place too!

ANDY RODENHISER – In terms of the Design Guidelines, where do things stand?

DAN HOOPER – Early this summer, I said I would take it from where it was to where it needs to go. The first draft was written with the subdivision frame of mind but that isn't what we really focus on. It needs to have more of a commercial focus.

ANDY RODENHISER – What kind of time frame?

DAN HOOPER – How about the second week of January to get something to the PB on the design guidelines? That would give me the time to complete it and the DRC to review it.

ANDY RODENHISER – Rachel, can you explain the project you are working on?

RACHEL WALSH – WE want to have an image archive. This started with getting images of historical buildings in Medway. But what we really need are images of successful commercial developments that have the right kind of aesthetic and feel, like pictures of good gas stations.

ANDY RODENHISER – Things that are aesthetically pleasing.

RACHEL WALSH – It could be linked up to the DRC web page. Sort of successful examples.

ANDY RODENHISER – Is there a time line established?

RACHEL WALSH – It began with the residential but for the DRC specifically, we really need to show people what we are looking for in Medway.

ANDY RODENHISER – It would be a communication tool.

RACHEL WALSH – I think of it as an image bank.

ANDY RODENHISER – Is it possible you can put together a project document that explains what you need and a timeline so we would know what needs to get done?

RACHEL WALSH – Yes. We started out just saying if anybody sees anything they like to take a picture.

ANDY RODENHISER – What about the awards program? Do you want to do this annually?

KATIE TORTORELLO – I think it should be deserved, not automatic.

JOHN SCHROEDER – I would vote for The Maids project at 149 Main Street. They are doing a wonderful job.

ANDY RODENHISER – Any other issues to discuss?

KATIE TORTORELLO – I think we need better direction and guidance.

ANDY RODENHISER – Will you let us know if you are not getting that in the future

RACHEL WALSH – We should do this every 6 months or so.

KARYL SPILLER-WALSH – Let's bring the DRC into site walks early on.

The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Susy Affleck-Childs  
Planning Board Assistant

Draft – October 17, 2006  
Approved – November 2, 2006

## ***Minutes of Medway Planning Board Meeting October 10, 2006***

PRESENT: John Schroeder, Bob Tucker, Andy Rodenhiser, Karyl Spiller-Walsh, and Chan Rogers

ALSO PRESENT: Susy Affleck-Childs, Planning Board Assistant; Paul Carter, VHB, Inc., and Gino Carlucci, PGC Associates

The meeting was called to order at 7:05 pm in Sanford Hall at Medway Town Hall.

***CITIZEN COMMENTS*** – None

### ***Discussion re: Revisions to Planning Board Fees and Bond Schedule***

The Board reviewed the 9/7/06 draft schedule. *First section – Subdivision Fees.*

ANDY RODENHISER – We are trying to generate revenues to offset the cost of running the Planning Board. Have you had a chance to review these fees?

KARYL SPILLER-WALSH – Should we be charging for informal discussions? We want to encourage that. We have had nothing but good experiences from people who want to flush out issues beforehand. A lot of them are for very small projects.

BOB TUCKER – How about one informal meeting and then we charge after that?

CHAN ROGERS – I feel a pre-application meeting should be free. Why should we charge for that? I don't think we should operate that anybody coming before us should have to pay.

ANDY RODENHISER – The 15 or 20 minutes they may spend with us may be the tip of the iceberg in terms of how we have to deal with them. I feel the user of the service should be the one who pays.

KARYL SPILLER-WALSH – I agree, but this is an informal discussion.

CHAN ROGERS – Something may come out of this and they will sure pay then.

ANDY RODENHISER – Is a developer not going to pitch a subdivision to us for the sake of \$250?

KARYL SPILLER-WALSH – It is not the amount of money. It is the fact that we are making it formal by charging for our time. It loses the informality of the session. I think we want to encourage this and to offer an informal dialogue.

ANDY RODENHISER – I believe it is OK to have an informal dialogue. You are not filling out an application and starting the clock toward a decision. We can have an informal discussion but still be responsible to the citizens of the town to collect the monies necessary to sustain the services that the consultants are providing.

KARYL SPILLER-WALSH – Gino, do other towns charge for an informal discussion?

Gino Carlucci – Not that I am aware of.

CHAN ROGERS – We shouldn't be charging for this.

BOB TUCKER – Give them the first meeting free.

ANDY RODENHISER – Gino, are you aware of anything that is wrong or illegal if we were to charge for an informal discussion?

Gino Carlucci – No. It is not an issue in other towns and it is encouraged. People find that it saves time.

Susy Affleck-Childs – What is happening though is that people come in for several informal discussions with the Planning Board and then skip the preliminary plan step completely.

Motion to delete pre-application subdivision pre-application meeting subdivision fee - \$250

ANDY RODENHISER – We should codify this in our Rules and Regulations. The policy would be that the PB will be available for one informal meeting and then the developer has to go to the preliminary subdivision plan stage and pay a fee there.

KARYL SPILLER-WALSH - Does anybody think this is too high?

Susy Affleck-Childs – Those fees are the most demanding as that is where most of the effort goes and subdivisions can go on for years.

### ***Site Plan Fees***

KARYL SPILLER-WALSH – I think they all worked out well.

BOB TUCKER – I like the idea of specifying how many public hearing sessions are to be included for the filing fee.



A motion was made by Bob Tucker, seconded by Karyl Spiller-Walsh that if the number of public hearing sessions goes beyond the number of meetings stated in the Fee Schedule, then the applicant would be charged the base fee again. The motion passed by a 4-1 vote with Rodenhiser voting against.

KARYL SPILLER-WALSH – Let's take Restaurant 45. How many meetings did they actually come before us with? I thought that was a pretty tightly presented project. For that scale of project, are we allowing enough meetings?

JOHN SCHRODER – Once we say 6 meetings, they will work to that.

A motion was made by Chan Rogers to implement what we have here (in this proposed fee schedule). The motion failed due to the lack of anyone to second the motion.

CHAN ROGERS – I just think we ought to adopt this and live with it and see how it works.

Gino Carlucci – I have a question? What about when a hearing is continued to a certain date but then it doesn't occur on that date for whatever reason? Does that count?

ANDY RODENHISER – I would say no.

Susy Affleck-Childs – The meeting number applies to substantive discussions.

7:40 pm

### ***PUBLIC Hearing – Proposed Amendments to the Medway Zoning Bylaw***

Susy Affleck-Childs – We have submitted language (Article 26) to amend the OSRD section of the bylaw to give the PB two more criteria on which to base your decision on an OSRD special Permit.

KARYL SPILLER-WALSH – I feel the whole permit process allows you the latitude to decide the appropriateness of the site and the project's relationship to the site, and I feel mitigation is part of the process.

ANDY RODENHISER – These would be additions to the bylaw that would be questions we would have to answer to make a positive decision.

KARYL SPILLER-WALSH – But you aren't stating what the criteria actually are.

CHAN ROGERS – This is simply whether the developer will do something to mitigate the project. It is giving you something else to judge the whole process on.

Susy Affleck-Childs – This gives you the footing to negotiate mitigation measures.

ANDY RODENHISER - You couldn't put into the bylaw every possible scenario. This gives you some subjective view on what it is you are looking at.

KARYL SPILLER-WALSH – Have we gone far enough with the grey and fuzzy? I think this language might be limiting. This does not have the right nose for bylaw language.

ANDY RODENHISER - Consider whether this is an improvement or is it better to not make any changes?

KARYL SPILLER-WALSH – Gino, what do you think about these?

Gino Carlucci – I think you make a good point. What does compatible mean? Using the Pine Ridge example, would that be considered compatible? That is a subjective judgment.

ANDY RODENHISER – Your individual opinion is in judging this. People want your critical eye.

KARYL SPILLER-WALSH – I am not disagreeing but as written, I am not comfortable.

ANDY RODENHISER - What is your suggestion for modifying this?

KARYL SPILLER-WALSH – It needs to be clearer.

JOHN SCHROEDER – We need this to prevent a 4 story apartment building from going into a neighborhood.

Gino Carlucci – That wouldn't be allowed anyways. The maximum allowed under the OSRD bylaw is a 5 unit townhouse structure.

KARYL SPILLER-WALSH – Also, how can we presume to know what is going to happen for future development in the area? We are making vast leaps here.

BOB TUCKER – The master plan gives the guidance as to what type of development is expected in the area.

CHAN ROGERS – I think this is a thought process that you would go thru anyways. But I understood that the Planning Board wanted to have these additional criteria.

ANDY RODENHISER – If you don't have it there, you can't use it as a criterion for denial.

KARYL SPILLER-WALSH – What does “compatible” really mean?

ANDY RODENHISER – Karyl, do you want to make a motion?

ANDY RODENHISER – Let's switch over to the groundwater protection articles (#24 and 25). Mark Flaherty of the Water/Sewer department is here.

Mark Flaherty – Two years ago, Medway adopted the state's model bylaw. Bob Speroni is very though. Based on the verbiage, Bob felt industrial or commercial development was not permitted in the groundwater protection district, only residential development. For example, if Medway Commons had come in after this had been passed, it would have not been allowed.

Susy Affleck-Childs – The proposed text replaces “residential development” with “new construction.”

KARYL SPILLER-WALSH – This change makes total sense.

Susy Affleck-Childs – We have an email note from Bill Wright of the IDC. The IDC recommends approval of both articles.

JOHN SCHROEDER – The IDC also recommends that the special permit granting authority be changed to the Planning Board from the ZBA so that the special permit process can be coordinated with the site plan process.

ANDY RODENHISER – So they are looking to streamline the permitting process.

Susy Affleck-Childs - That change in who is the special permit granting authority is more than we can do right now. It is too big a change to do from the floor of town meeting. It is a substantive change in the process without having given adequate notice through a public hearing and warrant language. It would have to hold until another town meeting to do so.

ANDY RODENHISER – Let’s plan do that at the annual town meeting (2007).

Mark Flaherty – Any changes in the bylaw have to go the Attorney General’s office. It may or may not have to go back to DEP.

ANDY RODENHISER – Let’s work with IDC on this and then make the suggestion to the Water Board and you guys can make the pitch to them.

Mark Flaherty – It won’t be a problem for DEP to change to the Planning Board but they still need to look it over.

A motion was made by Bob Tucker, seconded by Chan Rogers to recommend town meeting approval of Article 24. The motion passed unanimously.

ANDY RODENHISER – Let’s move to Article 25 to add two new areas to the groundwater protection district?

JOHN SCHROEDER – Who chose these locations?

Mark Flaherty – This is determined by the DEP. They look at how does the ground recharge the water and then the state certifies it. You can’t change the zone. It is based on mathematical demonstration & calculations.

ANDY RODENHISER – The two areas are on the east side of town north of the industrial park where the new well is to be built. The other is on the west side of town and includes land in Medway that is the discharge area for the Bellingham well.

A motion was made by John Schroeder, seconded by Chan Rogers to recommend Town Meeting approval of Article 25. The motion passed unanimously.

ANDY RODENHISER – Let's move back to the OSRD discussion. Karyl, any ideas?

KARYL SPILLER-WALSH – I recommend that we have the text looked at by a land use attorney to see if these criteria are appropriate language. I don't think this gives us anything as it stands. I think it is nothing. This doesn't do it for me.

CHAN ROGERS – Who detected that the bylaw was defective?

ANDY RODENHISER – It seemed to come up when we were reviewing Pine Ridge. There are no criteria regarding impact on surrounding neighborhoods and nothing regarding mitigation.

CHAN ROGERS – This says what anybody would be doing to review an OSRD anyway. It is common sense.

A motion was made by Chan Rogers to recommend approval of Article 26 s written. The motion failed for a lack of a second.

BOB TUCKER – I think we need to do our homework if we are trying to capture certain attributes within the bylaw.

CHAN ROGERS – I personally feel that anybody considering an OSRD would consider the effect on surrounding and adjacent properties without a second thought.

ANDY RODENHISER – I would hope so, but we need the criteria.

KARYL SPILLER-WALSH – I think there are terms in here that need to be clarified.

Gino Carlucci – If you want me to look at it, I can and propose some alternative language

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to withdraw this article from consideration by the 10-23-06 Special Town Meeting. The motion passed unanimously.

Susy Affleck-Childs – I have to say that you had this language 5-6 weeks ago and agreed to go ahead with it. If there were problems, we should have had this discussion then.

### ***Rolling Hills Definitive Subdivision Plan - Certificate of Action***

The board reviewed the 10-5-06 draft Certificate of Action with findings, waiver requests, mitigation and conditions.

A motion was made by John Schroeder and seconded by Chan Rogers to approve the waiver findings as stated. The motion was approved unanimously.

A motion was made by Karyl Spiller-Walsh and seconded by Chan Rogers to grant the applicant's request for waivers from sections 7.9.7 g), 5.7.28, 7.21 and 6.8.3 of the Subdivision Rules and Regulations. The motion passed unanimously.

A motion was made by Chan Rogers and seconded by Bob Tucker to approve the Mitigation Plan as included in the 10-5-06 draft Certificate of Action. The motion passed unanimously.

A motion was made by Bob Tucker and seconded by Chan Rogers to approve the Project Evaluation Findings as included in the 10-5-06 draft Certificate of Action. The motion passed unanimously.

A motion was made by Chan Rogers and seconded by Karyl Spiller-Walsh to approve the Rolling Hills Private Way Definitive Subdivision prepared by Colonial Engineering Inc. dated November 4, 2005, last revised July 17, 2006 subject to the approved waivers and conditions as included in the 10-5-06 draft certificate of Action. The motion passed unanimously.  
Plan

The Planning Board signed the Certificate of Approval.

NOTE – The board took a short break at 8:25 pm.

***Public Hearing Continuation – River Bend Village ARCPUD and Definitive Subdivision Plan.***

ANDY RODENHISER – Associate member Eric Alexander could not attend tonight due to an out of town work commitment. So, this hearing has to be rescheduled. We have a request from attorney Richard Cornetta to do so and to also extend the Planning Board's action deadline on the definitive subdivision plan to November 30, 2006. So we need to figure out what date to continue this to.

Susy Affleck-Childs – I would suggest we roll over River Bend to the next PB meeting on October 24<sup>th</sup>.

ANDY RODENHISER – I find I now have an out of town business commitment that night and cannot attend.

Susy Affleck-Childs – That means we cannot meet that night because Andy needs to be at every public hearing to be able to vote.

NOTE – After discussion of member availability on various dates, the Planning Board decided to hold a special meeting on Thursday, November 2, 2006 at a location to be determined. Susy will check with Eric Alexander on his availability that night.

A motion was made by Bob Tucker, seconded by John Schroeder to extend the action deadline to November 30, 2006 and to continue the public hearing to Thursday, November 2 at 7:15 pm. The motion passed unanimously.

Susy Affleck-Childs – The other public hearings scheduled for October 24<sup>th</sup> need to be rescheduled. Let's do Daniels Village at 8:15 pm and Marian at 9:15 pm.

***Public Hearing Continuation – Daniels Village ARCPUD Special Permit***

8:35 p.m.

Rob Truax – GLM Engineering  
Kenny Labarr – Barberry Homes

Rob Truax – We are planning to discuss the drainage proposal for the project tonight. We have received comments from VHB and DPS. But before I do that, I have some concerns. Under the ARCPUD regulations, the design standards fall under the site plan regs and the construction standards are from subdivision regs. I just need to know when I ask for waivers what I need to use.

Paul Carter – One of the comments Gino Carlucci had was how you are going to meet the requirement for 2 types of housing.

Gino Carlucci – You have to ask for them one way or the other.

CHAN ROGERS – What do you want waived?

ANDY RODENHISER – Just request what you want to ask for.

Rob Truax – Construction standards vs. design standards?

Paul Carter – There is only one section in the subdivision regs that we have commented on.

Gino Carlucci – The term design in the context of the ARCPUD rules and regs is not related to roads but design under the site plan standards. Then certainly the intent is that the whole section 7 of the subdivision rules and regs be applied for construction.

Rob Truax – You need to look at this as a board and give us guidance. Maybe there are some things that we don't need waivers on but just some guidance. But if there is a flaw or a discrepancy in definition, we need to understand that.

ANDY RODENHISER – Just follow the standard of how the waiver requests should be worded and explained.

Rob Truax – Let's go thru the drainage to some extent. At the last meeting, we went over the overall layout. I would like to go over the flow patterns a little bit. Chicken Brook runs down the back side of Taniel Bedrosian's project (Evergreen Meadow/Iarussi Way) to the west of this parcel. The land pitches off southwesterly to Chicken Brook. There is an existing ditch from Winthrop Street going west. In the drainage design, we tried to keep the discharge going to where the water already flows. We did some soil testing throughout the site. We found it was sands and gravel. Very rapid perc rates, good for infiltration. Then we looked at discharge. Our first thought was to keep it underground. We tried that and looked at it but it got very expensive. Underground units are large and costly. But we were able to put enough underground in to mitigate increases of runoff volume and put in detentions ponds to mitigate increases in runoff rate. There are catch basins throughout the site in the front portion of the site, in the common driveways and southern most roadway out to Winthrop Street. We have a detention basin with a 3:1 slope. A forebay is located on upper end. There are 2 basins with a stormceptor unit. It will discharge from basin to the wetlands to the south. At the center of the site, we have green areas in the boulevards. We will use one for underground leeching fields to infiltrate water back into

the ground - large plastic chamber and 3 stormceptor units. The third discharge point to the west of the site is at the end of roadway. We have another infiltration system in the middle boulevard. A detention basin is located off the back corner with a larger stormceptor unit. We will have no increase in flow or volume for all the storms we looked at – 2 year to 100 year. Basically, there is no increase in volume or runoff or rate of runoff off from this site. Chicken Brook is about 100 feet away. We are not proposing to put all the roof runoff into these drainage systems. We will let the roof runoff go. Your subdivision regs require separate system for foundation drains and roof drains. We let them overflow on ground.

ANDY RODENHISER – I don't think so. The rules and regs are pretty clear on that.

Paul Carter – Which section of the regs are we focusing on? Foundation drains need a separate system. You also need to figure out how you will handle the roof drains.

Rob Truax – I can look at that. If I try to do individual leeching pits for every roof, it is too dense. When you start putting things underground, it becomes too tight.

ANDY RODENHISER – Sounds like you have a density problem.

Rob Truax – This could be an underground nightmare. I would be apt to tie them into the drainage system.

ANDY RODENHISER – Let's go over VHB's review letter.

Rob Truax – I don't think we need foundation drains on this site

ANDY RODENHISER – Is that allowed?

Paul Carter – You don't have any finished floor elevations and building footprints on all those units. That will determine whether you have to do roof drains.

Rob Truax – It would be our preference to design without foundation drains. Roof drains are not needed because we are above the water table. It is just extra piping. We will go back and do a double check. If we see an issue, we will deal with it.

CHAN ROGERS – You mentioned a basin. Would you go back and describe the detention basins again? What do they consist of ?

Rob Truax – There will be a large hole in the ground that will recharge water into the ground.

CHAN ROGERS – What is the surface?

Rob Truax – Grass.

CHAN ROGERS – How high are the berms to retain water?

Rob Truax – The back one is 5 feet. The ones in the boulevard green areas are underground systems.

ANDY RODENHISER – Use a manhole to act as a distributor?

Rob Truax – Yes. We will need to put on some plastic cleanouts. DPS is looking for 100 feet. I think that is excessive.

Susy Affleck-Childs – I want it to be clear that the road will be permanent private way and the condo association will have full responsibility for the road and the stormwater system.

ANDY RODENHISER – Any other comments from board members?

KARYL SPILLER-WALSH – I don't have comments on the drainage system as described. But we last time they were here we had a very lengthy conversation with the applicant on density. We suggested breaking through the outside road and increase open space by reducing the number of units. Some of the questions were on the triplexes near Winthrop Street. We are discussing water and infiltration but we haven't decided some of the basic site elements. I feel that some of the site elements are being ignored. We should go back to why we are doing this. Go back to the site elements. Possibly some of the elements could be incorporated into the design.

ANDY RODENHISER – We set up a schedule for the hearing process. We were to go through each one of these things (drainage, traffic, open space, design). Then they would integrate all the ideas and make a substantive revision.

Rob Truax – We were going to suggest something tonight when the hearing ended but I will bring it up now. We have an issue with what we are supposed to revise also. I think we need a meeting to discuss everything as a whole and to have you really give us some direction. Some type of workshop. Let's sit down and say OK we have gone through all this stuff. This is what we want you to do.

KARYL SPILLER-WALSH – The water design as described seems to function fine.

ANDY RODENHISER – Let me ask the Board this. Would you find it helpful to have an interim meeting to reflect on the changes we have already asked for at the first session? Personally as I look at this plan, it doesn't look like there is room to fit anything in when you look at water and drainage.

KARYL SPILLER-WALSH – If we had our druthers at this point, it would be terrific to put as much density on that other piece of land to the north of the site which is ugly and to take care of the beautiful topography on the southern portion. Is there a way in the existing site plan to incorporate some of the existing site features into the design? Something that is creative or can replicate the features in some way?

Rob Truax – We have talked among ourselves. At some point, we are going to have to decide what to revise. We know we need to look at density. At what point do we do that? I think we are going to have to do something in the interim to address the overall design and not wait for all the other public hearings.

BOB TUCKER - We still need to stay with the plan we have laid out, but you are right, we need to address the overall site design.



JOHN SCHROEDER –The changes that were suggested at the last meeting, could they have be incorporated?

KARYL SPILLER-WALSH – The detention pond on Winthrop Street needs to be fully addressed.

Rob Truax – We are getting a landscaper on board now, but I am hesitant to have them get to work on this till we have a better feel for the overall site plan.

BOB TUCKER - I do want to see changes along the way.

Rob Truax – Right now the biggest issues are density and layout. I would like to get to that point before we get into heavy changes per the engineering.

Paul Carter – Part of that is the grading. There is very little grading shown. You are showing it to be flat but it can't be flat to drain.

BOB TUCKER – The next time you come, we need to see some changes to the site design.

Rob Truax – I agree, we need to get to some agreement on the conceptual layout.

BOB TUCKER – As we go along, we are looking more at concept. As you fine tune and tweak, the revisions need to take place on an evolving basis.

ANDY RODENHISER – I think we appreciate the dynamic and the cooperation.

Rob Truax – We need to come to some understanding on the overall layout. We don't want to beat a bad drum.

Paul Carter – There is the subdivision issue and how you are going to meet the two types of uses.

KARYL SPILLER-WALSH - I want to see a signature entry way!!

Paul Carter – Gino, does this have a cul de sac length issue?

Rob Truax - We know one of the roads needs to be moved northerly.

Rob Truax – There is only one tree to be removed that will need a scenic road public hearing.

Rob Truax –We will move the road northerly and we will look at the interior roadway layout.

Paul Carter – So you want to line up the entrance to Clover Lane (on the other side of Winthrop Street)?

Rob Truax – Yes, I think we are better off to do that.

CHAN ROGERS – I think it is a waste of time to talk about these things from different disciplines.

ANDY RODENHISER – Do you feel you have enough of a consensus now?

Rob Truax – We will push the road over and get rid of the 4 way intersection.

Kenny Labarr – How about when we do the traffic session, we get some tissue paper and brainstorm ideas?

ANDY RODENHISER – That all being said, the general concept of the density we are fearful of. The intensity that is on there from a visual perspective of how this is going to look is difficult.

JOHN SCHROEDER – Personally, I think the nature of this type of development is more density. I think with Karyl's input, it could be incorporated.

ANDY RODENHISER – Maybe there is some room for pulling some units.

Susy Affleck-Childs – You are really going to have to resolve the two types of residential units.

Gino Carlucci – Look at ARCPUD coordinated units in the bylaw. Those have some sort of management services that go along. Not just total independent living, but a bit higher level of support services.

KARYL SPILLER-WALSH – We did a site walk with you last year. We saw a herd of deer went running through with a coyote chasing behind and a flock of turkeys. It was paradise. The most beautiful part of the land is going to be annihilated.

Joanne Davenport, 3 Clover Lane – You need to keep some of what Karyl was talking about.

ANDY RODENHISER – We had tried to lay out an overall schedule but it seems that some preliminary work is needed to get some consensus on the overall direction.

Citizen ?? – You mentioned the entryway to the development. Will there e a traffic light?

Rob Truax – No, it would never qualify for a light.

Paul Carter – I do have some issues on the circulation. Are the common driveways 2 or 1 way?

ANDY RODENHISER – You also need to figure out snow removal and storage.

KARYL SPILLER-WALSH – When are going to go to the DRC? We have been given a list of items for you to discuss with the DRC. The list includes an open space area/playground for grandchildren. That is not the DRC's role to discuss that. That would be a Planning Board matter.

The public hearing was continued to Thursday, Nov 2 at 8:15 pm. Location to be determined.

### ***Country View Estates - Bond Reduction and Estimate for Legal Services***

Greg Whelan, developer  
Paul Yorkis

ANDY RODENHISER – So you are looking to have the bond reduction and use the money to do the work on the detention pond at 37 Broad Acres Farm Road.

Greg Whelan – Yes. I would like you to reduce bond so I know that the money is there to do the work.

ANDY RODENHISER – Is there a schedule of completion?

Greg Whelan – I don't believe we can start this fall because CONCOM wants me to get a new DEP number. Spring realistically.

ANDY RODENHISER – We had meeting a year ago with you and there was a deadline set. I am concerned there is not a plan in place to finish what has been promised.

Greg Whelan – That is not really true. I think Mr. Denn could explain

Ed Denn, attorney for Mark & Irene Streifer, 37 Broad Acres Farm Road - There is a settlement agreement that we have entered into. We have stayed the litigation. As far as a schedule, it is dependent on attaining the approvals and weather.

ANDY RODENHISER - The settlement is contingent on what?

Ed Denn – The settlement is just on the detention basin, to address the Streifers concerns. We understand that the plans have to be approved. As far as a reduction in bond monies, we are concerned. Perhaps the bond money should be kept there until the work is completed.

Paul Yorkis – What are we talking about if the town were to undertake doing this work?

Greg Whelan – At this point, almost 90% of the road is complete.

ANDY RODENHISER – What is the holdout?

Greg Whelan – The lawsuit. We submitted an as-built 2 years ago. I think at that time, Mark Louro (VHB) came up with a list of things that needed to be done that was not realistic. So it needs to be looked at again. I have to complete the basin so we can get that portion of the as-built completed. Then we have to get in front of town meeting. That is usually in the spring. I really thought that we would have everything completed by now.

BOB TUCKER – If the work is completed, I am going to have one view. If it is not, that is another matter.

Paul Carter – We haven't done a recent inspection on the first 2 phases of Broad Acres Farm Road.

BOB TUCKER – I want to know what is still open for what we are being asked to reduce?

ANDY RODENHISER – Who from VHB has been out to check on the work?

Greg Whelan – All the work listed on the July 11<sup>th</sup> checklist from VHB, 95% of that work would have been done last year.

Paul Yorkis – The bond reduction request this evening only pertains to the Stable Way portion of Country View Estates.

Paul Carter – We have further revised the bond reduction amount to \$34,632 from our earlier recommendation that was in your packet.

ANDY RODENHISER – So we are looking at a reduction from \$155,000 to \$35,000 or so?

Greg Whelan – This is what I would like to do. I propose that you keep the \$35,000 minimum plus an additional \$50,000 that is sort of released and can be accessed quickly. That makes for a total of \$85,000 that you would retain.

Ed Denn - We are comfortable with that.

JOHN SCHROEDER – What if we held \$35,000 in addition to the \$34,000 plus that VHB has estimated to complete the work?

Paul Yorkis – When Paul Carter approves the detention pond work, the board would agree to release the \$50,000.

Greg Whelan – I don't want to do this for another winter. I want to get this road accepted by the Town. There is still a lot of money sitting there. I am not dragging my feet on purpose. The weather is going to beat us this fall. As soon as I can do it in the spring, we will get it done hopefully get on for acceptance at a fall 2007 town meeting.

Paul Carter – I haven't looked at the as built plans.

BOB TUCKER – So \$155,466 minus \$85,000 = a \$70,466 reduction. We would still be holding more than what Paul Carter is estimating to be needed to complete the work. We would be holding \$50,000 more than the minimum.

ANDY RODENHISER – I can't impress upon you how important it is to finish this thing, to protect your reputation and protect ours. Our obligation is to the citizens of Medway. People are going to complain that we are letting you off the hook. We would like you to put together a schedule for completion and an updated punch list.

A motion was made by Bob Tucker, seconded by Karyl Spiller-Walsh to reduce the bond for phase III of Country View Estates (the Stable Way portion) by \$70,466. The motion passed unanimously.

Greg Whelan – When the work is done I will then come back with another bond reduction request. I would love to have this done by June 1<sup>st</sup>.

ANDY RODENHISER – Prepare a time schedule.

Greg Whelan – I would like to have VHB do a new punch list in the spring for phase I and II.

Greg Whelan – There is a portion of the road in Phase II that is clearly bleeding out of the bank. That area definitely needs a subdrain.

Paul Carter – Call Jack Lydon and set up a time to look at it in the field.

Paul Yorkis – I would propose that Greg and Jack Lydon meet in the field. Jack's field notes would indicate from what station numbers a subdrain would be installed. There are subdrain specs in the plans. They just physically need to be put in place.

ANDY RODENHISER – Is this an absence of something that was supposed to be done?

Greg Whelan – No. This is a new location for a subdrain.

Paul Yorkis – If that can be done, then Jack Lydon can come out and inspect it. Then in the as-built phase, the extra subdrain can be shown.

Greg Whelan – Prior to VHB doing inspections, you had PMP. It was the call of the engineer as to where the subdrains were to be located. There was a plan modification needed for something like that.

ANDY RODENHISER – For every one of these little items that is outstanding, put together a schedule for completion.

Greg Whelan - Yes, I would like to do this before the weather comes.

Paul Carter – Call Jack and set up a time and look at it. Once you make the repairs, he can inspect it and it can be added to the as-built plans.

Susy Affleck-Childs – We have received an estimate of \$3,500 from Dick Maciolek for legal services pertaining to negotiating an Operations and Maintenance Plan for the detention pond at 37 Broad Acres Farm Road.

Greg Whelan – That is an absurd amount. There has to be some fairness. I just don't see how this could take more than 4-5 hours.

ANDY RODENHISER – He is probably more familiar with this litigation than anybody else. Anybody else would probably cost more.

ANDY RODENHISER – There was a proposed operations and maintenance plan for us to review.

Greg Whelan – Dick should just look at it and say NO. I signed the agreement with a gun to my head.

Paul Yorkis – It is just an estimate.

Greg Whelan – I have no choice. I have to agree. It gets ridiculous. I will get you a check once I get the bond reduction refund. I wish I had been warned of this amount ahead of time.

## **2-4 Main Street Site Plan – Project Closeout/Bond Release**

Bob Potheau, owner

ANDY RODENHISER – How does the drainage system work?

Bob Potheau – All of the water goes into the trench drain.

Bob Potheau – The shields were put on the lights and moved into place. They were internal shield. The edge of the roadway moved in with the route 109 reconstruction. There was 16 feet that used to be our front lawn. The lights seemed very bright out on Main Street because there used to be more lawn around. Them.

Bob Potheau – We will put a bolted cover on for safety.

Bob Potheau – I would like to see Dave D'Amico's comments on the as-built plans.

Bob Potheau – So, I am looking at a resolution of the as-built plans, a CONCOM Certificate of Completion, and a letter from Rick Merrikin certifying that the site plan work conforms to the plans.

Susy Affleck-Childs – Also, Bob Speroni has signed off on this today. He did another inspection and has found everything to be satisfactory.

ANDY RODENHISER – We will wait until we get everything in hand before we release the security.

ANDY RODENHISER – Is there a phase II to the plan?

Bob Potheau – Yes. I had wanted to do something that will be good for the town. I want to get something done. I would like to suggest that I have bills to pay for the work that was done. We are waiting for a couple of certificates. The Town is holding \$60,000. Could the board reduce it somewhat? I have done \$40,000 worth of work there.

Bob Potheau – I asked my engineer to prepare the as-built plans by October 1. Rick Merrikin could not get them finished and he gave the job to Paul DeSimone. I would like to see what the problems are with the as-built plans and get the notes from Dave D'Amico.

Susy Affleck-Childs – I will ask Dave D'Amico to put together a list of comments.

NOTE – It was agreed to table this until the November 2<sup>nd</sup> meeting.

NOTE - Paul Carter departs at 10:40 pm

## **Contractor's Quarters Discussion**

Paul Yorkis – 2 meetings ago I had an opportunity to chat with you about my discussion with the Zoning Enforcement Officer, Bob Speroni. He felt that a contractor in the building trades could

not occupy space in the industrial park. The board asked to get some input from the IDC and for Susy, Gino Carlucci and I to discuss this idea further. We met and revised the language some more and that is the text we have shared with you. In addition, I have taken some photos of similar developments in Franklin on Grove Street and Union Street. I supplied these photos with Gino Carlucci so he could share them with the IDC last week at their meeting.

NOTE – Andy Rodenhiser distributed an email note from IDC Chairman Bill Wright. The IDC has some questions and voted to table its recommendation until those questions can be answered.

Gino Carlucci – I can also report on the IDC meeting. They were puzzled that the proposed use is not allowed based on the other uses in the park. On the question of servicing equipment they want to make sure it would only be the building contractors and the same for retail sales. They were concerned that the language would allow any retail sales to be located in the park. They want to know what the language really means.

ANDY RODENHISER – Are they mindful of the potential here? Are they embracing it? Would they be inclined to do so if there were better definitions?

Gino Carlucci – My impression is yes, but I don't want to misrepresent them.

JOHN SCHROEDER - There was a snafu with the Franklin industrial condos. There was a change in zoning that resulted in a parking shortage. The IDC was concerned about that.

Paul Yorkis – This is an example to me of why Medway fails to attract business and industry. This is the epitome of why this community stinks when it comes to attracting business and industry. You have an IDC that you encouraged to consider this. And what good have they done? They have challenged the building inspector/ZEO who indicated this needs to be done. That could have been resolved by a phone call from any member of the IDC before their meeting. They are questioning definitions that we went over with Mr. Speroni. Time is money and the more time it takes to do something, the more expensive it becomes.

ANDY RODENHISER – How is that relevant here?

Paul Yorkis – This is a delay. They have said they need more information. How much time does it take to get an answer on this?

CHAN ROGERS – I agree with you. That is bullXXXX.

Paul Yorkis – I asked at the meeting when we first discussed this if you could consider this now in preparation for a future town meeting. Susy, Gino and I spent time on this and asked Bob if this language would be work. He agreed it would be a permitted use. Read the definition. All the items 1 – 6 apply only to building or construction contractor or subcontractor. Bob Speroni read this document and was comfortable with this text. The IDC had the opportunity to make an easy phone call. But by delaying things, it makes it more difficult in my judgment as a property owner. We are looking for this to be considered at a late fall town meeting. This board, rightfully so, instructed me to work with others. To me, in one of my past lives, I learned that IDCs should be proactive to expand the potential development of their property. You were right in asking them for input. We need to move things quickly and not sit on our hands.

ANDY RODENHISER – How can we quickly address this so we can get their support? I am surprised that Gino couldn't answer their concerns.

Gino Carlucci – I tried to but . . .

CHAN ROGERS – They should be experts in this.

Gino Carlucci – I think they did what was asked of them.

ANDY RODENHISER – Why don't we have a dialogue with them on these questions? Were they aware of the time element on this?

JOHNSCHROEDER – Yes, they were aware.

Paul Yorkis – I hope there is a way this can go through.

ANDY RODENHISER – Typically the BOS doesn't like to do zoning at special town meetings.

Susy Affleck-Childs – You can sponsor it yourself as a property owner.

Paul Yorkis – Yes, but I would prefer for the Planning Board to submit it for the warrant. I would be happy to go to the BOS and ask them to place it on the warrant.

Paul Yorkis – There were 2 other suggestions that you may want to consider.

Gino Carlucci – They discussed the possible need for this kind of thing with outdoor storage in the Industrial I district. Perhaps that could be a special permit use for contractor's yards with outdoor storage.

ANDY RODENHISER – Let's schedule the public hearing and keep this moving along.

CHAN ROGERS – We need to get the tax base broadened.

ANDY RODENHISER – Let's call Bill Wright and see if we can work on this.

Susy Affleck-Childs – Let's do a joint meeting with IDC and ask Bob Speroni to come. I think the IDC needs to get some assurances from him.

KARYL SPILLER-WALSH – We did some work on industrial buildings before – signage positioning, entry ways. What does the PB want to see with these?

Paul Yorkis – We have some pretty distinct ideas on how we want this to look. They will look far superior in aesthetics to these examples I brought in.

ANDY RODENHISER – I think you have our support. I will endeavor to work with the IDC.

CHAN ROGERS – This is the essence of planning. We have to make this happen.



Gino Carlucci – Do you think we maybe need to put something in writing to address these questions?

Paul Yorkis – I suggest that Andy Rodenhiser, Bill Wright and Bob Speroni meet and I think the 4 of you could get this resolved very quickly.

Gino Carlucci – That might do it.

BOB TUCKER – I still think it would be good to have a meeting with the IDC, to bounce our focuses off one another.

Gino Carlucci – Chan, I have to defend the IDC. The IDC got that industrial park built when the Town did nothing. The IDC has not been sitting back doing nothing!

### ***Rosenberg ANR – Kelley/Vine Streets***

ANDY RODENHISER – We have received a letter from attorney John Fernandes dated October 4, 2006 withdrawing the ANR application. They will come back at a future date with an appropriate application after they have completed the title search work.

Susy Affleck-Childs – Will they have to submit a new fee at that time?

ANDY RODENHISER – Yes, absolutely.

### ***Invoices***

WB Mason - \$32.69 for office supplies. Motion by Chan Rogers, seconded by Bob Tucker to approve payment of this bill. Passed unanimously.

VHB - \$1,465.90 for construction observation. Motion by Chan Rogers, seconded by Bob Tucker to approve payment of this bill. Passed unanimously.

VHB - \$ 9109.21 for plan review. Motion by Chan Rogers, seconded by Bob Tucker to approve payment of this bill. Passed unanimously.

PGC - \$431.25 for consulting services. Motion by Karyl Spiller-Walsh, seconded by John Schroeder to approve payment of this bill. Approved unanimously.

VHB – \$8,056.49 for plan review services. Motion by Karyl Spiller-Walsh, seconded by Chan Rogers to approve payment of this bill. Approved unanimously.

PGC – \$ 150 for plan review services. Motion by Chan Rogers, seconded by Karyl Spiller-Walsh to approve payment of this bill. Approved unanimously.

PGC - \$1,031.25 for plan review services. Motion by Karyl Spiller-Walsh, seconded by John Schroeder to approve payment of this bill. Approved unanimously.

### ***Charles River Acres Open Space Residential Development (OSRD) Special Permit Decision***

NOTE – The Board reviewed the revised decision dated October 10, 2006 based on the Board's 9/26/06 vote. The Board signed the OSRD Special Permit Decision.

Susy Affleck-Childs – There still seems to be a question on who can accept a land donation on behalf of the town. When we met with the BOS a number of weeks ago re: the Pine Ridge open space, Town Counsel Maciolek said that the BOS could accept open space on behalf of the Town. I will check the BOS minutes from that meeting to see if my recollection is correct.

CHAN ROGERS – We need a meeting with the BOS to discuss these open space matters.

### ***Discussion on Site Plan Close Out Process***

Susy Affleck-Childs – Now that we are responsible for site plan projects, we need to develop a way to close-out a project and return a bond if there is one. I would suggest a meeting with Bob Speroni and Dave D'Amico, and us to try to establish some procedure. I would appreciate Bob and Andy's help.

BOB TUCKER - Are these controlled construction projects? If so, they have to provide affidavits. There is this issue of temporary occupancy permits.

Susy Affleck-Childs – I need some help with developing this.

ANDY RODENHISER – Is there really even a true option for a temporary occupancy permit in the building code? I would be glad to work on this with Bob and Susy. Could we meet on a Monday night?

BOB TUCKER – Give applicants an option for VHB to do construction inspection or they provide affidavits that the work is done.

Susy Affleck-Childs – Does the PB want to do its own inspection? Bob Speroni will review building work and certain site improvements but not the stormwater drainage facilities.

### ***Continue Public Hearing on Proposed Amendments to the Zoning Bylaw***

ANDY RODENHISER – How do we want to proceed with zoning matters? Who do we want to review these things?

KARYL SPILLER-WALSH – I can understand the concern that you want to fix this. It is grey and fuzzy and it has no teeth in it. I would want to know it would stand up in court. I want to know that we can require these things. I am a firm believer in mitigation. I am not questioning whether we need to mitigate. The issue is the language. I am concerned about the use of the term “abutting properties”. With River Bend, there were concerns about other areas that were not actually abutting.

ANDY RODENHISER – This can die tonight as an issue to go to the 10/23/06 town meeting but are we going to deal with it?

CHAN ROGERS – I don't think the language inhibits anything. It allows us to hang our hat on mitigation measures.

KARYL SPILLER-WALSH – I also have an objection to pinning this down. We aren't entirely sure exactly what needs to be mitigated. I think tying mitigation to abutting neighborhoods is too limiting. I would like to see it as a broader.

BOB TUCKER – It might throw up a flag to me as a developer to not consider an OSRD because of the prospects of mitigation. When is it worth it? I think we are reasonable in terms of what we want to ask for with mitigation. I am not convinced we have done all the homework on this.

ANDY RODENHISER – Is this something important enough to put a time frame on to keep working on? Is this something worthwhile? You will remember that with Pine Ridge, there was nothing in the bylaw for us to address the project's impact on the neighborhood.

JOHN SCHRODER – I am hearing enough doubt to not make it a bylaw right now.

KARYL SPILLER-WALSH – Susy is looking for us to have additional language.

ANDY RODENHISER – We want to be able to make a defensible decision.

A motion was made by John Schroeder, seconded by Chan Rogers to close the public hearing on proposed amendment to the Zoning Bylaw. The motion was unanimously approved.

### ***Daniels Village Discussion - Continued***

Susy Affleck-Childs – I really feel like you (the board members) has sandbagged me and Andy. We laid out a public hearing process at the beginning and asked for your input. You agreed. Now it seems like you want to dump the whole thing.

CHAN ROGERS – You shouldn't feel that way.

BOB TUCKER – We just need to reevaluate along the way. They should have looked at water issues based on the ideas that were generated at the last meeting.

ANDY RODENHISER – Let's stay focused on the process here. We are looking for direction on how to proceed with these things. Let's determine density first before we move on to other subject matters. Density becomes the basis for everything else.

JOHN SCHROEDER – I don't feel as strongly as the rest of you do that it is too dense. I would think 80 units would be doable. Traditional Neighborhood Design has its own merits.

ANDY RODENHISER – Let's stick to a process discussion on how we review these kind of plans. This is going to need to be something that is going to evolve. I don't want Susy to feel like she can't contribute. Please don't be afraid to continue to contribute. I think it is a difficult situation to be in. A project can change dramatically.

KARYL SPILLER-WALSH – We are looking for a level of achievement along the way.

CHAN ROGERS – I don't know if you can set a definite rule about when you go back to the drawing board.

JOHN SCHROEDER - It is suggested that at each stage in the process the suggestions be reflected in the plan to keep the process moving forward.

BOB TUCKER – We need to allow for peaks and valleys in the process.

CHAN ROGERS – Maybe our preliminary review of these things has to be more extended.

BOB TUCKER – It is the process we are looking at. It is light years ahead of where it was. I think you guys are to be commended to put together that methodology, but we do need to stay flexible.

ANDY RODENHISER – We have to institute some order.

BOB TUCKER – I would be open to them coming in off of Lovering Street as a second access.

A motion was made by John Schroeder and seconded by bob Tucker to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 12:40am on Wednesday, 10/11/06.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant

**Medway Planning Board Meeting**  
**November 2, 2006**  
**Medway High School**

PRESENT: Karyl Spiller-Walsh, John Schroeder, Andy Rodenhiser, Chan Rogers, Bob Tucker, Eric Alexander

ALSO PRESENT: Paul Carter, VHB; Susan Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:10 pm at the Medway High School library.

CITIZEN COMMENTS - None

***Establish Construction Observation Fee for Rolling Hills Subdivision***

A motion was made by Bob Tucker, seconded by Chan Rogers to approve the VHB estimate of \$ 7,938 for construction observation services for the Rolling Hills subdivision. The motion passed unanimously.

***Discussion on Proposed Fee Schedule –***

The Board reviewed the updated proposed Fee Schedule dated 10-27-06.

A motion was made by Karyl Spiller-Walsh, seconded by Chan Rogers to adopt the fee schedule as presented. The motion passed unanimously.

***Construction Observation***

Paul Carter highlighted recent construction observation activity at Evergreen Meadow, Pine Ridge, Wingate Farm and Pine Meadow II.

The Board discussed the issue at Pine Ridge about the absence of a stone pad and how trucks are carrying dirt onto Candlewood Drive. Susy is to call Paul Yorkis re: CO report and ask him to take care of the problem. We want to avoid an escalation of the situation. They have been asked to do so twice already. Jack Lydon of VHB is usually out there 2 days a week for inspections. A question was raised whether or not this is a CONCOM issue? Can file a complaint to CONCOM? If this is not addressed, we will complain to CONCOM. Can the PB shut down the project?

ANDY RODENHISER – Can we ask Dave D’Amico about his authority re: stormwater stuff?

NOTE – Andy Rodenhiser passed out letter from Nick and Nancy Turi of 8 Fisher Street re: some issues re: the construction of Pine Meadow Road/Pine Meadow II subdivision. The road construction is overlapping onto their driveway. There was a meeting on 10/30/06 with Andy Rodenhiser, Susy Affleck-Childs, Mr. And Mrs. Turi, Jack Lydon and Gary Feldman, the new owner. They will be coming with some sort of proposed change to the entryway to address the problem.

***Public Hearing Continuation – River Bend Village ARCPUD and Definitive Subdivision Plan***

Rich Cornetta, Attorney  
Mark Deschenes, Abbott Real Estate  
John Spink, Coneco Engineering  
Lee Bloom – Abbott Real Estate

Rich Cornetta – We want to take a moment at the beginning of the hearing to make sure we are not missing any other items of a non-engineering basis. Susy and I have started the beginnings of decision. Is there anything else outstanding that you need of us?

ANDY RODENHISER – WE have a note from David Travalini/CONCOM re: the embankments. CONCOM feels the construction of the stone wall would encroach on the wetlands and they cannot permit that. An alternative design that is less invasive to the wetlands is needed.

Mark Deschenes – We met with the DRC about a month ago to discuss the retaining wall. Originally, the walls were designed as using a versa lock system with a geogrid inside. I gave them 2 alternatives, one being a gravity stone wall using large boulders on the site with a total of 3-3.5 feet sloping back into the wetlands. The versa lock we propose is natural looking with a tumbled stone finish. Although the DRC didn't want to approve a versa lock wall, they did feel better about this particular alternative vs. other versa lock styles. Versa lock will also impact the wetlands, but less so. We would like to use that product.

John Spink– The boulder wall impacts about 4700 sq. ft of wetlands and the versa lock version impacts less of a wetlands area. The law says CONCOM has to minimize the impact as much as possible.

ERIC ALEXANDER – As much as it pains me to lose the natural stone wall, in his instance, to balance the interests of the Town with CONCOM, I don't find the tumbled versa lock objectionable.

KARYL SPILLER-WALSH – I would like to suggest that a poured concrete wall be considered with a stone finish.

Mark Deschenes – Any kind of concrete wall needs to have a foundation and that will impact the wetlands too.

ERIC ALEXANDER – There might be an interpretation difference here.

KARYL SPILLER-WALSH – Versa lock is not the only option. Do a precise concrete wall with a stone finish.

Mark Deschenes – Versa lock only needs crushed stone as a base and a concrete wall would encroach on the wetlands.

JOHN SCHROEDER – Where are we talking about using the versa lock?

Mark Deschenes – Only at the wetland crossings.

John Spink– We would use it at both crossings.

JOHN SCHROEDER – Can we use the versa lock where it is needed in the wetlands and use the DRC's preferred stone/rock wall elsewhere?

Mark Deschenes – The longer wall is more visible and that is where there is the most impact on the wetlands.

John Spink– See pages C 15 and 16.

ANDY RODENHISER – C44 has wall details.

Paul Carter – C49 as well

ANDY RODENHISER – So versa lock will have less of an impact on the wetlands.

Paul Carter – One side is a head wall and the other side is more of a retaining wall.

Susy Affleck-Childs – So what is the spec for the versa lock?

Mark Deschenes – The one I submitted to the DRC. I will send you a cut sheet.

ANDY RODENHISER – Out of respect for the CONCOM, are we OK with this?

KARYL SPILLER-WALSH – Yes.

John Spink– That particular versa lock product will show up in the next plan version.

BOB TUCKER – You really need to be careful with the base

NOTE – The locations for the smaller walls are all shown on the plans.

BOB TUCKER – Flag those walls that they have to comply with building codes.

Paul Carter – Will all the retaining walls will be versa lock?

John Spink- There are others throughout.

Paul Carter – You have field stone masonry headwalls.

ANDY RODENHISER – All of the drainage stuff has been reviewed?

Paul Carter – With this last submittal, they added 5 underground detention areas. There are still some recent comments they need to address. 2 systems that overtop the 100 year. They need to be made consistent between the plans and the details and the table and the hydrocad calcs. There are a number of inconsistencies among those elements and there are 2 where the design didn't work.

John Spink– I changed it and flipped it over and it works. I have more revisions for you tonight. I changed the outlet structures.

ANDY RODENHISER – Does this work?

Paul Carter – John, does it work? It looks like we are moving in a good direction.

John Spink– I have fixed all the outlet structures

John Spink - Where do we stand with letters from other departments? The only open question is from the Fire Department re: alarm system.

ANDY RODENHISER – We have a letter now from the Fire Chief.

ANDY RODENHISER – Let's ask Water/sewer if things are OK based on John's recent version.

ANDY RODENHISER – Susy, please talk with Dave D'Amico and get an email from him that he is OK with everything.

JOHN SCHROEDER – We have today's letter from Paul Carter dated 11/1/06 regarding their most recent plans submitted last week in response to VHB's previous letter.

KARYL SPILLER-WALSH –You said there are new underground weirs?

John Spink– We have cultec units with some sort of outlet control structure.

ANDY RODENHISER – Are there any other issues we need to address from your perspective?

Rich Cornetta – If Susy needs anything, she can let me know.

Susy Affleck-Childs – We had talked about having another entity as party to the conservation restriction.

ANDY RODENHISER – So we need one last meeting to hear from Paul Carter that everything is OK.

Rich Cornetta – We believe we have submitted everything we have. We would like to start to working on the decision.

Susy Affleck-Childs – Gino and I will work on the draft decision that Rich Cornetta sent me. . .

The public hearing was continued to November 14, 2006 at 7:15 pm. We expect to work on this some more at the 11/28/06 meeting.

The deadline for planning board action is 11/30/06 (on the subdivision).

### ***2007 Meeting Schedule***

The draft meeting schedule was reviewed. A motion was made by Bob Tucker, seconded by John Schroeder to approve the 2007 meeting schedule as presented. The motion passed unanimously.

### ***Invoices***



A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to authorize payment of \$3,025 to attorney Mark Bobrowski for legal services pertaining to the Marian Community ARCPUD project. The motion passed unanimously.

### ***Other Business***

***REMINDER - SWAP Legislative Breakfast*** – November 17, 2006 at 8 am in Medway. Planning Board members are encouraged to attend. A flyer was distributed.

Susy Affleck-Childs – Paul Yorkis and I met with Suzanne Kennedy re: some public transit possibilities for Medway. This past summer, the Legislature approved a law that would allow communities like Medway who are assessed for the MBTA but do not receive any direct services, to direct part of those funds to another regional transit authority. The closest other RTA is GATRA (Greater Attleboro Taunton Area). So we could approach them. At the same time, there is a funding initiative called the Suburban Mobility Grant program. The idea being discussed is to establish 2-3 park and ride lots in Medway (at shopping center locations) and run a shuttle van to the Franklin MBTA station at morning and afternoon rush hours. Paul Yorkis has already made overtures to Joe Griffiths, the owner of Drybridge, who has agreed in concept to set aside some parking spaces. Paul has also contacted Karen Johnson of Charter Realty to see if Medway Commons would want to participate.

### ***Public Hearing Continuation – Daniels Village ARCPUD***

Jim Williamson, Barberry Homes  
Rob Truax, GLM Engineering  
Bill Scully, MLS Traffic Consultants  
Kenny Labarre, Barberry Homes

Paul Carter - Rob Nagy is also here from VHB. He is our traffic guy and reviewed their traffic study.

Rob Truax – We went back to the drawing board and took your comments and have a revised the plan. We tried to address everything – density and massing, circulation, present natural features, preserve more open space, central area open for gathering. We now have 2 distinct entrances. One lines up across from Clover Lane. We slid the other entrance to the most northerly part of the site. This location provides a better sight distance because you are now at the top of the hill. On the interior of the site, we tried to maintain the same philosophy providing access to many of the units from the rear. Most are 3 unit triplexes but there are 4 single family structures along the front of the site/Winthrop Street with that have rear access. We have a 100 foot by 250 foot green area at the front of the site facing Winthrop Street. There are triplexes on the interior where the buildings face the street but access is from common driveways at the rear. We created a courtyard that 4 sets of 3 units will face. It is about the size of a football field, quite a large area of green space. Then we tried to align the houses in curvy fashion. We removed the straight line of houses and added in some road curves. Also, we left open the back field on the site (about 2 acres) and tried to maintain the most westerly existing tree line. We will keep the field mowed. We left a view from the courtyard out to the open space at the back. The courtyard is about an acre. All roadways are 22 feet. The common drives would be 16 feet. There is some off street parking for visitors. Every unit has 2 spaces in a garage and 2 spaces in a driveway. We were able to preserve the outer tree line for the most part. This has a totally different circulation pattern. We will need some waivers – on the cul de sacs and one for a curve in the roadway. We

will put a turning radius on it to make sure a truck can do it. We propose selective thinning in the tree line to see through. We want to keep the nice trees and give it a view out to the back. WE meet the parking standards.

BOB TUCKER – You are showing relatively little on street parking.

Rob Truax – We can add more.

ANDY RODENHISER – How will you handle the bylaw requirement for 2 types of ARCPUD residential units?

Jim Williamson – We will make one section a subdivision.

CHAN ROGERS - The layout is a tremendous improvement.

BOB TUCKER – How many units?

Rob Truax – 86.

BOB TUCKER – Karyl, how do you feel about the density?

KARYL SPILLER-WALSH – This is so much more thoughtful and heading in the right direction, if not very close. Re parking, what happens when there are parties? Some parallel spaces in front of the triplexes would be good.

Jim Williamson – How many additional parking spots do you want?

KARYL SPILLER-WALSH – A couple per triplex.

Rob Truax – We can provide some more parallel spaces.

ANDY RODENHISER - What kind of curbing?

Rob Truax – Concrete vertical curbing, so it wouldn't be parked on.

ANDY RODENHISER – Can we come up with a number of more parking spaces we are looking for?

Rob Truax – Right now we have 24 parallel parking spaces and we have 30 triplexes.

CHAN ROGERS - Ask VHB for their input.

Rob Nagy – Maybe spread out the additional parking. Parallel parking is probably the right choice.

JOHN SCHROEDER – Keep the ones you have, just add some more.

ANDY RODENHISER – In general, is everybody pleased with the overall layout?

Marshall Gustin, 76 Winthrop Street – There are 2 wonderful trees that look like they will be removed. They are probably over 100 years old.

KARYL SPILLER-WALSH – How possible would it be to accommodate those trees. Let's try to site them or well them please.

Rob Truax – If it lands in a position, we will try.

JOHN SCHROEDER – Please try to make an effort to save some of those.

KARYL SPILLER-WALSH – Those are magnificent trees. Why couldn't the road be morphed to save them? If they need to be welled, let's do it.

Rob Truax – We will try to do that.

KARYL SPILLER-WALSH – Just a comment at this early stage. We talked briefly last time about a signature statement at the front of the site (toward Winthrop Street). It looks like you have a foot in the door with 4 single family homes and walkway. I would like to see some kind of interesting architecture so the houses would be different one from the other.

Jim Williamson – We will now have our landscape architect go to work. We held back until you were happy with the overall site layout.

KARYL SPILLER-WALSH – I would like to see some replicated stone walls, maybe out of the same materials as existing walls on the site.

Jim Williamson – That is important to us as well.

Jim Williamson – WE did prepare a financial impact report for you, dated 10/24/06. We estimate the tax revenues would be \$374,708/per year.

ANDY RODENHISER – That is what the town would see as “new growth.”

Jim Williamson – I think the taxes right now on the property are about \$6,000.

Jim Williamson – We also looked at school impact. I checked 5 different over 55 developments in Sudbury, Southborough, Norton, Ashland and Bellingham – not a single child in the school system. The trend seems to be that these over 55 developments don't generate children. They only have 2 bedrooms.

BOB TUCKER – With the different site plan, you understand you will have to go back and redo the stormwater management? I would like to see that before we go on to the other items.

Rob Truax – you have seen the new layout. We feel you are happy with it so we will go ahead and do the engineering. We will revise the drainage study, regrade the site, and do the roads. This site layout ends up with less roadway so there will be less impervious surfaces.

BOB TUCKER – Could you give us an overview at the next meeting as to where you think the stormwater facilities will be?

Rob Truax – I may not be done with all that by November 14<sup>th</sup>.

Susy Affleck-Childs – Let's discuss at the November 28<sup>th</sup> meeting and move the design issues after.

*Bill Scully with MS Transportation out of Framingham*

Bill Scully - We prepared a traffic report. I thought I would briefly highlight the key elements. The scope of the study was set up to conform with the subdivision regs. We ran thru the process with VHB before starting. We collected traffic in mid September. We looked at Winthrop and Lovering Streets. We collected daily traffic and speeds and reviewed sight distances, crash experience, etc. We did a forecast out 5 years from today. Looked at background adjacent growth at Evergreen Meadow on Lovering Street. Then we projected traffic to be generated by this particular project and followed guidelines ITE using the senior housing land use code. We have done 7 or 8 counts at these types of facilities. What we have found is that they generate even less traffic than the ITE standard suggests. We then assign the traffic numbers to the abutting street network in the morning and afternoon. Winthrop carries about 3400 vehicles per day. The peak hour in the morning is 450-480 vehicles. It is much lower in the afternoon. You can get out of the side streets onto Winthrop with very short delays. The speed limit is 30 mph south of the site but we saw 44 -48 mph in actuality. We have suggested the northern driveway be relocated northerly. We worked with site engineer and applicant and made that change so we now satisfy the sight distance criteria at the new northern driveway location. In terms of operating conditions, people should be able to enter and exit the site with minimal delays.

In terms of our other recommendations re: stop sign control, we do want the side slope along the Winthrop Street frontage be cut back as you go northerly. Most of that cutting would be within the ROW. We also suggest the installation of advance warning signs about 350' north of the driveway to warn the southbound Winthrop Street traffic.

KARYL SPILLER-WALSH – Has everybody visited the site? Is everybody comfortable with the southerly entrance being 2 way? I think the sight distance is poor for exiting traffic.

Rob Scully – There is a 500 feet sight line in both directions from the (new) northerly driveway.

BOB TUCKER – What do we use as a traffic study model?

Rob Nagy – ITE has guidelines for traffic studies.

Paul Carter – The other model is ASHTO guidelines for sight distances.

Rob Nagy – This is more of a safety analysis.

Rob Scully – There will be 476 vehicle trips per day to be generated by Daniels Village.

ANDY RODENHISER – What is the capacity of Winthrop Street?

Rob Scully – Probably 2,000 vehicles per hour. There is plenty of room for this additional traffic.

BOB TUCKER – I don't see a major impact by any stretch in terms of impact of additional traffic.

Rob Nagy – The impact of the traffic from the development is insignificant. Our key concern is safety. I would like them to go out and redo the sight distances to show it can be met. One other comment re: the intersection of Lovering and Winthrop Streets. There is a little bit of a higher tendency for crashes there. Maybe they could look at some of the causes of those accidents and consider some mitigation measures.

BOB TUCKER – It sounds like speed is an issue.

ANDY RODENHISER – We do have a letter from Safety Officer Jeff Watson dated 11/2/06. He wants to wait for specific recommendations on internal markings and signage until there are street names to refer to.

ANDY RODENHISER – We have nothing from the fire department yet. We await his comments.

KARYL SPILLER-WALSH – Can we go back to the total unit numbers?

Jim Williamson – 86 dwelling units. We went from 118 originally.

ANDY RODENHISER – Rob, what do you suggest for mitigation at Lovering and Winthrop?

Rob Nagy – I would have the applicant go out and take a look and provide some suggestions.

Rob Scully – There are about 3 accidents per year at Lovering and Winthrop Streets.

ANDY RODENHISER – Please look at that and give us some recommendations.

BOB TUCKER – I feel like your (VHB) traffic review letter was sea grass. Tell us what you reviewed the traffic study against. Do they meet the guidelines or not?

Rob Nagy – In preparing our written review of a traffic study, we normally try to follow the flow of the traffic study itself. But I would be happy putting some closing remarks up front.

Mr. Gustin – Regarding moving the second entrance further north. . does the town have any limitations in terms of grade off a roadway? Will the police department still go by there with their same rate of speed and their lights on?

The public hearing was continued to 7:15 p.m. on November 28<sup>th</sup>.

#### FOLLOW-UP

1. Redo stormwater drainage calcs based on new site plan and present new stormwater plan
2. Recommend some mitigation measures for intersection of Winthrop and Lovering Streets to reduce accidents.
3. Look at ways to save 2 key trees on the site's interior
4. Look at distinctive architecture for the 4 houses facing Winthrop.
5. Add more on-street parallel parking spaces.

6. Develop street naming plan for review for Medway Street Naming Committee

BOB TUCKER - When we identify issues, we need to stop and address them before we go on to the next topic.

JOHN SCHROEDER – We got a revised site design and a traffic study. That was a lot of good progress tonight.

### ***Public Hearing Continuation – Betania II ARCPUD***

The public hearing was continued to November 14, 2006 at 8:30 pm.

### ***Informal Discussion – Possible 2 lot subdivision at 37 Holliston Street***

Mr. and Mrs. Cibotti  
Paul J DeSimone (senior)

Paul DeSimone – We asked for an informal meeting to discuss their property on Holliston Street. The reason we came here is because back in August, the ZBA looked at two proposals for variances and both were turned down. The existing site is 55,868 sq. ft. and we are looking at ways to divide. I looked at the new subdivision rules and regs. Now that you are going along with private roads and allowing hammerhead turnarounds, I put something together and bounced it off of Gino Carlucci and asked him for his review to see if the PB would be willing to look at this.

ANDY RODENHISER – Why not just do a reduced width private road that goes into the parcel to create the frontage instead of the paper cul de sac on Holliston Street?

Paul DeSimone – We are trying to get a feel from the board.

ANDY RODENHISER – What is the feeling of the board?

KARYL SPILLER-WALSH – How will you handle water issues? If a detention pond is needed, it has to be on a separate parcel.

Paul DeSimone – They may need a waiver in terms of the diameter of a cul de sac in the right of way.

KARYL SPILLER-WALSH – I drove by. It is a beautiful property.

Mrs. Cibotti – My father was the tree warden in town for many years. The house was built in 1880.

ANDY RODENHISER - Tell us what you need to do to make this work. We don't like the paper cul de sac. Give us a list of the waivers you need.

### ***Committee Reports***

JOHN SCHROEDER - Nothing to report for CPC different from town meeting.

BOB TUCKER - The CONCOM is meeting tonight.

KARYL SPILLER-WALSH - Nothing from DRC.

ANDY RODENHISER – I would like to have a couple of joint meetings

1. Bob Speroni and Joe Musmanno re: zoning and try to establish some critical items that seem to bite us on zoning changes.
2. Joint meeting with the IDC - What needs relative to zoning do they see?

### ***Continued Discussion – Possible Zoning Bylaw Amendments***

JOHN SCHROEDER – I went to the IDC meeting when they discussed the idea to allow contractors quarters in the industrial parks. Their concern is that the change would reflect badly on the other properties in the 495 industrial park

BOB TUCKER – Bristol Myers Squibb is buying 35 acres of land at Devens. Another unnamed large pharmaceutical company came in and had discussions with Mass Development. What they realized when they came in is that the other company would take them to their maximum command and controls systems effective immediately. It would max out their sewer, water, power, etc. It would have taken it all up. One of the things that needs to be talked about is your infrastructure. There can be grandiose ideas but if you can't support it with the infrastructure, that's the problem

ANDY RODENHISER – In the west Medway industrial park, maybe 35 acres are available. The lots are all weird shapes with all variety of different owners. There is no one single big parcel of land.

JOHN SCHROEDER – Adding one more allowable use isn't going to dramatically change things up there.

ANDY RODENHISER – There is a possibility to designate an area for a 43D site to coordinate an expedited permitting project with the state. The idea is to go to the BOS and ask for a group to be put together to work on this, somebody from a variety of boards and try to enable something to happen.

Susy Affleck-Childs – I have to express some concerns about pursuing something like this. I really question if the town has the capacity to really pull off something like this right now.

ANDY RODENHISER – I will do whatever to make sure that they doesn't get dumped on you

***Upcoming Meeting Schedule*** - It was agreed that the Planning Board would meet on Dec 5 and 12<sup>th</sup>.

### ***Bond Reduction/Release for 2-4 Main Street Site Plan***

Susy Affleck-Childs – We now have his engineer's certification. Bob Potheau has contacted the CONCOM to request a Certificate of Compliance so that is still to be done. Bob asks the Board to authorize a partial release of the funds.

ANDY RODENHISER – The site is a mess again.

A motion was made by Bob Tucker, seconded by Karyl Spiller-Walsh to not release the bond for 2-4 Main Street. The motion passed unanimously.

ANDY RODENHISER – I will talk with him.

### ***MINUTES***

A motion was made by Karyl Spiller-Walsh, seconded by Bob Tucker to approve the minutes of the September 26, October 2, and October 10, 2006 Planning Board meeting as presented.

A motion was made by Bob Tucker, seconded by Karyl Spiller-Walsh to adjourn. The motion passed unanimously.

The meeting was adjourned at 10:55 pm.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant



**Medway Planning Board**  
**November 14, 2006**  
**Sanford Hall – 155 Village Street**

PRESENT: John Schroeder; Bob Tucker; Chan Rogers; Karyl Spiller-Walsh; Andy Rodenhiser  
Eric Alexander

ALSO PRESENT: Gino Carlucci, PGC Associates; Susy Affleck-Childs, Planning Board  
Assistant

The meeting was called to order at 7:04 p.m.

CITIZEN COMMENTS - None

**Consideration of Bond Reduction – 2/4 Main Street/Bob Potheau**

Bob Potheau – Good evening, I would like to fill in board members – it took probably a year to get through the site plan process. Then I went to get a building permit, and they told me I had to get a flood plain permit, then I had to get another special permit – by the time I got permitted it was November, got an early occupancy permit, then 60 days of rain -, then I was asked to post – a bond and I did so – there are 3 phases to a project – when I posted this bond, I was told when I got the work done, I would get the money back. The work is done – we went through a few different things, we got through the as-builts, got an engineer to certify the work – concom certificate of compliance you asked me to do it – I filled out the form that I thought they wanted – I am told it was the wrong form – I have done the work. I posted this bond specifically for the water retention, for the lights, hightop, and drainage - concom only asked for a dirt pile to be removed – I beg of you to look at my position now – I have done the work – I have people that have to be paid – when I posted the bond, you told me the bond would be refunded to me when the work gets done. We didn't talk about concom certificate of compliance for the project,

Andy read letter from Rick Merrikin to certify the phase I work. Note – the letter is not stamped

Susy – explained tht concom order of conditions is for whole project – they cannot issue a certificate of compliance on a partial

Bob Potheau – we have a permanent occupancy permit from Bob Speroni – I want the entire bond back. We have a sensitive piece of property – the most important piece was the vortex tank and trench drains – it is now going into the trench drains – it is not going into the wetlands

Chan – debris????

Bob potheau – all the debris was removed – the dirt you see out there now is related to sewer/water hookups – any debris we have on site just got dug up 9 days ago – is part of the new permit

Motion to release the bond – kary, bob – all YES

NOTE – try to get Rick Merrikin's stamp on the letter

## INVOCIES

VHB - construction observation – all yes – bob, chan - \$5501.99

VHB – plan review – \$11,629.75 – all yes – chan, Karyl -

## CONSTRUCTION OBSERVATION RERPORTS

Call Gary Feldman – have Andy do it . . .

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Eric arrives – 7:30 p.m.

PH continatuion – River Bend ARCPUD

Rich Cornetta  
Mark Deschenes  
Lee Abbott

Rich – I put together the legal documents and gave a set to Susy – also tonight an updated conservation restriction

Susy – that will be given to Mark bobrowski tonighnt - copyo conser restricton for mark as well

Waivers – September 7 version

4.6.7 – OK

5.7.9 – OK

5.7.18 – OK

6.8.3 – OK

6.8.4 – OK

7.1.4 – OK not a standard cross section

7.9.1 – OK

7.9.1 e

7.7.7 – OK

7.7.2 f– OK

7.7.2.k – OK

7.24.1 -OK

7.24.2 – OK

7.7.4.b – OK

7.9.2 – OK

7.9.2 – ok

7.9.5 a - OK

7.9.5 c – OK

7.10 – OK

7.11.2 – OK

bob – where we make reference to the accepting what is on the plan set that we refer to a specific plan set dated . . . approved plan set –

7.13.3 – ok

7.13.4 – ok

7.19.2 - OK

7.19.5 – OK

7.25.1 – OK

7.25.3

7.25.4

7.9.2 a)- all OK

susy – please reference appendix back to the regulation in the waiver list

motion to approve the waivers – Karyl, chan – all YES !!!!!

paul – one more vhb letter – 11/14 – distributed and highlighted

continue to nov 28<sup>th</sup> – 8 pm - work on the conditions & tweak draft

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Marian Community PH continuation 8:50 pm -

Bill Proia

Rich Coppa

Bill Drexel

Also – Mark Bobrowski

Bill Proia – we want to go thorough a couple of things tonight – there is a new plan as you are aware – we thought we would put up the old plan with an overlay of the 65 units – there are two 65 unit plans – what we had sent you before and what we will show you tonight

We have some info on the plan on the title 5 questions that came up and we want to try to create a schedule going forward as well and hopefully after some key questions

Andy – my concern is that the direction we go at this point – this has been a pretty substantial change – impact of not doing sewer and having to go to septic has created its own issue s- and the well issues – and speaking with some members of the conservation com – they may need to be a mepa review and an alternative analysis – this may all impact what we are looking at today – as to how we use our time effectively on coming to a decision – and what those other processes might do to a decision that we might make – we definitely have concerns

Bill – ZBA special permit for the flood plain/road bridge – and concom and then title 5 septic from BOH – it will not be a public water supply –

Bill – are you asking us to do simultaneous permitting to the extent we can?

Andy – that may end up being the case based on some comments we have gotten from the board of health – what will a mounded design do to drainage and the flow of water – some of the issues of where septic lie in relations to the open space

Bill – we do have a revised open space plan - we don't want to get ping ponged back and forth – we are designing to the various standards –

Andy – we want to look at this from the most efficient means possible – all the info has to come out

Bill – it is like any other project where you need multiple permits

Bill Drexel – overlay in red shows the former layout with 77 units – we took out the internal loop road. We changed the configuration to 65 units which VHB has reviewed. – since then we changed layout of the road again – we moved Trinity Circle about 25 feet to the west so they can face the street and not sideways – orange boxes show where we will put the leeching fields – we are down to 3 septic systems instead of 5 - we made a trail through the site and a new walking trail at the northern end of the property to connect all the way through the site to Wenakeenign woods – we eliminated houses at Sims Circle – we eliminated one of the detention ponds for that area – also some underground pipe storage systems for the drainage – we also on the septic – for the reserve areas, I have . . . ???????? septic systems that we show are the presby systems – DEP allows them for general use and for new construction – they give you a 40% reduction in the size area (what we show is for full size without 40% reduction) – the reserve areas are for 100% title 5 – there is room to build at full size for reserve – up between the 2 cul de sacs and another down where Sims Circle was originally to handle two of the presby systems – Sims Circle area will not be an open space/devotional area – nothing planned for what will happen there -

Andy – where are septic reserves in terms of the open space?

Bill Drexel – none in the permanent open space

Andy – so the devotional area is where the reserve area could be

Bill Proia – this change creates a better walking trail system that isn't close to houses like it used to be

Andy – it doesn't look like the open space is contiguous – what does the bylaw say

Andy – how much of the yellow is wetland?

Chan – what kind of presentation are we getting? Where

Andy – I feel like we are starting over?

Chan – is this a preliminary look see? What are you definit

Bill proia – revision to the previous proposal – we have configured this

Mark bobrowski – at my invitation, bill proia joined paul carter and bill Drexel – we met and discussed everything – we sort of spelled out steps that were absolutely necessary – one of which was getting rid of the number of units that would push it over the 10,000 gallon DEP limit – makes it a 65 unit project – paul and his colleague tried to

Bob Tucker – I look at this as being the initial presentation on a new concept – I think going forward from here – we need to set them up on the type of schedule like we did on another project – step by step and – and

Mark bobrowski - the required open space shall be contiguous unless the PB finds otherwise that

Chan – what is the yellow

Bill proia – there are several categories of open spaced – it is contiguous –

Bill Drexel – permanently protected shaded in yellow  
– metes and bounds – under the protectoiinof concom then there is other open space as well

Dave Travalini – ask what part of that open space is vernal pool? The town protects within 100 feet – nothing can happen there – it would be good to protect around the vernal pool? Especially the area in the middle there –

Bill Drexel –

Mark Bobrowski – there is no requirement that the protected open space has to be contiguous

Bob tucker – of the yellow and green, I want to see where the wetlands are and the vernal pools –

Andy – the two different areas – what benefit accrue to the public

Mark bobrowski – it is a special permit, let them know what you want in terms of the open space – you have lots to negotiate

Bill proia – we didn't have any indication that public access has to be required

Mark bobrowski – the PB can require public access

Chan – what happens to the land in between? How does all this fit together?? What is difference between green and yellow?

Bill – yellow is protected and green is open space but not with a conservation restrciotn

Dave travalini – see the vernal pools on this – concom would probably want to see the deeded part include the buffer area around vernal pools – that would provide the maximum protectoiin for the vernal pools – that is what we would want

Karyl – I would like to know where the proposed septic systems and well locations are within the open space

Bill Drexel – septic system #3 will take up a small part of the open space

Karyl – if vernal pools have 100 feet buffer, are you proposing anything in there?

Andy – in relation to areas of open space that are consumed by reserve or septic or well, do you have extra area that you can meet the standards

Bill Drexel – we are required to have 1,000,000 sq. ft of open space and we provide well in excess of that – we show 230,000 sq. ft more than what we need

Andy – letter from the board of health today/bill fisher 11/14/06 - andy read into the record – ATTACH . . .

Andy – you addressed the system size concerns –

Bill proia – I emailed dep – I don't feel we need the permit – we submitted something to DEP – I am not sure

Andy – you have group wells -

Andy – letter from soil scientist to the boh -

Bill - only the people that will own the wells will use the wells –

Bill proia – the new regs that bill fisher is referring to would permit DEP more discretion in allowing more aggregate wells

Andy – the new regs are more favorable

Bill – We are not a public water supply –

Andy – We just don't want to go down too far this path if there is a question out there

Bill – I cant force DEP to come up with something – but I cant make them – we want to design a plan that we think complies with all the various rules and regs and standards and do our best to coordinate all the permits we need – if the day after we close this, dep says we have to do something different then we will have to address -

Chan – at least 3 agencies are involved here

Mark – you have to make a determination that there is adequate water infrastructure – you have dual jurisdiction on this

Andy – interm so simultaneous concomitantly – is there any benefit to that?

Dave travalini – when this original project came up before – there was a big issue with the bridge – since it is almost a new project – the concomm would ask you to revisit the whole bridge issue – the one lane 2 lane – when we talked this over with the applicant originally – they seemed to favor – concomm wise it works out better – it just seems to me that water is going to be a big problem on this site – they can follow all the rules and regs – any impact that is going to try to move water where it wants to go is going to be a problem – whatever mitigation measures they take, it will be done, but the less mitigation they have to do the better – soil scientist report – once again I would really encourage you guys to look at this whole one lane bridge thing – when we met with you guys earlier on this – your traffic engineer said he was in favor of it – concomm looks to elm bank location

Andy – the issue thought, is regardless of whether it is one or 2 – they can't impact the wetlands more than what is allowed

Dave – public safety – if it was just a cosmetic thing, concomm is going to say you can't do it . . . but if it is a safety issue per the PB, then we have to capitulate – it is our feeling that it works out best for the applicant, wetlands and site for the bridge to be one way

Andy – we spent hours on this – we had no control about how they built the bridge, but we decided to it had to be 2 lanes

Eric – I don't want to open that can of worms again –

Andy – I think ultimately, concomm would have to address how it is built in the wetlands –

Dave – it is our purview to examine economic issues – the applicant has to present to us options – cheapest, most expensive and feasible options – we can't force them to do the most expensive

Dave – if there is the public safety

Bill proia – we also have the ZBA review – paul carter has been very helpful in reviewing the bridge

Paul carter – there are some issues

Chan – the bridge design – we don't have a proposal

Bill protia – we are tweaked

Mark – this is a big project – why not ask paul what he feels he can accomplish at the next meeting and focus in

Bob Tucker – we have already started with another client a master list – susy and andy put a lot of work into a nice format – we have to bring some structure to this

Mark - what works on 40B – do the deal breakers first . . .

Andy – detention ponds between the homes, mounded septic systems, and open space

John – I would like to see the open space of all types – clearly identified – in the aggregate and the key features of the property and where do they lie in the open space – I want to get a feeling – I feel like you are just meeting the minimum requirements in a way that is most convenient for you and not necessarily the best for the land – I want to see it all laid out on one map

Eric – sensitive features – pay attention to – I would like to see 100 foot around the vernal pools included in the protected open space

Chan – you have to have all the wells and the detention ponds and go back to the bridge issue

Bill Proia – this is the first time we have heard what you want on the open space plan – physical features – existing sensitive features and new structures, septic, reserve,

Mark – the board can decide whether or not

Andy – we seem to always come up against this – Bill had written a series of letters that had put us on a defensive mode

Mark –

Andy – are we in agreement that the subdivision rules and regs are part and parcel

Mark – they are the best standard you have, use them as their default it – it is all a negotiation – if you are satisfied that progress is being made . . . with those directives from the board, they need to design to that approach – I am hoping that Paul will guide you with what he sees as key issues

Andy – what would be the best way to proceed

Paul – I am thinking about the other project – and then this one – general overall approach – if you go to the details right away, you have to continue to revise the plans and calcs, etc. – he can continue to do that

Andy – but there is time and a review associated

Mark – Paul, are you in a position to look at this and give a general

Paul – the septic issue is a big issue and the setbacks and how the septic relates to the soil conditions and we have been asking for info on the soil info and it comes in slowly – lots of questions that are still out there and they are changing the plans again, separate from what we reviewed and gave them comments on

Bill Proia – we are trying to provide a level of detail that you are comfortable within – formatting, etc.

Mark – here is another way to get there – set a series of performance standards – location, no stormwater detention at least further away, for example – then it goes to a definitive level of detail – some are in your bylaw and some you can dictate –



Bill – if you decide to do that, that will cause a lot of redesign – it will take time for us if you come up with that

Chan – a lot of other people are involved in setting the parameters – concom, water, fixed issues that you have to deal with first –

Andy – limited areas of upland to build it

Bill – site is a challenge –

Andy – this is a major change in that the septic has added a new layer of complexity

Karyl – and the construction standards are the subdivision

Karyl – your proposals for detention ponds

Andy – mark is suggesting we tell you what we want to see relative to the detention basins

Paul – setback issue – the detention ponds

Mark – the board can say we don't like where

Eric – in the absence of performance standards – I would let the existing standards be an implicit guide

Andy – does that give you the direction

Bob – subject to their requests for variation –

Susy – so on what basis do you grant the variations

Karyl – the minimum open space is a point of departure –

Bill – I think we are at 25% more open space than

Eric – open space to discuss at the next mtg – stormwater management – mounded septic and wells

Paul – you were talking that some review should go concurrently – the septic and the wells are going to have a huge impact

Andy – where you are drawing those on the plan doesn't mean

Bill Drexel – you seem to be avoiding the issue of the concom and crossing the wetlands with culverts – I don't know what is OK with them?

Andy – I thought you had been having conversations with them about that? Is there an application

Dave – we told them they had to refile – it wouldn't be an amendment- such a significant change with what they are doing – NEW application and full public notice – so technically nothing is before us – we will revisit the whole bridge thing – we were OK on the original plan tacit approval – all the wetlands lines had been done – we are satisfied – vernal pool identified – OK – their original plan did all that as well as they could – the only thing that was a real concern to us was the bridge – crossing that much flood plain was just – we had to capitulate based on public safety – we didn't agree but that is your call. The major change is going to be where they will put the leaching fields – and even these potential fields – our concern is how far away from the wetlands are they – as far as detention basins – all comments say they have to follow stormwater regs – if they function, that is all that matters to us – we look to VHB for that signoff

Susy – is there anything about this project that will trigger mepa

Dave – I am not sure, they may know

Bill prior – the only thing we had was the length of the sewer connection – that isn't in place anymore

Bill prior – based on your comments, helpful and focused – a lot of these things are layout issues – distances – the way the open space flows with all the other physical aspects of the site – that kind of plan we can come back with on a revised site plan – overlays and not necessarily a VHB review – is that sensible –

Eric – yes –

Andy – goal at the next meeting to have a defined focus – overall purpose

Bill – we have the list you want us to address

Bob – roadmap – of steps – overall completion

Susy and Andy to prep that . . .

Andy – next meeting, no VHB review – more of a concept plan – overview of how the pieces fit together –

Eric – after the next meeting, we may be able to give you an overall sense of direction

Paul – please a larger scale plan - really think about the presentation of the plan in terms of readable from a distance – that is a general comment we have had about the plans- real effort to make them readable and understandable – that is one of the fundamental problems with the plan – big picture –

Bill Drexel – that is 100 scale now

Karyl – 40 scale is what is really needed to understand

December 5 – 8 pm

Mark bobrowski cannot attend – he will send his associate –

Eric leaves – 10:25 PM

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Paul Atwood - Informal Discussion

Guerriere and halnon engineering

Paul – repsenteing ann and marily Carlson who own property at covfee and main street – presently zoned ARI – my clients have inherited this house – the house is tucked into the ocnrer – they came to us to subdivided – thinking that the house lots in the area are small – then I looked at the zoning – I approached the building inspector – he thought it was ARII all the way to the corner – ARI cuts through and includes their property

Karyl – size

Paul – a little less than 2 acres – 1.9

Andy – what is the impact of rezoning

Paul – extend the ar2 to the corner – I have found on older maps, it looks like it was done that way on purpose but I can't tell why - currently in AR1

Andy – what would impact be if it was changed to AR2

Gino – at a minimum, it could be subdivided into multiple lots

Paul – probably 3 lots total

John – net increase of 2 lots

Karyl – would they have an interest in propping it as industrial? – I would look more favorably on it as industrial vs. residential

Andy – you can't access industrial land through residential zoning

Andy – it would probably be a better as a retail use

Andy – could we do an overlay?

Gino – rezone the route 109 frontage for commercial?

John – I looked at the zoning map – it should have been ar2 – I would rather see it as residential vs. commercial

Andy – I think industrial would be more intrusive to the residential area –

Andy – some type of retail allowance –

Andy – if this was a commercial area, it would provide more benefit to your client –

Chan – seems like 109 will ultimately

Andy – access would have to come off of route 109 if it was commercial –

John – have to fix mistakes – it seems like those were mistakes – and this is one of those spots – what happened? I don't know what the reasons are – do an overlay later

Chan – has your client thought about going to ZBA for variances

Gino – very tough to get it approved by the zba

Susy – what are you looking for?

Bob – I think it would be worthwhile to explore with your client to look at industrial zoning –0 but I wouldn't be opposed to AR2 – coffee street makes a good boundary line –

Chan – easterly from coffee street – commercial

Bob – concerned about safety aspects

Chan – inclined to have an overlay

John – rezone it to be AR2 , then add an overlay for the future which is what we are here to do  
Correct the anomaly

Karyl – I would like to see all that area done as an overlay for industrial –

Gino – I would speak against 109 becoming an entire commercial strip – does the town want that – planning it is better to have centers and differentiation along the street – and not just have one long commercial strip – it helps with traffic management – lots of turning issues –

John – the additional houses on this lot would have to come off of coffee street –

Susy – it would come to us as an ANR plan if it was rezoned –

Andy – generally, the BOS likes to have zoning at annual town meetings

Chan – I would be reluctant to increase residential density if trend it going toward commercial –

Andy – I would go toward commercial if there was a tie breaker – personally I would probably stop the overlay at coffee street. – the notion of creating more density in that area I am opposed to it personally –

Paul – it doesn't like you would be willing to sponsor a rezoning

Andy – if we had to say tonight, probably not – I would put more energy into other projects –

Bob – economic needs of the town – what we just went through with coffee street residents –

Paul – if my client were to put forth a petition . . .

Thanks

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#### Committee reports

Andy – legislative breakfast – chan, john, Karyl

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#### IDC – discussion

Gino – gist they had some concerns about that type of dev in the I3 district – OK with I one – we want more time to discuss further – can’t be on for the special anyways – then they went off on a tangent – they didn’t like the word “contractor” – that is the whole reason – paul yorkis attended the IDC to discuss – when I left they hadn’t finished the discussion

Chan – they feel it is degrading the use -

John – I have to be a devils advocate – certain uses of property do effect the potential uses of adjacent property – that is what I picked up on in the conversation

Karyl –

Bob – as long as it is well done and kept clean

Karyl – the word contractor and inside storage are two opposed categories

Chan – but the bylaw would specify no outside storageage – you cant have what you

Andy – I think they believe the industrial park can be grander

Glen - one member went through the industrial park with an investor – class A building at beginning and a class A bulding at the end – and they don’t like what is in the middle

Andy – they like cybex and conroy and they don’t like what is in between

John – all we can do is maintain standards through site plan –

Karyl – they came to DRC with just a few ideas – pretty much like grove street

Andy – is there any one lot out there that can support a 50,000 sq. ft building – could we approach owners of those lots to endorse the 43D program?

Susy –

Chan - can we recommend the change as written?

Andy – does this board feel they need IDC's approval on something like this?

Chan – I used to feel that way –

Bob – back when paul first came and asked about this – I suggested

John – industrial I absolutely – no brainer – I have some reservation about going for it in industrial 3

Andy – it could also be in commercial 3 –

Karyl – I would not want it to be on broad street –

Gino – he can get a building permit to do that building, it is just what goes inside that is at issue.

Andy – does the board feel it necessary to have IDC's blessing

Chanb – no

Bob – no

John – no, but desirable

Andy – no but desirable

Karyl – no but desirable

Gino – he has 3 tenants that would fit this use and he needs this use to go ahead and get his financing

Gino – one of the concerns is that these would not be high value buildings and wouldn't really contribute

Andy – I am willing to sponsor this at a point in the future

Chan – I would be willing to sponsor and sell the reason to go forward with it even without the IDC approval - town needs investment - this is not a seedy proposal

Andy – the guy can build it anyways and – this is a huge gaping hole in terms – we don't want to encourage contractors to keep working from their homes –

Andy – I think there is enough reasons to do

Bob – I think there are reasons to do it and not allow is foolishness

Andy – we need to come to some sense of that particular site

Karyl – cheered it up a little and make it look better – there was little to no effort to make it look good when he came to IDC

Andy – do we want to go forward – can we give them a nod

Chan – yes

John – yes – would like to talk more with IDC

Bob – town needs to have it, but I am not sure that Ind I is a good location

Andy – the board was somewhat fracture - want to support it and continue to work with IDC – it wasn't necessary to have their support – we will meet with IDC on 12/12 to continue work

John – a really forward thinking site plan would help me . . . that could be done in a way

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43D - I have a draft article from the State Dept of Bus and Tech web site – appropriate for adopting 43D

andy – I approached Jim Galligan after the selectmens meeting to make a presentaiotn to the BOS about this program – to earmark parcels for development – need to have landowners permission for particular parcel and the zoning and the lot would have to allow for 50,000 sq. foot building – they provide \$

andy – put together a mini task force of multiple boards – make a recommendation to the BOS to grant a permit

gino – all the individual boards still have to grant their permits within

gino – the first step is to review an application for completeness

john –

andy – we have town owned land up there that we could look at it

andy – gino, could you do a review of what could be available

gino – cybex would be a very good candidate – they want to do a fairly big addition – I can't imagine they wouldn't be interested –

andy – that would get state sewer \$ to them more quickly –

gino – the grant money is limited to – one time grant max \$150,000

andy – through the technical grants, is this something you would be able to assist us with? If it took us awhile to get the money

gino – within the limits of the law, time that is spent before the grant is signed, it is hard to bill for that – but there are ways to make it work

gino – I don't see anything

john – approach cybex now to get it rolling . . .

gino – another carrot to throw to them to keep them here

andy - they want to expand but they need the sewer

andy – how doe sthe obard feel about this –

gino – bill wright would be the best person to

motion by bob , cseocnedc bly cha – to submit an article for 43D for the cybex property – all yes

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alternative language for OSRd - looks

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Karyl – they should do

Feel prefer

John – CPC – Mr. Briggs just wants to protect his land – there had been prior proposal for a lump sum of money in return for development rights - he would be interested in more of an annuity situation

Andy – what about the agricultural commission idea – have agriculatural represented somehow

Susy's report

Motion to adjourn

GINO's report – next week – on grant status . . .

11:50 PM



November 21, 2006

PRESENT – Karyl Spiller-Walsh, John Schroeder, Chan Rogers, Andy Rodenhiser

NOT PRESENT: - Bob Tucker

ALSO PRESENT: - Gino Carlucci, PGC Associates; Susy Affleck-Childs, Planning Board Assistant

The meeting was called to order at 7:07pm – at medway town hall.

CITIZEN COMMENTS - None

Public Hearing – Modification to 51 Alter Street Site Plan

Motion to accept minutes of 11/2/06 – john, chan – unanimous

SWAP Legislative Breakfast – Chan reported

43D workshop

Andy – We were able to designate CYBEX to participate as a 43D site – BOS accepted the warrant article for the 12/4/06 special town meeting – Thanks to Bill Wright for making the contact with CYBEX. Gino to help put together the application to the new agency –

Site Plan – Public Hearing

Alaln Popkin, Mangel Archects  
Scott Rider from Daylor Engineering  
Sean NOtell, AZZ  
Joe Lynch, Conroy Development

Sean Notell – thanks for your time – CGIT Systems, Inc. – make a product called gas insulated BUS (anything that carries electgricity) – we cast epoxy insulators and stuff inside an alumnimum pipe – engineered to go into power plants and substations – carry high voltage and amps – extension cord – the insulation is a gas – pressure vessel – prodct line was developed by AMIT and a westborough company – commercialized in 1975 – westborough facility – unitl 1980s we were part of westinghouse – sold off to ABB – in 1999, ABB sold us to AZZ in Texas – we are in the electrical equipment manufacturing company – 99% aluminium product – we fabricate it, machine it, qassemble it, test it and ship it –

John – hazaroud material s

Sean – very siple =we have compressed gases that are inert – probably the most hazaaroud things we have ia acestone when we cleanth eproduct

John – I saw a hazardous material container plan

Sean – we store our drums of acetone – we also have some tools that – completely self contained storage facility – lubricating oils or used oils

Andy – is everything in quantities that it would be in compliance with the groundwater protection district

Sean – we would have to check to see on

Alan – we met with DEP and the building inspector and water department so far, no issues

Andy – have you talked with anybody in the water department

Alan – we understand

Sean – we manufacture – there will be some offices – design, - the rest of the business is manufacturing – raw material is bare aluminum pipe in various sizes – process is that we cut the pipes into length – machine shop and weld, and grind – then we clean off the aluminum dust, then we test the individual BUS ducts – we pump gas into in and evacuate – closed loop – BUS duct themselves are 10 to 20 inches in diameter – 55-60 feet long – store stuff outside

Andy – how much outside storage

Sean – the plant has 40,000 sq. ft. – we will get a project, get the raw material – everything that is outside is aluminum pipe, - the final product storage – what you see

Andy – what is out there now is typical/

Sean – yes – some of what you see out there is what we will use until April

Andy – will this be your primary facility

Sean – yes. We have 2 locations in Westborough. We will shut those down and put the whole operation here.

John – the sulphur hexafluoride – that gas is put into the pipes onsite in the field – is it stored here

Sean – we will have minimal – stored in 150 gallons – it is a complete inert gas – one risk is that it is heavier than air – when we test the product, we make sure it doesn't leak – we have a very sensitive detector – it has no toxic effect on humans – good insulator

Kayl – do you have a special room or area that you contain the gas?

Sean – we have a gas cart – gas stored in a tank and pumped in and out – the whole testing area is cordoned off from the rest of the facility –

Karyl – how about the acetone?

Sean – we will keep it in the hazardous storage area –

Alan – acetone is one of the items we can – it is not

Karyl – what is a tree fell down or struck by lighting

Alan – self contained leaking – something would have to happen at the bottom of it – even if a tree fell on it and pierced it, it couldn't discharge

Chan – could you make some statement re: the storage area you are using now – how does that relate to the parking

Alan – they have a shift for the employees – the maximum number of employees are 80 people – the number of spaces that are there far exceeds

Gino – 530 spaces remaining after you do this

Alan – we only need 80 or so spaces – no more than 100

Chan – is your inventory going to be any more or less than what we have now

Sean – what is there now is fairly representative – we are a project business –

Andy – let's make your presentation about how you will use the site

Alan – I will go over the architectural modifications first – north end of the building – we are punching through 3 new overhead doors – also a raised roof in one bay – raising it up to about 37-39 feet high – there is a new piece of equipment that needs the roof to be raised – the other component to the building – we are adding a new mandoor along the front of the building along the main parking lot which is allowing us employee entrance into the cafeteria – that is the amount of changes to the building shell – owing to site plan – when we create the 3 new overhead doors, we have to remove the parking divider – also an extension of a sidewalk to the new mandoor entrance – we are proposing to clear out the greenspace and the parking area to use it for truck maneuvering and forklifts and storage of pipes – to create security of the product – we have created a fenced in area from the corner of the building- essentially surrounding where the parking was – we have maintained vehicular circulation all around the site – other components are some dumpsters and one large trash dumpster down where the loading –

Andy – any bollards around where hazardous material container –

Alan – no

Karyl 0- how will this effect

Engineer – no effect at all, we will have to remove the curb – we won't be getting deep enough into the system –

Chan – I would like to ask the building owner – assignment of parking

Joe Lynch – when we designed the building – we overpacked it so we could be flexible to address whatever uses – we have 4 cars per 1,000 sq. ft – they are taking half the building and only need about 100 spaces – their extra spaces are being used for their outside storage – I am very comfortable that we have plenty of parking left for

Andy – how is the outside storage addressed in the zoning?

Gino – the zoning doesn't address it specifically, to the extent it is part of the operation, that is how it is being addressed

Paul Yorkis, myself and George Papaopoulous – we own property adjacent to this – on our behalf I would like to encourage the board to do whatever it needs to do within the rules and regs to approve these modifications so that this business can join the business community in the town of Medway – it is unclear regarding the outside storage in this location – it would be my hope that the board would approve the location of outside storage for the materials necessary for this business to operate

Gino – it just isn't clear, that leaves it to the interpretation of

Andy – have you talked about outside storage with Bob

Alan – we have had discussions, no problem

Karyl – any screening – it is a large area and if that is representative – it is immense

Alan – it is all to be stored inside of the fenced area

Karyl – that material we see there on site is going to be stored within the chain linked fence area - it is going to become a security zone for you to store your product

Chan – so most of the storage you have now along the east side will move up to the chain link fence – so what is the purpose of

Alan – it is really screening and to keep people out of there – nobody can break in – but we want to make sure teens don't get in there

Sean – it could be fun to climb on but dents would do some real damage.

Karyl – what is wrong with renting a few more thousand square feet and storing it inside

Sean – expensive

Karyl – what are you proposing with the fence that would visually screen or embellish the storage of pipe on the front of the building –

What is considered the front?

Chan – west side facing route 495

Alan – the front of the building is along the western edge of the building –

Engineer – example of what kind of slats we have used – comes in various colors – plastic material – it doesn't screen out – 75% screening – that is one of the products

Chan – you do plan to put all the current storage inside the fenced area at the north end of the building

Andy – the balance of the building, do you think this will be a detractor to renting the rest of the building

Joe Lynch – this is a great first tenant – this is the area we have – this is the best result  
Screening is important – board's discretion

Andy – are you pleased with the screening attempt?

Joe – I haven't seen that slat design

Size

Alan – 8 feet, no barbed wire on top

Joe – the key will be maintaining it – if it is uniform, it looks fine

Andy – how will you deal with snow in there

Joe – outside would be us plowing, inside the fencing would be AZZ

Andy – do you think you have enough space to do everything and handle snow removal?

Sean – it should be sufficient – 40,000 sq. feet area – that is much more than what we have now

Susy – does anything here effect a concom's order of conditions

Alan – no

Review Bob Tucker's comments – attach to these minutes –

Gino's comments – 11/20 – trees that are going to be removed should be replanted on site

Andy – letter from the Board of Health – Bill Fisher - concern about leach fields -

Karyl – in addition to the trees to be relocated – the fence has a very ominous quality – it might be a fair request to have any additional planting scheme something that would contain more green in front of the fence –

Alan – the chain link

Gino – what about moving the fence to be outside

Karl- how many feet of fence

Engineers- about 300 fence

Andy – the purpose of the fence is to keep the stuff secure – having the trees on the other side of the fence

Karyl – planting scheme –

Joe – no issues

Sean – we want the place to be attractive too

Karyl – what color?

Andy – what suggestions?

Karyl – couple of samples of black, green and brown –lets look at them

Chan – will you also be using some of the area outside the fenced area for storage

Sean – the whole intent is to have it all inside the secured area –but there might be periods when we would need to use some outside

Karyl – in the back, planting scheme as well

Karyl – dumpsters? Could they be screened as well

Andy – radius area is OK for fire trucks

Karyl – any noxious fumes that will effect another tenant

Alan – no

Andy – will the welding operation generate

Sean – there are really no welding fumes that would exhaust outside

Karyl- what kind of signage

Alan – there is an existing sign on the site right now

Susy –

Chan – support approval, but I am concerned about any limits on outside storage

Andy – the closest abutter supported it

#### TO DO

1. planting program from a landscape architect something of interest close to maintenance free – in front of the fence canvas
2. look at 2-3 colors of fence
3. the roof line of the bump up – a color change as exhibited in the existing building – maybe a texture change, consistent pattern change to fit it – don't want it to look like the HVAC system on top – make it look like it belonged there – go up taller if need be – something could happen there without too much expenses to the company

Karylo – what are those overhead doors like

Alan – standard, they may have a couple of windows in them –

Chan – similar to what the other overhead doors are on the east side

Dumpster screening

Bollards

Wash out area for concrete

Alan – yes, we will submit something

Gino – bob had asked for more erosion control on edge of pavement

Andy – there should be any washout – maybe some fabric during construction in the catch basin in grid

Chan – the whole are ends up being pavement

Andy – we want to be sensitive to your needs – what kind of time frame can you give us –

Karyl – does owner have any thoughts

Joe Lynch – the raised section of the roof line is not very visible – it is set back 40 feet – not very visible from the highway – not as noticeable as it looks like it would be in the elevations – weight issues

Andy- drivit

Alan- metal panels – look at options

Continue PH to 11/28 at 9:15 p.m.

Motion to waive reading of PH notice – all yes

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Medway Gardens/extra mart – site plan application – has been filed – when to schedule the public hearing? early January – or late December??

January 9<sup>th</sup> . . . for the date . . .

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Showed the applegate plans –

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Signed the Rolling Hills subdivision plans –

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Andy – brief meeting with a potential developer of the mill at chicken brook – contemplative stages – looking for some input on ideas – would the board be amicable – traffic circulation in from Main Street – and out to Lincoln street – looking to put in some parking – attract higher end tenants – would do residential in the future – there is an existing special permit that is pretty all encompassing – 1995 -

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Motion to adjourn – Chan, Karyl – all yes

8:30 p.m.



November 28, 2006  
Sanford Hall – 155 Village Street

PRESENT: Andy, Bob, Karyl, John, Chan

ALSO PRESENT: Susy Affleck-Childs, Planning Board Assistant; Gino Carlucci, PGC Associates; Paul Carter, VHB, Inc.

The meeting was called to order at 7:02 p.m.

**CITIZEN COMMENTS** – None

***Evergreen Meadow Subdivision – Bond Reduction***

Request to reduce the bond from 153,638 to 97,807 per VHB bond reduction

Andy – I went out there and they have actually completed the sloping of the granite curbing. The grouting between the joints is a little sloppy and the concrete that was put in is white – probably the best it can be – he did what we asked him do.

Paul – sloped granite edging varies in quality of installation – that looked OK – it doesn't justify taking it out – as far as concrete in front, they could have done better in troweling – the granite cobblestone is pretty irregular anyway so it doesn't look too bad – I don't think it is worth taking it out – I would suggest, let it go through the winter

Andy – it was a loose slurry that was poured in there –

Bob – could have been brand of cement that was used

Andy – still some stockade fencing out there that needs to be attended

Bob – I don't like – when I look at the individual line items for work, to hire an individual contractor to go in on a one by one basis -

Andy – basis for numbers

Paul – MHD unit prices

Bob – based on a

Motion by chan to retain 100,000 to complete the work –

Andy – is that adequate

Bob – as long as we have reasonable faith that he will follow through on this – yes – you look at a quantity at a unit rate, but then when you try to do the work, it will

Bob – we should look at the unit prices, is there a minimum square footage that the pricing is based on, if it is a small quantity that needs to be adjusted – it is also an issue on quality of the builder

Paul – MHD now has a web site that breaks down the quantities more in terms of quantities – bid prices that they have received – we can also try to adjust them up based on quantity –

All in favor – AYE . . unanimous

John – are you saying that vhb's estimate needs to be corrected – I want to go with that number

Bob – I think they are low based on lower quantities -

ANDY – I want to address the fence issue . . .

Karyl – do we want to have a fence there?

Andy – I imagine he doesn't want to look at the concrete box that was built next door - this may need a plan revision . . . is it on the plan??

DISCUSS – bond adjustments . . . at a future meeting

CONSTRUCTION Observation Reports – all set

### ***Public Hearing Continuation – Daniels Village ARCPUD***

Jim Williamson, Barberry Homes – Jim Williamson

Andy – we are waiting on the revised plans

Jim – they are 80% done and the drainage is almost done -

Andy - referenced the drawing from Mr. Gustin sketch of the trees on the site – we adjusted the ARCPUD bylaw in June to require a 4 step design process – you were in the process of developing your plans then but we still need to see that you have made the effort

Andy – I would like you to take some of the significant trees and show them on the plans

Andy – we also got a letter from town of midway fire department – chief's review – payment in lieu of installing a fire alarm system – so it will be \$5,000 to be paid – to go to a special fund

Jim – We are prepared to talk about the open space and affordable housing – I had sent him a plan and he had met with his committee – Jim met with his group and sent it back - we may need to move it a little bit north so it is not so close to the houses

Jim Wieler – we convened the trail committee – there were a couple of concomm members there – they want to keep it outside the 25 foot boundary where we could – but that doesn't mean it can't encroach – most important – is to not destroy any wetlands so you don't have to replicate – use a board walk on piers if necessary – no problem to move it away from those houses – people don't want folks walking so close

Jim Wieler – the big thing for the PB – somehow we want to get across to Tanniels's property where there is a trail that runs – we want to try to create vistas; the other thing that is real interesting – there is a 12 foot area to build a platform to get to the Lee property and onto high land – that is our wish list – push it back as far as CONCOM will let you –

Jim Williamson – I will get Rob to coordinate with Taniel Bedrosian to try to make a connection  
In practical terms, there is more open space all the way to Lovering street –

Andy – are you happy

Jim Wiler – quite, - this is our wish list – this piece is vital to link the whole network – a lot of people are using the Choate to the High school

Andy – have you talked about construction standards

Jim – stable footing, stone where it is not stable, -

Jim Williamson – concerned about another component of the trails so close to the houses

Karyl – this wish list seems huge – keep in mind that they haven't presented the stormwater system yet – we could be looking at areas that have detention ponds – we worked at really hard at getting a vista – I would have a very hard time with

Jim Wiler – maybe a pathway through the center –

Karyl –

Andy- we should have a couple of connection points

Jim Williamson – we can put easements on the plans for use of the residents of the development – for connections – we could also bring it to connect out to Winthrop street

Karyl – that whole crossing over to the open space looks very logical

Andy – how are you going to address the access by the public from the parking areas

Jim Williamson – I will have the landscape architect look at that

Jim Williamson – we will have the revised plan for you for next week

Andy – how many parking spaces do you want to have for the public access to the trails

Chan – do the paths cross the street?

John – a little spot behind

Jim Williamson – walking trails for the public should be the perimeter

Bob Tucker – have you looked at having a little parking area – more than 3 or 4<sup>th</sup>

Andy – like a trail head almost – or that type of concept – look at big picture

Jim Wiler – Choate park, high school and Idylbrook – 3 cars at Evergreen -

Dan – I don't think you need much parking here

Jim wieler – from our perspective, if we can go into the loveirng street right of way, we can connect to evergreen meadow – maybe a single path through the vista

Andy – BOS to gain permission to use the loveinrg street ROW for a pathway connection

Karyl – kep the vista,

Andy – what is board's consensus on parking

Bob – any regulation that requires parking for the trails

Chan – I haven't heard a case from jim and dan for parking

Gino – I am pretty sure there is not a parking requirement

Gino – I thinkyou are clear on getting out to Winthro Street

Andy – bring the trail out to Winthrop at the southern end of the site/driveway or maybe join in the trail to the sidewalk

Handout on conservation restrictions from the Mass Coalition of Land Trusts

Susy – explanation on conservation restriction and how it works – CRWA recommendation to have 2 entities

Jim – susy did provide me with a draft of the riverbend restriction – it is not totally adequate for our purposes – the concept can be modified to fit the land

Jim – your bylaw says that only 50% of the required open space is to be protected – is it the board's wish to set aside all of it – that would preclude a soccer field or some other use

Karyl – every conservation restriction should be unique –

Jim – a lot of this is boiler plate – but it does have to be site specific

Andy – we would encourage you to take this approach – difficulty getting a consenssy from the BOS – more expedient to go with this

Jim – they are all very much the same – they do have to be approved by somebody at the state

Gino – divisoiin of conservfation services

Jim wiler – for thel board's the benefit – the cost to the land trust for enforcement – typically the uppercharles land trust looks to establish a fund to be able to prosecute – susy said there is a recent judgement re: seeking ways to recoup – we would like to see the conservation restriciotn language too

Andy – you will try to advocate for acceptance of this –

Jim – typically we look for a funding mechanism in case wse have to litigate –

Andy – can you report back to us?

Jim – upper Charles conservation land trust – is a board member

Chan – I don't feel this is a permanent solution – the BOS is going to need to be able to deal with this kind of issue – are they aware

Jimn – as I understood it, the condo associatn will own the land and the Medway concom and another land trust group would hold the conservation restriction to police it – the only issue would come up is if there are legal issues

Chan – it is going to multiply every year, and then there will be some that will disagree – sooner or later, the BOS will have to get involved in the open space issues – ultimately the selectmen have to get involved – this is a new technique

Andy – but it wouldn't be in limbo – it would be owned by the condo association

Andy – they feel they don't want to own the land

Jim Wieler – the bos has to accept the conservation restricoitn on behalf of the concom

Andy – the tax implications – you would have a reduction

Jim Williamson – it might even out – I talked to the assessors office – it would depend on how the assessors would choose to look at it – the goal of the bylaw is to protect the land and to have it be used as passive

Andy – have you been before the street naming committee

Jim – sent in our application

Andy – can yo update us on the subdivision process –

Jim – I talked to the building inspector – as long as some units are on a separate lot

Andy – affordable housing – have you got some type of plan yet

Jim – state has revised the LIP guidelines – we have retained a consultant to help us – a bunch of firms have sprouted up – I do have a sample for your files – Robins Brook in Acton - - as of today the affordable price will be \$150,500. I can show you how we calculated that –

Andy – how will those be disbursed

Jim – they will be disbursed – it is not our intention to make any of the single family detached homes affordable – that would be another \$800,000 loss.

Eric – I think that is standard practice – you want these want to be long term affordable – I would think it would be OK to be disbursed in the triplexes

Jim – we will have some end units – they wont all be in the middle of the triplex – we can't afford to make the single family homes affordable – I talked to the folks in Acton –

Susy – DHCD may provide some direction on that

It is now called LAP instead of LIP - jim we will idnetiyf those next time –

Andy – are we making sufficient progress?

Jim – I do want to say one thing – they are having a tough time filing the affordable units – the eligibility requirements are somewhat restrictive – a number of these are struggling to qualify –

Andy – is it the consultants' resposniblity to market them –

Jim – yes, advertise for 60 days, internet marketing – units have to – the consultants get 3% of the selling price to organize the lottery –

Jim – if we cant fill those units with over 55, the board may want to look at other options - offsite

Gino – it is a challenge –

Eric – it is because of the asset limitations by DHCD – restrictions -

Jim – they are running the auction for Acton

Andy – what about an off-site option, how does the boqard feel about that?

John – that could be funds in lieu of construction – is that how it could work

Jim – or we could identify 8 condos in town and convert them to affordable units without an age restriction -

Eric – family housing is family housing, buydown of an existing unit – this would be considered as a backup – look for offsite

Andy – maybe we could get more affordable units if he can do all the units in the ARCPUD as market

Jim – we have to quantify what our subsidy is . . . so we have to frind a way to do that – I would have to

Bob – we woldnt be against an alternative proposal if they went beyond their time frame required

Jim – we would like to know which way you want to go- instead of trying to get htem filed, I guess we would like the board to give us some direction

Andy – I am fine with offsite –

Chan – what does offsite mean

Jim – existing condo presently located in medway,

Karyl – I am open to it . . .

Bob – I am open to the concept

Andy – we are open to flexibility – you might garner more success rather than sit on something –

Jim – let me give them some thought -

Eric – you want to make sure the units would be counted on the inventory –

Andy – if you can justify your ROI, then maybe we can get it up to 10 units.

Continue – 12/5/05 at 7 pm

Jim – revisit the overall site plan, present the stormwater concept –

Karyl – we want to see some sort of input to saving and making prominent some of the trees – it is not like you are going to get all of them

Jim – I will get that to you tomorrow

Karyl – DRC has seen their architecture twice –

***Public Hearing Continuation – River Bend Village ARCPUD & Definitive Subdivision Plan***

Mark Deschenes

Lee Bloom

John Spink

Rich Conretta

Rich – made some modifications to

Paul – we got the revised plans on 11/22/06 and drainage calcs – right before thanksgiving - we haven't

Distribute revised plans dated nov 16, 2006 and the Operations and Maintenance plan update –

Rich – I believe I have sufficiently addressed

There are 3 areas that need correction – in dealing with some of the specific acreage references –

Andy – I would like rich and susy to work out the details

ANDY- let's focus on conditions of approval

Karyl – I want to get to

Mark – new name – Walnut Grove on the Charles

Karyl – re: 11/16/06 operations and maintenance manual – page 2 – what is happening here?  
Major Maintenance – may require partial reconstruction?? Is that like leaving it up to fate – I am skeptical

John – these things have a tendency to get siltation – this is a siltation cleaning mechanism

Karyl – you are saying it is not going to work

John – siltation ends up being very fine and it blocks – continuous maintenance questions that goes on forever

Karyl –

Bob – ten years down the road, there may be enough silt that has accumulated,

Eric – add the work “periodic”

Andy – who make the determination on inspections

John – whoever is the operation and maintenance person for the condo trust at his discretion

Mark – also the concom can come in and force the issue

Paul – it is quarterly inspections too

Andy – who has oversight? Concom?

Susy – only to the degree that it would effect the wetlands

Andy – otherwise it is the condo association

Karyl – is this enough

Bob – this is the minimum general maintenance that is going to take place on these systems – you can’t put in reactions or how to resolve every condition that you could come up against

Karyl – assume the worst

Bob – primarily looking for general maintenance, good things you are going to do to make the system last as long as possible – when it doesn’t work anymore, engage the engineer, landscape architect to rebuild, replace

Andy- I want to make sure there are inspections

Karyl – regular reference to handbooks

Paul – quarterly maintenance is done so you can avoid major maintenance –

Mark – post construction and then prior to turnover to the condo association -



John – who will make the decision on major maintenance – who makes the determination that maintenance is needed

Rich – the condo association –

Andy – enforcement of that and whether they are doing it would be the CONCOM

John – who monitors

Mark – condo association will have a professional property management company

Chan – why are we worried about this? We wouldn't be concerned if it was one big estate

Eric – cause there are 125 units

Susy – CONCOM won't be doing general oversight

Andy – are you satisfied with this

Paul – we will review this draft with the revised plans and the drainage calcs

Rich cornetta – we will make sure that it is referenced in the condo docs

John – waiting for VHB signoff on plans before CONCOM will issue their order of conditions

Trails/-

Andy – the trails are not access – eliminate reference to exceptions

ERCI HERE

Construction observation - what to do

Andy – will you do this as a construction control project?

Mark – we could do that for the roads and utilities – also the multi story buildings – but not the townhouses

Bob – construction control approach – have your engineers sign and stamp an affidavit that it has been done in accordance with plans

Mark – we would typically submit an as-built too

Chan – standard conditions of approval include construction observations – have their engineer certify – and it should meet the requirements of our PB engineer

Bob – if you do it under a construction control type project, then their engineer is stating under oath that it has been done to the drawings, - if so, it would be a waste of money to have VHB

Mark – we would provide an asbuilt site/utilities plan and an as built landscape plan

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Gino – I would suggest that with the site – on the Charles – no work other than erosion control begin until the erosion control is in place –

Andy – do you think that that is something that is important because it is an environmentally sensitive site

Gino – I think the issue of observations is separate from the environmentally sensitive nature of the site

Andy – because of the unique type of drainage system and the first time it is being utilized and some board members are suspicious, do you think it would be a good idea to have observation

Gino – it probably should be

Karyl – I would like to see some sort of observation schedule – I don't know what that would be

Andy – are their critical milestones that can

Paul – it would be what is normally inspected – roads, drainage,

Rich – the board does have the right to enter the property

Susy – that is not what we are talking about . . . organized inspections program with funds provided ahead

Andy – we need to know that the work is being done in accordance with the plans

Chan – they have to furnish a statement that is certified by an inspector – I also think we should have periodic inspections

Andy – intended

Bob – on a private way, let the engineer do it

Paul – have the PB engineer do inspections or have the developer provide inspections – the milestones are laid out in terms of the subdivision rules and regs

Eric – I would suggest minutes of status and affidavits at the end –

Bob – I have done it both ways – daily logs,

Andy - use a CO form –

John – so they are paying their engineer to inspect according to what schedule

Paul – per the subdivision

Bob – their engineer is already going to be out on site doing this –

Karyl – have them do their own CO, using a form and a set required schedule per the subdivision rules and regs – plus having affidavits at the end – full package of documentation – and as-built drawings 0- secured by bob – all yes . . .

Andy – mark bobrowski is reviewing the legal documents – we are waiting for LIP approval

Subdivision extension to January 30, 2007

PH continuation – January 9<sup>th</sup> 9:15 p.m.

Eric leaves at 9:30 p.m.

Public Hearing CVS – Site Plan modification

Andy – applicant is not able to attend tonight

Chan - waive reading of PGH notice – bob – all yes

Andy read letter from Joseph Greene, NWG Automotive Repairs

SEND letter to Karen Johnson – NOW

Bob – have you talked to Charter

Joe Green – this is the first I have heard of this – getting the letter – I am not sure what debris they are talking about – trash,

Andy – concrete fill,

Joe – definitely needs to be something done with it

Andy – have you surveyed it – do you know where the property line is?

Joe – getting it surveyed – wasn't an issue before

Bob – I am not convinced a 6 foot fence will resolve the issue

Joe – seems like the fence is going to collect more debris, and brush will go up against it

Andy – I would argue that it is not maintained now – once you survey it, you will know what you own and what is in your control.

Bob – I think we can make a better

Andy – I am surprised that charter hadn't talked to you –

Joe – I was told previously from the cassidies that there was supposed to be some sort of retaining wall –

Andy – there is a retaining wall there – it is to retain the CVS parking lot

Andy – I would encourage you to come back and engage charter in the meantime – I know we have their phone numbers

Continue to 1-27-07 at 7:15 pm – motion by bob, john – all yes

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short break – at 9:40 p.m.

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***Public Hearing – Pine Ridge OSRD Special Permit***

9:45 pm –

motion to waive rading of pH notice – Karyl, chan – all yes

andy – this is a pretty cut and dry situation – things are running fairly smoothly out there

Paul Yorkis and John Claffey

Paul – the proposed replacement text – condeitoin #8 – change CLACFO to Pine Ridge Drive, LLC

Chan – motion to approve, Karyl – all yes – no Bob

No Comments from the audience

Close the PH – kary, john all yes

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Pine Meadow – Nick Turi

Meeting we held on site on 11/27 –

Paul – we met on site yesterday – dan odriscoll had submitted a 10 scale plan that showed existing conditions and a sidewalk – paul yorkis – paul was thinking they could move the hadnciap ramp back into the site – I told him it had to be in front of the stop line and stop sign. They need to submit a handcaip ramp detail for what they are proposing – some grading issues with adjacent properties – I asked they had grading to the plan – also there is an exitn stone wall and trees – Mr. Turi is amenable to them rebuilding the wall and relocate the trees – he would also like al fence which they are looking into – at the top of the slope

Andy – we were able to suggest that they keep the telephone pole where it is, the tangent changed a bit – keeping the pole there is aq cost savints which would be used to offset the landscapiong and fencing

Karyl – what kind of fence

Andy –split rail

Karyl – why

Andy – because of the grade

Paul – the utility pole cannot interfere with the handicap ramp

Andy – they will submit a revised plan

Susy – try to look at this next Tuesday night

Paul – depends on when we get the plan

Andy – we should have looked more closely at the grading

Paul – it was a very poor quality plan – it is a hand drawn plan

Chan – the original plan did not reflect the true contours out there – 8 foot difference in elevation

Susy – is this changing the roadway layout

Paul – no, the curb radius is going to end – they will narrow the driveway a little bit

Gino – this is a plan revision, not a modification . . .

### ***Public Hearing Continuation – 51 Alder Street Site Plan Modification***

Gino's review letter dated 11/28

Email note from Wayne Vinton -

Andy – what have you done to address the concerns

Alan Popkin – handout of AZZ/CGI hazardous material inventory list –

Bob – I would think the fire chief would have wanted to see this

Alan – the only materials we have of concern is acetone – stored outside in a separate building – use it via a squirt bottle – the other hazard is propane – 4 tank, 2 which are stored outside and 2 are in the ???????. we have gone thru the list of chemicals that are here to be sure they comply with Mass building code .

Bob – based on the quantities, I am not concerned – Wayne Vinton is going to want to look at this

Andy – 11/28 email to Susy from Bob re; groundwater protection -

Gino – am I interpreting the plans correctly – is this facility outside the district?

Alan – we were led to believe we were in the district by Bob

Gino's letter – 11/28/06 – fencing is on the inside of the planting strip and additional plantings were added

Alan – no fencing samples have been secured yet

Gino – I would like to see a letter from the engineer that the catch basin can handle the traffic

Gino – a few more bollards along the side of the shed

Bob – what material?

Alan – pipe with concrete

Gino – trees being removed will be replanted on the site

Gino – dumpsters are being screened with landscaping

Gino - plans show washout area and silt sacks

Gino- item #10

Gino – color samples for fencing

Gino – also, discussion about roof design – was anything been done

Alan- we will provide colors and samples –

Andy – any other info to present

Alan – brought the landscape plan and the revised layout plan –  
Karyl reviews the plans –

Motion by Chan to approve the site plan with Karyl approving the fencing color and color panels of the raised walls - Bob seconded - - all yes -

Chan – I don't feel the DRC involvement is relevant- this is a very important project

Bob – would Karyl feel that she can represent the DRC

Andy – the IDC and the owner wants to make sure that the rest of the building is attractive

Andy – I would like to get this approved,, conditioned on the right colors being approved for the fencing and the roof

Andy – IDC was surprised that there was outside storage

Andy – the chain link fencing has slats and samples are forthcoming

Karyl – it is a lot of fencing – and there is a lot – if we can help to make it a little better for all other parties that might be coming into the part – we could say rent more space and put your stuff inside – but we are going to allow this exterior storage area – 40,000 sq. Ft

Andy – I would like us to do whatever we can to help you move forward as fast as possible – if we could get the approval conditioned

Alan – nothing to be installed

Chan – my posit

Andhy – do you want to comment on the color?

Chan – no, let Karyl decide

Bob – yes

John – yes

Andy – get samples to Susy this week – we can let you know the color – we will draft a decision this week –

Alan – green, black and brown options for fencing

Alan – building inspector has been reviewing our interior work –

Alan – we will modify the drawings and get them to you and I will get the samples to susy ASAP

Susy – will work on decision – for next meeting  
continue – to Dec 5<sup>th</sup> at 9:00 pm m

## **OTHER BUSINESS**

### **Correspondence**

Suburban Mobility Grant application – to Boston Region MPO –

Metro Futures Session – December 5<sup>th</sup> in Randolph – chan will attend – others are welcome

Andy – asked Gino to give us a report on what he is working on – lot of activity and irons in the fire

Gino – there are 4 major items outside regular work –

1. PDF grant – followup to last year's project on C1 and C2 to a town center district  
no match required – refine the draft zoning bylaw we had from last year, - generate more specific info to each parcel – what can actually happen on each parcel – last year was more of a broad stroke – now it will get more detailed – analysis of each parcel and how it could fit – also calls for subdistricts for within a 40R district – mixed use or just housing, also includes one subdistrict being the mill area –

andy – are you meeting with propertyowners

gino – do intend to do that

andy – time deadline?

Gino – yes, 18 months from the start – which I think is September 06 – good shape

2. FY 07 smart growth technical assistance grant – preparation of a Traditional Neighborhood Design bylaw option – promote traditional types of neighborhood development – I like to use as an example – Dean Avenue 0 the area by Dean college – good example – one aspect of that – it calls for selecting two sites in town and analyzing them for potential – I thought one site would be a natural is the Cassidy property at the end of Broad Street and up to Medway Commons – a couple of other possibilities – one area in north medway 0 the wicket property – but beyond that – there are a couple of parcels closer to the c1 and c2 districts that would fit pretty well due to adjacent neighborhoods existing – I would envision that the bylaw would not be limited to any areas, but these are just examples of where it might - the other half is a mill conversion overlay bylaw without necessarily the 40R

that meeting with a prospective developer for the mill got me thinking – the mill conversion would be need to include a housing component – have some flexibility to do things – create areas that might about the mill property – allow a mixed use for housing and commercial

gino – would probably work better as a separate bylaw

john – maybe it could be broadened a bit to not just be mills – old bowling alley, needs to have a reuse component

3. 43D expedited permitting – we would have to prepare the application to submit

4. More Jobs grant program for sewer out to the industrial park – that is on a track very similar to the 43D rules/regs process –

Working on that for the IDC

Smart growth grant has a june deadline

43D – may be

john – when we talked about the C1 and C2 – one of the landowners talked about the existing bylaw in that district being too restrictive due to the existing parking requirements - we talked about adjusting the bylaw as it is now – could we at the next town meeting – could we amend the zoning bylaw

gino – you might want to think about that – the new bylaw would be incentive related, you don't want to eliminate the incentives and not try to get the new investment – need to be careful

john – don't change the parking to the level that would come in under the new overlay

andy – I am looking forward to the IDC meeting to get ideas on priorities – what fingerprints they want to put on things – how do we move as a group

bob – who is the host committee for that meeting? Agenda?

Andy – we are host, and we are working on an agenda – sit around a table – more of an exchange

Chan – what is their mission

Andy – we will reprint the section of the master plan – on economic development – I believe they draw their direction from the master plan



Gino – I don't think there is anything specific

Chan – there must be a bylaw

Gino – I don't think so,

Andy – Bill Wright refers to the master plan document

John – IDC is it part of the PB

Susy – no,

John – separate question – on the smart growth Ta grant – you said you needed two sample neighborhoods – have you thought about this area right here?

Gino – along village street

John – how about land behind the middle school – in walking distance to c1 and c2 area

Bob – that is wetlands in there . . .

Chan – go back to question – I see the IDC should support us with industrial and commercial zoned land – we have a serious problem in the town by not having enough – we are struggling to get commercial land – I see the IDC as someone who should be helping us in that process – they should to be independent and standoffish – we have the final responsibility – but anybody can propose zoning – I would like to have some other boards feeling about this – need to work I don't see this level of cooperation at all – maybe you can shed some light on this - I would like to have the opportunity to ask them for help and working together –

Andy – I disagree with you – I have never told you to shut up –

Chan – I am getting the word

Andy – do you think last night at the IDC meeting there was a spirit of cooperation

Gino – absolutely

Chan – I am upset that there is no cooperation

Bob – we want to build some bridges

Andy – I think we have been doing fine – I have a great relationship with Bill Wright – we are working well

Motion to sign covenant for rolling hills – bob, john;

Invoices –

PGC – \$225 – Karyl, bob – all yes

Update on last night's IDC meeting

Gino – reason for meeting was to discuss proposal for contractors quarters idea – some concern about that type of use being a detractor in the industrial park to other higher end uses that might wish to locate there – there was no real conclusion drawn – by the tone of the discussion – Paul Yorkis was there and listened – he announced that from the sound of it, he wouldn't get the support he needed – said that he would withdraw his proposal and put the property up for sale

Andy – I spoke to him today – he said he was withdrawing it from the IDC – felt there was a conflict with one of the individuals on the IDC – he is still interested

Andy – I think we need to get a better understanding of the IDC's mission, etc – before we move on this matter

Andy – BOS wants zoning articles at annual town meetings

Chan – I am glad we had this report

Karyl – isn't it just the opposite – shouldn't we be working more for them

John – the sewer grant stuff – is there anything more we can do to be supportive

Gino – probably not

Chan- the town is in dire straits – it should be our first priority

Bob – in all the projects I have done, I can't think of one that has had to go before a planning board for work like this

Susy – the work out there will be better because of the review you have done and the finetuning that has been done for the site work . . .

John – I would like to go out to the industrial park before the 12<sup>th</sup> – to get a better feel for the proposed site for the contractors quarters –

Andy – maybe we don't agree with the IDC – until we hear where they are coming from

Bob – there needs to be communication –

Susy – there has been an ongoing relationship between the PB and the IDC for a good number of years

Motion to adjourn – Karyl =, John – all in favor – AYE  
11:15 PM

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December 5, 2006

PRRESENT: Bob Tucker, Andy Rodenhiser; John Schroeder; Chan Rogers; Karyl Spiller-Walsh

ALSO PRESENT: Paul Carter, VHB; Susy Affleck-Childs, Planning Board Assistant; Gino Carlucci

The meeting was called to order at 7:02 pm

Chan Rogers – I would like to make a statement – at the end of the last meeting I made some statements which I regret – and I apologize to the board and the IDC – I have found I was totally in error re; their - I wish to compliment the IDC re the work they are doing – I make this apology – the town needs the cooperation of all the boards

Karyl – what a wonderful statement

Bob – very nice

Andy – thank you

**CITIZEN COMMENTS** - None

Andy – one of the things I talked about with Gino as part of the 43D grant to get some power point equipment for Sanford hall – to be able to show

**Daniels Village ARCPUD Special Permit –**

Rob Truax, GLM Engineering  
Kenny , Barberry Homes

Rob Truax – this is the latest and greatest layout we have come up with – tonight we want to go over the layout, give you a general idea of how the drainage system works and get your blessing on the layout so we can turn this over to the landscape architect – you have seen the most of this a bit – we did a little more reconfiguring – we are now down to 80 units - - opened up some spots – there were some significant trees that you showed us – unfortunately, we can't save the trees – this is the high point of the site, I can't raise the site to meet and bring in massive amounts of fill – it is a catch 22 – they are in a bad spot – down in another area to the south, we are able to preserve some trees and a wall and bring the path through there - to design the whole site around 2 trees would be really difficult –

Bob – you have a pretty good size cherry and hickory

Rob – I didn't see a 61 inch hickory – I have seen the two really large trees –

Andy – so the big ones will be lost . .

Rob – yes

Karyl – it is right at the edge

Rob

Andy – the road system will cut away the roots

Rob – yes – the grade goes from 238 to 228 – we need that to balance the site –

Karyl- how large is the retaining wall – how realistic is it to take out the building and put it somewhere else

Rob – doesn't matter – I have to get the road cut through here – we are working the site as a whole – I can only jump buildings by about 1 foot – it is hard to work the site like this for the over 55 – I have done four of these over 55 developments – need to have gentle grading –

Bob – you would end up with a grading plan like out at river bend – I don't think we want to see that kind of situation again

Rob – we have worked very hard with this final layout – trying to balance the site – getting the drainage to work – preserving the fields –

Andy – of the significant trees that are on that diagram – what will be preserved and lost? Using that drawing, what will be saved?

Rob – I would like the LA to look at this –

Chan – didn't Bob raise a question in an email that I would have thought would have been passed along to you – we would like to know what the balance is between the trees that will go and those that

Rob – we can show them on the plan, we have done the best we can to preserve the tree line – we haven't gone out to locate every tree that is shown on the sketch – we want the LA to look - I can go out and

Andy – when we were last together we talked about the 4 step design process – inventory of existing conditions is to be shown –

Gino – the bylaw talks about identifying the key natural resources on the site

Rob – we have shown the stone walls and the tree lines the rest is open fields – we did not go out and pin point every tree in the tree line –

Andy – we had a gentleman who had come to the meeting at the library who prepared the tree inventory – what we are trying to do is be responsive to a citizen who attended the meetings – I think it is important that we follow the bylaw to identify significant natural resources – and where we will lose

Chan – it helps us to know that you are saving some trees of significance –

Andy – it is not our

Karyl- if the development was one the open space to the right, this conversation would be a moot point, - but where you are proposing to do the development, it is just rich with trees,

rolling , stone walls – it is a shame to have to lose – if there is any possibility of saving, or recreating some – especially trees of shape, character and age –

Andy – if you are going to have to lose some of them, please show which are going to be gone and saved - every significant tree – what is a significant tree

Bob – all the trees that are shown on the inventory

John – 48 inch circumference

Karyl – if it is dead, no – if it has a nice shape

Rob – what is considered large

Chan – I would say 36 diameter

Bob – let him use his judgement

John – we have a tree warden in town, he might go out with you – there are an awful lot of large trees at the front of the site –

Rob – there is a pine in the scenic road layout – we will need to do a hearing

Rob – we are pretty much here to present the layout – we did try to do what you asked – detention area in the front – several infiltration system – some swale – we tried to mix it up – we will landscape the front detention pond to hide it – we don't have to cut any trees to build it

Bob – any way to minimize the size of it? I really hate them. Just creating more wet space out of good land –

Rob – you have to do something with it – it is a low area there – I am building up a dike around it

Andy – what is board's feeling on layout

Bob – I am not a proponent of detention basins – over time they have a tendency to not be maintained and they look horrible – I have one at the end of my street that looks terrible- I don't like the idea of taking good land and cutting a hole into it –

Andy – any other alternative you might suggest

Rob – swale will clean but not do the trick

Karyl – that is a logical use of that area

Andy – is it possible that it could be designed so it won't hold water

Rob – it will infiltrate . . . it is not designed to be a wet basin

Bob – how far out does that big cut go? Couple hundred foot radius mount

Rob – 400 foot diameter knoll

Karyl – I think the discussion on the layout is contingent on what will happen with the trees – try to save some – I think the water concepts are what is going to happen – I think it is a logical solution – basin needs to be there – it will be about landscaping

Andy – I think they are not intending to preserve the mound of the hill line - Karyl, you want to preserve the knoll, - we need to give him some direction on this – if we say we want them to preserve the knoll, what are the tradeoffs

Kenny – we pushed Rob to do – to where the grade change wasn't too significant we tried to keep - I don't really want to change the layout

Bob – as you are going along in that light, just show where you are going to keep or lose stone walls, etc. – to what extent are you going to clear everything

Kenny – on another site, they brought in a tree expert to relocate trees

Rob – I don't think we can take care of those hickories

Karyl – come up with some ideas like that – and discuss the retaining wall – it needs to be a stone wall

Rob – you aren't going to see it – it is on the downside

Andy – will it be visible from within the throp

Rob – you won't see the face of it

Andy – look at the bylaw – stone in appearance – versus a lock is the least desirable

Karyl – use some stuff from the stone walls from the site –

Rob – we want to bring in the LA

Karyl – that ties in with the initial discussion on existing conditions

Chan – we started off with a layout that proved to be faulty in terms of circulation – this layout – I think it would help the board to show us a plan that shows us significant natural resources where they will be untouched – for the board to say we approve the site, it is a necessary step to sweep what natural features are going to be preserved and what is going to be lost – balance – what percentage of the site is going to be left in its natural state – that would help us decide whether the site plan is good or not. I am not ready to say that is a good layout yet

Karyl – ditto

John – the topography that is on there is the existing

Rob – it shows both existing and proposed

John – from what we looked at originally, it is very nice – I can't really tell what they really look like by scraping the 400 foot knoll

Rob – we will try the best we can to show you the impact

Karyl – anything you can suggest that might be interesting to us – reasonable enough to move – that would go a long way to making the layout just fine in my estimation

John – spading of the trees comes with the LA – but before we can get to that, we need

Rob – we will see if we can get some trees –

Karyl – give him that list and see what can be transplanted on the site –

John – get the tree warden's

Rob – I am a little nervous about the amount of cutting

Andy – I think the layout of what you have come up with – good blend of TND and what we are accustomed to – this seems to be a move toward that direction – that seems more familiar

Rob – we feel very good of the design –

Andy – it gives you the density you are looking for

Rob – while it doesn't look as dense

Andy – it pains me to lose the old trees, I appreciate your efforts to save the others – I want to make sure that we consider, and that residents know that we considered it and balancing what is being lost – we see that as a critical piece to moving forward – in general, it sounds like everybody is in favor of what you are showing

Andy – is it OK for them

Rob – if we can get out there and get the trees located and get the LA in – we will take our chances that way

Susy – January 9<sup>th</sup>

Andy – are we comfortable with 2 roads coming into Winthrop Street – go ahead and get started on the scenic road work permit, then

Andy – the tree warden will measure and use the formula to come up

Rob – just go through what we anticipate as some of the waivers –

Drain pipe – we would like to use all plastic – private site – instead of concrete

5 foot sidewalks – these we will not be plowed by the town – maintained by the condo association

from a dimensional standpoint – narrower grass strip – we will go with 4 feet vs. 6



centerline radius at on eo fhte curves – it gets tight –

andy – fire truck and moving truck templates

rob – we will take it to the fire chief

rob – more waivers

cellar drains – common drian system

roadway slopes – we have gone down to 1.5% in some areas – to keep the cuts and fills

rob – per the building code, the cellar has to be 2 feet above groundwater . . .

chan -0 the second waiver you mentioned – couldyou say that again

rob – width of the sidewalk we want ot do 5 feet instead of 6 ft

chan – you are just giving us a list of the likely waivers

andy – any heart attacks

no

paul – all 2 way roads?

Curbing - asking for vertical concrete throughout instead of granite

Karyl – I will have to think about that

We are not going to curb any of the common driveways – just the main roads would be curbed –

Rob – 22 foot roadways, common drives would be 16 feet

Andy – next meetin g- paul would have gotten the revised plan

Karyl – any tree info you want to submit

Rob – once we complete the final engienernig, we will get packets to you folks and to the various boards

Rob – I expect you will get this around December 15 –

Andy – then perhaps we cold talk about the affordable housing on January 9<sup>th</sup> – recap everything and those issues –

Rob – maybe the traffic engineer can get some resonses to you

Susy – other mitigation – senior center

Andy – show us the pathways next meeting

John – take trail out to Winthrop Street

Rob – trails will be shown on the landscape plan

Continue to 1/9/07 at 8:30 p.m.

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### **Pine Meadow Redesign**

Paul Yorkis – as a result of the meeting that you and Paul Carter attended and the Turis and the Feldmans – there has been a series of revisions, some requested by the Turis, some suggested by Paul Carter – some of a very technical nature e- I met with the Turi's last night and they are comfortable and they have approved it and signed -0 they are very pleased with it – And I have the original and tons of copies which can be

Andy – I am asking, Paul Carter – the comments you have – everything is a go and acceptable

Paul Carter – yes, I have reviewed – they show all the items we asked for –

Bob – what kind of slope does their driveway have coming down to Fisher Street

Paul Carter – I am not sure – 234 to 232 –

Bob – will it be any steeper than it is now

Paul Yorkis – no change to their driveway compared to now

Motion to revise plan – bob, chan – all yes –

Motion to authorize andy to sign on behalf of the board – bob, chan – all yes

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### **Marian Community – Betania**

Andy – we are looking at tonight, overall site plan, locations for septic/wells ; locations for stormwater management facilities – I would like to listen to their presentation – give them feedback directly re: problems or concerns- we are almost starting from scratch without them resubmitting – we are looking for significant this evening

Bill Proia  
Rich Coppa  
Bill Drexel

Bill – thank you for the board and to Susy for providing followup notes – we have taken those comments to heart and designed a plan here that will really give you a sense – we have a separate open space plan to put up

Black outline is arched site – this reflects the 65 unit plan – shows chicken brook, vernal pool at center of site – shows all the features – we have not encroached on them – met all the standard

setbacks – on the design of the whole project – the board had an interest that the design would be based not just on arcud, but on the other applicable permits, etc.

3 septic systems and reserve units – all designed to meet the title 5 standards - - shown in brown

blue features are water – oval shaped are detention areas – they have been relocated to maximize setbacks of the subdivision rules and regs – other blue piping reflects the private water supply we are proposing on site – there is a group of units associated with a specific well in a well zone –

by taking out the internal road, we moved another road further west – nicer layout so fronts are along all the roadways

brown pathway – public accessway from Wenakeening woods – this reflects a public access easement with a conservation restriction

Andy – septic system reserves?

Andy – does the trail exist presently?

Rich – some does, other parts will have to be built

Bill – the overall design is consistent with the ARCPUD goals and objectives – low impact plan – use existing contours/grades/features – trying to minimize cuts and fills –

Andy – the devotional recreation area – why is it the shape that it is – does it relate to anything specific – what is its purpose – this is a new term since the septic and well thing came in – how does it relate to the infrastructure?

Bill – we knew we needed some reserve space in the center – we wanted to keep some space open for that – it also provides some centrally located common space for the condominium to use – walking

Eric – is its shape

Bill – it is at the top of the hill

Andy – should it be a concern that the devotional area and the septic reserves overlap

Andy – are any of them mounded

Bill Drexel – the grading for the septic tanks – but it will be above grade and will match the grading of the duplex units nearby – it will blend in – it won't look like it will stick up out of the ground

Bill proia – consistent grade

Andy – emergency access road? Where is the ridge for the other possible subdivision –

Bill proia – south of here

Andy – will that emergency access crossing of the wetland be a problem

John spink – no, concomb has seen it – OK

Bob – having the expansion area – I can see you meet the letter of the law – it seems like an awfully long distance away – you would have a major repiping effort to round there

Bill Drexel – that can be pumped

Susy – how many wells

Bill Drexel – 11

Bill proia – the Board of Health asked for info

Andy – has there been a determination from DEP?

Bill proia – we have determined that we don't need one

Andy – does the board feel it is necessary to find out more about this

Bill proia – I sent my letter to DEP to Bill Fisher

Adam costa – I can't say – we

Bill –

Andy – could you lay out the basis for your determination and give it to Mark

Gino – if a well serves more than 25 people a day – if they have 11 wells – it seems logical that they are making an accurate system

Bill – the way the regs are written, common ownership aggregation rule – the aggregation is only the units associated to using

Eric – dep is aware of it, by virtue of the fact that they haven't acted –

Bill – I will send it along to Mark's office

Andy – I don't think that is now necessary

Andy – how are the soils

Bill Drexel – we will meet with the BOH on 12/11 – we are going to go over the findings – we have done ledge tests – we have computations for the size of the systems we will use – computations for size of reserve areas and show them what we have so far – we want to make sure we take care of any issues they have

Andy – at what point will you be able to say this is the design?

Bill – depending on how the BOH handles this

Andy – VHB

Karyl – is there any limitation on how far away a reserve area can be away from the septic

Bob – it has to be on the property –

Andy – pumps

Karyl – the devotional area of land – how will it be done –

Bob – piping will be a cut and cover

Bill Drexel – forced main pipe it will follow the terrain – but several feet deep

## OPEN SPACE PLAN

Bill – table showing the arc categories of open space –

Bill – Dave Travala had wanted to see where the vernal pools are in terms of open space

Orange line – protected space – subject to conservation restriction –

Bill Proia – wanted to show that we could have more open space along the roadways –

Bill – we meet or exceed all the tolerances –

You had also asked us to show the septic facilities in terms of the open space –

Andy – the retention areas you show – are those iconic or actual size

Bill Drexel – actual size

Andy – are you still using LID techniques

Bill Drexel – that is correct

Andy – are you having swales on either side of the road to collect the water

Bill Drexel – by and large, there are not swales on either side of the road –

Bob – what is big area in the middle

Bill Drexel – it is part of the church lot where the statue area

Andy – what you are looking for from us tonight is a greenlight on conceptual

Bill – what Eric said last time is to come up with the drawings so we can really understand

Karyl – it is much clearer

Bob – your walking paths – were those intended to be open access?

Bill – one main pathway thorough would be public – to be used for any purpose that sidewalks may be used

Rich – but not 4 wheelers

Eric – signage??

Bill – yes, something –

Karyl – going back to the devotional land, why isn't that included in the open space –

Bill – the major reason is because we needed the area for the septic reserves – we want to allow that space to be used for community activities – we wouldn't want to make it protected open space – more of a common gathering area

Andy – I would think

Bill – I just didn't see passive recreation defined very well – I want to make sure that they can use it as

Andy – they could continue to use it as they saw fit

Gino – I suppose, I do see his point to not restrict them for something they might want to do in the future – they have met the open space requirements – this would be similar to that areas around the streets

Karyl – one thing we asked you to show us are significant features of the site – interesting things such as stone walls, large trees, pine grove – mature and very beautiful on this site – and then we asked you to show where some of these features will be retained – on that devotional land area that may or may not be open space – what exists on that area? What items would have to be removed for the community to use that space?

Andy – that seems like a daunting task

In this instance, there is forested uplands – do you want to see every tree

John Spink – in the devotional area – that is the top of the knoll – there are outcroppings up there and oak trees up there – and they run from about 18 inches across and down – those are the significant things that are in the area

Andy – Karyl, what are you asking for?

Karyl – what are the noteworthy features of that devotional area

Andy – for the areas that aren't included in the open space, please include the significant

John Spink – what are you really looking for

Pine grove is on lot 3 – not on the arc pad lot

Bill Proia – may I make a suggestion, maybe one of the aerial photographs

Karyl – from Kimberly,

John – we will walk it with you

Gino – under identify conservation areas – steep slopes, mature woodlands, etc. . .

Andy – does the 4 step design process apply here because of the date of their application

Susy – I would say that is correct

Karyl – no, this is a special permit so we can

Eric – I think that many of the nature features we are interested in are not on the ARCPUD parcel – so personally, I feel like I have adequate information – I am curious as to what is on the other associated parcels like lot 3

Andy – which is to be part of another discussion

Bill proia – the community still has a need for some under 55 housing – we will have to grant an easement over lot 3 for the trail to keep it going – so to that extent lot 3 is related to this – we don't want to lose the right to develop some under 55 housing for the community

Karyl – I think the purpose of these plans was to provide info and clarity to the board – so now we now where all these things are . . I think that communication has been very successful

Chan – do you have any plans that would require man made construction in the devotional areas

John – it is part of the arcpud parcel and will be limited as the special permit will do –

Chan – I don't want to

John – non committed open space

Eric – I know the concomm was very concerned about protecting the vernal pools – the small vernal pool –

Rich – we can expand that area per the open space

John – concomm will make us

Bill – a lot of these things are redundant in effect

Andy – our intent is to be congruent

Bill - no problem to extend the orange area around that vernal pool

Karyl –

Bob – large trees, ledge outcroppings,

John – could somebody just walk the site with us

Bob – ask the tree warden to visit the site with you to ID what to protect

Bill- could we do that in conjunction with an aerial photograph

Andy – we don't want to do something that is overly burdensome

Susy – not just trees

Rich coppa – stone walls, outcroppings

Karyl – is it possible to spade or transplant any sizeable trees – that might be of interest to us or replicate any stone walls that are in the middle of your roads

Karyl – referring to the open space- the shape and usability – most of it – although the numbers meet and exceed the requirements – the accessibility and usability of the open space is not the most attractive – most follows the brook and vernal pools – to my eye, it is not a very attractive/interesting proposal in terms of what can be – I think it could be bigger and more of it – of all the ARCPUD projects, this is probably the least interesting open space

Bill proita – to tie it back to the ARCPUD bylaw – I don't see these as insignificant

Karyl – I see the open space as very fractured – the pathway is already there – I don't see this as a massing of land that would be usable or visible – the lands you are proposing as open space are buffers, etc and not really massing for the town

Bill proia – my understanding of the ARCPUD open space is that the function is supposed to be for screening and density

Andy – or centralizing density so to preserve large tracts of open land

Karyl – you would have to do buffers, and setbacks any ways

Bill – this land doesn't lend itself to open fields

Karyl

Bill – who would use it? I read it as to the extent

Andy – to preserve land in its natural pre-development state to recharge aquifers and passive space – wildlife habitat

Bill – I think we have done that with the setbacks and all the open space

John – the devotional area is open space under the ARCPUD – but it may not be permanently restricted open space

Andy – it will remain as open space because it is subject to the special permit



Bill – we could come up with some better potential uses for the site – clarify that – show it on a drawing or create a condition for the special permit that would limit or prescribe how the devotional area

Andy – what type of situation are we going to be getting ourselves into

Adam Costa – you have 4 categories of open space – I understand you don't want it to be "protected" – why don't you identify that area as one of the other types of open space

Gino – it could be part of the general open space – it wouldn't be significantly different from the other open spaces – restriction on what would happen to the land

Bill – general kinds of uses – gardens, walking paths, picnic area

Kalry – devotional recreational area

Adam – if the board wants it to be open space – we can work with them on coming up with conditions

John – I am pretty comfortable with it the way it is

Bob – I think they are heading in the right direction

Chad – I am comfortable with it the way it is – they can't use it as open space but not count it in Open space

Eric – my primary concern is if there was potential for them to put a large structure on it – that would not

Eric – it functions as de facto open space

Kary – I am just cautious that it is an enigma right now – what is the plan for how it is to be used – be clear

Bill Proia – when we had back when submitted a conservation restriction – there were a couple of ways to describe the areas – we can look at this similarly – we can do that –

Karyl – that is the central massing of land in the project and it is not described

Bill Proia – point taken,

Andy – the wetland crossing –

Bill Proia – we will file our application again with the ZBA once we get closer to working it out with you

Andy – as we look at what we have seen this evening, is there anything you want to communicate to the applicant to get on this

Bob – no, I hope this is the last time we see this get revised

John – no, I think it comes down to the water, technical

Chan – I don't want to see this again

Karyl – I want to make sure these little detention ponds – how will this work - also comments

Eric – I think we have told you everything

Andy- nice job on everybody's part

Andy – next issue we will deal with stormwater management . . we need to deal with what mounded systems will do to -

Paul carter – they have our comments that they haven't responded to – the spacing of the detention areas may change because they are proposing an open space – use the road to convey the stormwater – there are a lot of things that need - as far as the septic systems go, they will meet with the BOH – the septic system plans as they would get depicted on the site plans, the grading would be important – until

Bill Drexel – the grading for the septic - we need to get that all together –

Andy – so you will need landscape plans for the DRC

Paul carter - the only landscape plan submitted so far are for the circles

Bill Drexel – we did have typical landscape detail for the detention areas – that was shown on the architectural plans – I will transfer that to the site plans

Karyl – the detention ponds – naturalized form instead of repairing a standard oval

Andy – lighting – street area

Bill Drexel – at driveway entrances – being a wooded area and scenic – I think light would be a distraction to the animals that are living there -

Rich Coppa- post lighting at end of each driveway

Bill Proia – we will submit a lighting plan and take your comments on that

Susy – next public hearing would be on 1-23-07

Bill Proia – could the PB look at the wetlands crossing issue for the ZBA special permit – I think the above ground issues are separate – I think we can do that separate from the ARCPUD public hearing

Paul – I would suggest the flood plain crossing is pretty integral to the site plan – it has been a contentious issue – it is the main access to the site – we have talked about the types of structures – what it looks like, what the elevation of the crossing will look like

Bill Proia – it is where it is at – that isn't changing -

Bill Drexel – the nuts and bolts of the bridge are not necessary for the flood plain review -

Paul – the board is interested in what the bridge looks like – elevation views - there are still some questions, I don't see why that can't go forward as the site plan continues to go forward – why does it need to predate as it is the main axis – you have our comment on the crossing plans

Andy – how does the board feel

Chan – there is a function by the bridge – the character of the bridge may or may not be impeded

Andy – the building inspector has told us that

Bill Proia – we understand that the board wants to see what it will all look like

Paul – one of the comments – the plans you have submitted are not consistent – inconsistent between height of culvert and height on plans - there are questions whether the sidewalk needs to be continuous through the area –

Bob – I don't remember us coming to a resolution on this – we are trading water here – you need to come back, review what you have, address the issues, and come back to us with what is proposed to do – let's get through the hurdles you have already created and then go forward

Bill Drexel – you have plans submitted to the board that show what the crossing will look like - the nuts and bolts is rather immaterial - you are more concerned about what it looks like – I need to know that now – we need to have the input from you - we need to have that info from – we haven't gotten any feedback on the bridge design

Paul – we reviewed it and gave you comments, you have been working on other things

Bill Proia – it sounds like you don't want to create any division

Andy – I don't want to talk about the bridge but I guess we have to – we want to move this along, but we aren't comfortable with doing it in a way – this has been a contentious issue –

Karyl – the last thing I remember in dealing with it was the size of the culverts – the functionality of it hadn't been resolved it –

Bill – we are trying to give you enough info so that the function is analyzable so you can give a recommendation to the zoning board so that the floodplain bylaw was served – there are some things that relate to the ZBA inquiry and there is stuff that you need to review per the ARCPUD – we just want to get the ZBA going – I am hearing that you are not comfortable with it

Andy – let's just imagine that all the other information was in, we could close the public hearing and vote

Bill – we want to keep it part of the general process . . I think we made a lot of progress tonight, so reconnect –

Andy – let's maybe put a separate meeting aside for that topic –

Bill – meanwhile, we have Paul's comments and we will respond to that

Andy - comments from the audience

8:15 on January 23 -

citizen - I am dying to move into this property - I am living with my son -

paul - due to the size of this project - we need a full 3 weeks to review

rich coppa - you really aren't stopping at ground zero

bill Drexel - if we knew what we were doing the bridge,

paul - you have to address our comments on the bridge

bill Drexel - we were hoping to advance the flood plain

andy - when paul reviews a set of drawings, it is for us - the need to review them from ground zero and there are subtle changes, we own it and we are putting our name on them. We endorse plans knowing that our engineer has reviewed it and is satisfied

bill proia - so for the 23<sup>rd</sup>, could we have a checklist - check time??

andy - we will give you a list - susy and I will prepare it for you - each time we meet on this and the changes you have brought about are major - to characterize this that we are dragging our feet or remiss in our responsibilities, I don't think that is a good characterization of what is going on

eric leaves at 9:50 pm

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Construction Observation reports from Paul Carter

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Andy - On Saturday, susy and I will be meeting with the BOS on interviews of town council candidates - we have been asked to prepare some questions and scenarios that we could present on Saturday

51 Alder Street - AZZ/CGIT draft site plan decision -

motion by chan, Karyl - all yes, bob abstain from voting as he was not present at the first public hearing

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Medway Gardens/extra mart site plan - letter from CME requesting former PB fees

John - the only date they can really go by is the date they actually apply -

Andy - what is the differential amount

Susy -

Bob – what is that they already paid?

Motion to pay the full amount- bob, Karyl – all yes . . .

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Village at Pine Ridge – OSRD Special Permit  
Motion by Chan, seconded by John  
Board signed -

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Gino’s review – completeness review on Medway Gardens/XXtra mart submission –

Andy – we have some emerging problems on this – differing opinions on whether a service station is allowed in the district

Gino – the Commercial V district allows for retail uses –

Karyl – “auto service station – definition – any building, land area or other premises . . . “ – from the medway zoning bylaw . .

Karyl – Commercial V –

Gino – I would think it would not be an allowed use here – but the hook that may result in the interpretation of retail is an accessory use . .

Susy – gave a history

Andy – we have to go through the planning process and wait for the building permit

Andy – can we deny this

Gino – site plan approval is not about denial – use is not the PB’s discretion to make –

Karyl – others have said that

Bob – I don’t see how we can even accept this application due to the

Chan - I think we acquiesced in this process – we even felt that this was a good use for the site

Andy – Matt Hayes met with Bob and the Avellinos – the size and scale of the proposed project was much less than what is presently being pitched -

Andy – they went to the DRC

Bob – I don’t even see how this is allowed in Commercial V.

Andy – we need to go back and correct this

Andy – I understand we are not in a position to deny

Karyl – we were hoping the problem

Chan – I remember that we had sort of agreed

John – if you are going to have a gas station, it should be allowed on the edges of town

Andy – we have to stay on topic – we have a site plan application – we are going to have to deal with this on January 9<sup>th</sup> –

Andy – Gino, what are our options?

Karyl – I don't think we have enough info – I think we need legal advice –

Andy – you are not going to get it

Karyl – we have attorneys that are citizens in the town of midway –

Chan – what does the record show?

Andy –

Karyl – I will supply what I can find out

Chan – you are backing off what you had agreed to do

Bob – this didn't exist

Karyl – we were hoping the problem would go away,

Chan – we thought this site would be a good for that use – initially I thought that the ZEO was go in beyond his authority – eventually we felt it would be OK –

Andy – Matt had a conversation with Bob to get some clarification – I called Bob on Monday to try to get up to speed – today he was out at a training session so he wasn't available – we have to focus on the task before us – I will try to get us some advice

Susy –

Chan – I think we are being dishonest here to vote a higher fee for this applicant when you said that you would not vote to support this - we couldn't contest

John – bob and Karyl both feel the use is not allowed in that district -

Karyl – what has been happening so far, we have been trying to make it palatable to the town – we have been trying to make the scale

John – because they have haven't

Chan – we all agree it is not an allowed use, but the building inspector has determined that it is

Does the PB have a right to approve a site plan when it feels the proposed use is not allowed?

Gino – legal counsel can't tell you how to interpret the zoning bylaw – he can tell you what he thinks, but it doesn't have any authority – bu

Karyl – but they can tell us whether we have any authority to deny based on zoning use

Andy – john feels that it is either an allowed or not allowed use and the scale doesn't matter

Karyl –

John – because it is an allowed in C6 by special permit, is it allowed anywhere else?

Gino – C1 and C2 by special permit – but nowhere else

Chan – we agreed with that, but we were stymied by Speroni's decision

Andy – it all comes down to what you define as being agreed to?

Chan – we did encourage the applicant to go forth with the application – the problem is that it took them 6-7 months to come back to us – I am not

Chan – at that time, I was opposed to how it got it, we discussed how this was and OK use for that site because of the site limitations

Bob – the zoning needs to be corrected

Gino – it is no different as it was zoned residential

Andy – the point of the fees is tied to the date we voted . . and they put in their application in after

Chan – we did encourage them to come back with a gas station

John – if we determine that is not an acceptable use

Andy – we told them to put in an application and to go through the process – the fees are consumed in the process

Chan - I don't want to be a party of taking an advantage of somebody coming in –

Chan – this board went through the process of an informal, the building commissioner made a decision

Andy – no, it was an opinion

Susy – send Bob's explanation

Gino – the gasoline is one of four uses on the site – in terms of the project – the garden center takes up much more square footage, maybe it really an accessory use

Andy – you have the proponent saying that there is anything less than 5 pumps, that the whole thing doesn't work financially

Motion to move on -

Karyl leave s

Bills invoices

PGC – Consulting services - \$300 – 43D, medwa ill, - motion by john, bob – all yes –

PGC – Plan review -\$881.25 – motion by john, bob – all yes

Vhb – plan review – daniels village, river end, marian, - 11,600.05 - bob, chan – all yes

VHB – construction – rolling hills, pine meadow – wingate farm, 8168.28 – bob, john – all yes

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bob, john – ok to close out pine meadow bond account for matt Barnett

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43D next steps

approved last night by the town meeting –

two applications – one to the state as a site and another for the TA grant – once the TA grant is approved

andy- convene the development review coordinating council – have april Anderson come out from the state – brainstorm ideas – how we can work together – how to facilitate faster permitting – use some money for some technology upgrades for this room to help with permitting process –

john – how about web site – applications

bob – did you ever get into our web site for looking at drawings – being able to share information

andy – if we acquired some technology -

john – when people have plans – it would be good to be able to show them better in Sanford hall

andy – wireless microphone to give to applicants

motion to close – bob, john – all yes

11:15 pm



December 12, 2006

PRESENT: Bob Tucker, John Schroeder, Karyl Spiller-Walsh; Chan Rogers; Andy Rodenhiser

ALSO PRESENT: Susy Affleck-Childs; Gino Carlucci

The meeting called to order at 7:08 pm

Andy – bill Wright wasn't able to attend this evening; it was suggested by a couple of IDC members that his knowledge is important and it would behoove us to meet with them when Bill can attend; they are excited about having a meeting and were disappointed he couldn't attend

January 16<sup>th</sup> . . . for next meeting with IDC – 7 pm

Andy – Susy and I met with Suzanne this afternoon on PGC and VHB contract; also to convene the DRCC on the 43D to brainstorm – then try to organize that board – I would like Gino to facilitate visiting the boards to meet with them . . . cooperative spirit it to work well together – I met with a number of folks – positive experience . . . Monday, January 8<sup>th</sup> at 5 pm - April Anderson from Mass Dept of business and Technology

Gino's update – more expectations and needs – I looked again at the development guidebook and the table that was at the back and I think that is a good starting point – use as a checklist and add some time frames to that for normal situation and then try to come up with some tighter time frames

Andy – how long do you see us going for you to develop a budget for the grant application?

Gino – shortly thereafter

Andy – what are you going to need from us

Gino - other ideas of what to include in that application – and from April, what is eligible? Would wetlands delineation be able to be covered by the grant program – looking at the characteristics of the land

Andy – I thought the grant program was to help us establish the 180 day process – to refine our process and make a better run for how we interact with applicants –

Gino – if they haven't done wetlands delineation

Andy – fast track on permitting – how we can have a 180 day process –

Bob – owner has to be willing to make their engineer work responsibly

John – purpose of 43D is to attract applicants – we can't lose sight of that – we shouldn't put more

Andy – applicant needs to commit to the 180 day process

Karyl – applicants drag their feet,

Andy – they don't do their job in quality preparation;

Bob – it is up to them to come in with a quality product

Susy –

Can grant money be used for consulting services for pre-application – could gino and paul be available

Andy – are you willing to do this at risk

John – are we really having an expedited process if we are just having them do more work before the application

Bob – I think we could move every applicant much faster if they came in prepared

Gino – we will be making it clearer, what does the town expect; rules change during the process – have everything laid out as to what they have to provide – that has to be a plus from their point of view

Andy – there are other issues involved in permitting that we don't know anything about – other state permits – state ombudsman will shuttle application around to the state agencies . . .

John – can we complete our permitting within 180 days?

Andy – there are safety valves built in for time extensions

Karyl –

Andy – they are willing to give us \$150,000 to help us come up with a better review process –

Chan – I can see the first expense would be for gino to dry run to id any potential shortfalls – to look for places where there might be shortfalls – another complexity is if the applicant has a more complex environmental problem – what he is going to do on that site could have something complicated to slow down the approval process

Susy – this 43D program is mostly about local level decisions

Andy – some of the things we have talked about –some enhanced technology – powerpoint projector

Karyl – better system for displaying plans

Andy – wireless microphones

John – getting information into a place where all boards could share – technology that is

Karyl – let's enable people to be able to see a site and the plan

Andy – better communication to the community - I would prefer to use the money to enhance improve communication to the community will pay back many times over – better participation at town meetings, in the approval process – community support

John – we might be creating a lot of work for Susy – there might be a lot of response

Bob – I bet some of that is already available through Comcast – and all it will take is a question to them

Andy – I made a promise to Susy that I wouldn't increase her workload – I want to prevent

Susy – 43D program requires that somebody within town hall becomes the point person

Chan – this is what I was thinking about with the IDC – they need some help to perform their mission – I think it is vitally needed with several boards – we may have to hire somebody to help out – the concomm has a part time person – this program lends itself – IDC needs somebody here at town hall – I think Susy could pick it up to begin with – provide a part time secretary

Andy – I brought it up to Suzanne today – about being more involved in planning – she is just mired in financial stuff –

Chan – there will be some growing pains – even this grant may allow some part time personnel to move things along -

Andy – the cybex project may not come in for 2 years or more until the sewer project is constructed

Gino -

Chan – BOS has signed a contract with an engineer to prep the drawings for the sewer project – the water/sewer board is supposed to be involved – but it isn't clear

Gino – water/sewer is going to oversee the engineering and construction

Andy – it doesn't surprise me one bit that they say they don't know anything about it – that is not surprising to me at all. They weren't involved in the process of getting the -

Susy – The IDC was the driving force between

Gino – they were updated on occasion - the commission itself is supported; their staff has been a reluctant person

Chan – people

Andy – board of water/sewer doesn't recognize any authority of the TA

Andy – I attended the GSC when water/sewer board met with them. Water/sewer thinks everything is just fine.

Andy – I went to the water/sewer board one time with the letter from the Charles River Pollution Control Board re: capacity . . . the water/sewer board wants to just ignore it

Andy – It is frustrating to go to these boards and leave with a smile on your face – I will go back and find out – in 5 years

Andy – GSC may be looking at a DPW bringing water/sewer into DPS –

Andy – There are lots of areas of town that are broken – the craziness that exists in some of these departments – we have to include them in the permitting process.

Chan – IDC is going to need somebody at town hall to be a point person – some transition in the meantime – depends on how Suzanne gets all these boards and towns working together.

Chan – IDC thinks they are totally independent – haven't turned in an annual report for a number of years –

Andy - GSC will make some recommendations - we need to make connections and make improvements on our own –

Andy – get ideas to Gino on what we can put into the grant application

John – seems like issues are communications and technologies – applicants say they aren't sure what the town expects – will you lay out an application process that is clear for 43D projects - is that what we will be looking at

Andy – also looking at rules and regs that aren't as clear – example in ARCPUD – the requirement on 2 types of uses

Gino – also the ARCPUD subdivision dilemma

Susy – two ideas for the grant – GIS stuff and also upgrade town's web site to have info and be more friendly

Andy – camera shots of drawings and up on the screen and feeds out to homes

Karyl – applicant could bring a disc in

Bob – as far as getting Susy some help – doesn't the town offer people to provide hours to pay for the taxes

Andy – I want susy to be able to set up the laptop as a second work station so that volunteers could help out more -

Andy – budget process – we will try again for funding purposes – we need to keep referencing the master plan. It is extremely important – bobrowski book

Karyl – master plans are very generic

Andy – or very outdated; we are getting close

Gino – certainly want to update it in 10 years -

Andy – master plan needs to be fairly broad but challenge to refine that more . . . hard for people to do that – difficult to articulate

Karyl – big collect all term that could have many operations . .

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#### Medway Gardens/xxtr Mart Site Plan

Andy – I had two meetings with Bob Speroni and I had multiple conversations with Karyl, Dan Hooper – we have an appointment with Mark Bobrowski Wed at 2:30 to go over site plan review about what we can and can't do and we will report to you - we can't deny site plan except for a very few circumstances – handed out site plan training module from CPTC – we are in a statutory position that puts us in a very difficult situation

Andy – applicant makes an application for site plan review – Bob Speroni is the one who issues a building permit – the PB goes through the process and puts on site conditions re: traffic safety, lighting, access, etc. – applicant then goes for a building permit – as soon as the building permit is issued, someone has thirty days to file an appeal – aggrieved party can appeal to the ZBA – person of standing – usually defined by the courts – an abutter – the PB is person of standing/party of interest – PB could appeal Bob's decision to the ZBA.

Karyl – The DRC has been working with them for 9 months without an application – have made – it is very obvious you have to deal with the problem –

Andy – Use issues are not PB issues

Karyl – I am talking about scale – intrusive nature of architecture is stated in the bylaw

Bob - They should be providing

Chan – we cannot determine the use –

Andy – we can appeal

Andy – bobrowski says there are 3 ways to deny –

Susy – encourage you to think about approvals with conditions that are hearty and detailed and justified

Chan – what they have done is ignored the DRC’s position, from a legal standpoint, the DRC doesn’t have any clout – we can turn it down because we can show it is way out of scale for – we can prove that traffic will be too severe – I feel we are in a good position to turn it down for scale

Andy – impart a condition that reduces scale

Karyl – scale is like BJ’s in Franklin

Andy – issue on economic viability –

Andy – please read this handout

Karyl – study the bylaw,

Andy – we will seek a written opinion from town counsel

Chan – we can not turn it down for is use, but we can appeal it

Karyl – how can you review the site? Traffic conditions, how do you review

Chan – I don’t see how they can justify the scale,

Bob – I will be very interested to see what the neighbors have to say –

John – we should make it known that we have some reservations

Chan- I have talked to two owners that would like to have their property rezoned. Medway Gardens expanding with a beautiful glassed in greenhouse will be supported but they may not be in favor

Karyl – it is not impossible to deny site plan – just improbable

PGC estimate –  
VHB

Bob and John motion – all yes on both estimates

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#### Government Study Questionnaire

Andy – we got a survey from the GCS – handout a draft set of responses that Susy and I have prepared – we want to include your input – I want to make sure I represent your perspectives

Bob – I will have a few comments on this – I started to read it this afternoon- I thought overall I didn't have any real concerns – provide more feedback –

FY 07 budget – update

Andy – all Boards meeting on 12/18 to start FY 08 budget process

Andy – there is a Department of Revenue document on Costing for Municipal Services to take a look at how we – I have asked Susy to start to track her time by projects –

susy – need some help to design a time sheet

Bob – have 3 kinds –

Chan – consultants have a timesheet with great detail – I think it is appropriate to keep your time – which projects you deal with, which events, any general nature things – other projects –

Andy – Susy and I attended the BOS meeting on Saturday to interview Town Counsel candidates – 3 firms; Pettrini Associates of Framingham and Brackett Associates of Worcester. Pettrini offers an outstanding land use focus.

Karyl – would this preclude us from using Bobrowski on occasion?

Andy – it may, we will probably be encouraged to use town counsel for our work

Andy – I went on Wednesday night – Chan was there too – Metro Futures program in Randolph- options for 2030 outlook – what would things look like? Let it be. Imagine scenario the other extreme – ultimate vision. Winds of Change – more aggressive than let it be but not quite imagine. Alternatives were plotted on the computer and see what impacts would be on populations – very cerebral. Variety of towns at my table – Brookline, Westwood, - we voted on different things.

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Gino's update – handout – commonwealth capital score – Medway is low – need to work on some techniques – inclusionary zoning:

Andy - In terms of meeting with businesses – is there a schedule or a plan – let's get meetings with the Cassidys, and Goulds and Diversified – put together some meetings in January

Andy – Susy - look for most recent goals

We need to start blocking off time at regular PB meetings for zoning matters –

Bob – wouldn't it be nice if Andy and Bill had some goals for the joint meeting

Chan – we need some kind of objective of what we are meeting with them for

Andy – zoning changes that we have proposed in the past, plus contractor's quarters; how does the industrial park shape up in their mind; ID areas for rezoning;

Chan – I feel we should also go to the IDC them with an offer to help? They seem to be holding everything close to the vest. Other boards are interested in their success. PB would be interested in more progress up there. Ask them how we can help.

Gino – Would you like a little outline of what has gone on.

Bill- there is minimal communication that takes place at this point.

Gino – reconstituted around 1995 after being inactive after many years – they took on that business park to do something to upgrade – alder street was a dirt path. Cybex was there – the IDC's first job was to apply for a PWED grant to build the road - \$1 million – road only – \$ couldn't be used for water/sewer. We went to state looking for a CDAG - first do a feasibility study, organize a business association; preliminary engineering – I have been working with the IDC since they were reorganized – then they got a ready resource grant – then after the IDC did all that, the state's CDAG program was out of money. The prel engineering determined the best route for sewer – looked at various options – tie into Bellingham or Milford; looked at an on-site package treatment plant – best option was to extend sewer from Franklin Street to west street to connect to industrial park - Water Sewer doesn't allow pumping stations/force mains – it was decided to get the propertyowners to agree to form a sort of condo association – they would agree to pay for operating and replacement cost of pumping station – IDC prepared a warrant article for a debt exclusion to pay for residential section of sewer line – approved; but residential portion couldn't go ahead unless the business portion was funded; then state offered DIF program and IDC worked on that – great but it required commitments for the development so you could have enough revenue to payoff the bond. Now the state has a new grant program called MORE jobs – I think they are now waiting for new administration to take over . Requires collaboration for a private partner; commitment from CYBEX to create at least 100 jobs; grant will give you \$20,000 per job – that would generate \$2 million which could be used to fund construction.

John – CPC – there is a meeting Wednesday at 10 am at 2B oak street – contractors are submitting proposals will be taken through the site to get ideas on what it would cost - they



wrote an RFP – to shore up the building and to put \$ into the barn to make it usable – town voted to take that land – historic site – right at choate park – it has potential

Karyl – it is absurd to sink \$ into those structures until we know what to do with them. Barn is too small; rooms in house are too small. The buildings are a liability

John – the \$200,000 grant would be used to shore up the house – goal is to create an entity to own the building and raise money. The most viable use is for the historic society to take it over and use it.

Andy – sell it with a conservation restriction and separate off the land and sell it – proceeds would go to the town

Chan – my activities with traffic signals – Norfolk county engineer has a fund they can study Franklin and Main Street – they will put a new signal there – Route 109

Moiton to adjourn – Karyl, bob – all lyes

10:10 PM