

Town of Medway ZONING BOARD OF APPEALS

155 Village Street, Medway MA 02053 (508) 321-4915

Rori Stumpf, Chair Brian White, Vice Chair Carol Gould, Clerk Christina Oster, Member Gibb Phenegar, Member

Zoning Board of Appeals Meeting Wednesday, April 24, 2019 at 7:30 pm Sanford Hall 155 Village Street, Medway, MA

Meeting Minutes

This meeting is being broadcast and recorded by Medway Access Cable

<u>Present</u>: Rori Stumpf, Chairman, Brian White, Vice Chairman, Carol Gould, Clerk, Christina Oster, Member and Gibb Phenegar, Member

<u>Also Present</u>: Barbara Saint Andre, Director, Community and Economic Development, Stefany Ohannesian, Administrative Assistant, Community and Economic Development, Steve Bouley, Tetra Tech

Chairman Rori Stumpf called the meeting to order called to order at 7:30pm

Public Hearing – The Applicant SLV Medway, LLC seeks a Comprehensive Permit under MGL c. 40B, Sections 20 – 23 as amended, to allow construction of a 190-unit complex called "39 Main" in which 25% of the units (48 units total) will be affordable. The complex will be located on a 12.3-acre parcel in the Agricultural Residential I (AR-I) district of Medway, MA.

Chairman Rori Stumpf began the meeting by explaining how the meeting will proceed by beginning with the presentation from the developer and ending with comments or concerns from abutters. Mr. Stumpf briefly described what a 40B comprehensive permit is and explains that it is a MA law and they can bypass the bylaws in order to help the town reach the 10% affordable housing. He explained that the purpose of this public hearing tonight is the overview presentation of the project and the application. He explained that this public hearing is the first of many – the other hearings will touch on certain topics such as Stormwater and traffic. Mr. Stumpf then asked the applicant to begin his presentation.

Geoff Engler of SLV Medway I introduced his team which included Dan Merrikin from Legacy Engineering, LLC, Eric Samuelson and Nick Griffin from Cube 3, Jeffrey Dirk from Vanesse and Associates, and Nelson Hammer from Hammer and Walsh Landscaping. Their presentation is attached.

Mr. Engler stated that he has been involved in multifamily, mixed income housing for about 13 years, and has developed upwards of 5,000 units of affordable housing. He explained that this project is a "friendly 40B" and that 95% of 40B projects in Massachusetts are not friendly. Mr. Engler explained that they had to go through the Medway Board of Selectmen to get support of the project. The Board of Selectmen were involved in the development of the project and that the applicant took a lot of feedback from the meetings in which they incorporated into the project as its being presented today.

Mr. Engler stated there are three things to make this location the best for the project. One being the location on a busy street and area in Medway, the second being that it is located within walkable distance of commercial and retail establishments. The final reason being the setbacks to the road are significant, therefore the visibility of the building from Main Street will be minimal. The team understands there is a peer review process and they anticipate all the feedback they will get from the Town's peer review company as well as other feedback in order to enhance the project.

Dan Merrikin of Legacy Engineering explained they have provided a full site plan design which is unusual for a 40B project. There is an existing single family home that will be demolished and a larger parcel in the back. He explains that about 7.8 acres of the property are uplands and they are not proposing to do any work in the wetlands or flood plain and the project will not be touching the 25-foot local wetlands no-disturb buffer zone. The wetlands were reviewed and approved by Conservation in 2017 for a different project. The site will have a boulevard style entrance with separate in and out roads as well as a separate fire lane to be used only by Fire Department. The building consists of 190 units and a green space in the middle. There will be 304 parking spaces which is ample parking for the building. The whole ground is pretty much level across the site but it does slope from west to east. In providing water to the site there will be pipes underground and will follow DEP Stormwater management standards. He discussed the quality of the soils and that they are very good for the project. The lighting plan consists of a series of 20ft street poles mounted and angled to the ground designed to prevent glare.

Mr. Engler stated that the entrance was modified due to Town feedback. They added the separate entrance to only be used by the Fire dept. with a controlled gate. He also explained that the boulevard is curved so that someone looking in from Main Street will see natural screening.

Eric Samuelson from the Architectural Firm Cube 3 discussed the entry way, which has a turnaround driveway near the amenity and leasing office. There is a central courtyard with a pool and also ample parking around the entire building. Mr. Samuelson discussed the floor plan; on the first floor there is an amenity space and office with a central corridor with units on both sides of the building. The applicant wants to keep the massing of the building away from the street, therefore the 5th floor of the building is placed in the back of the building which setback the farthest from the street. The building consists of 40% 1-bedroom apartments, 50% 2-bedroom apartments and 10% 3-bedroom apartments. The team met with the Design Review Committee and they tried to incorporate feedback into their design being presented

tonight. Changes that were made consisted of differentiating the front of the building from the rest, shifting proportions of the overall massing, updating the look and color of the balcony railings and deck as well as updating trim and window size.

Jeffrey Dirk from Vanesse and Associates presented the findings of the traffic study. The study was conducted under MASS DOT standards as well as consultation with the towns of Medway and Millis due to the closeness of the project to the Town of Millis. Based on the data he concluded there will not be a significant impact from the project on the traffic already existing in the area. The data is collected over a 48-hour period and a total of around 15,000 vehicles traveled on Main Street daily. Mr. Dirk discussed the posted speed limit 35 mph and that over a 48 hour period 85% of 30,000 traveling in this area traveled at a median 41 mph. He then discussed crash data and that the crash rate in this location was below state average. Based off high crash data the Walgreens intersection in Medway had a high crash rate. Issues relating to congestion and back up with traffic 40B projects don't add to crash rate but they need to make sure they address safety. Mr. Dirk discussed the proposed vehicle trips that will be generated from the project. He also discussed the percentage of where the traffic will be dispersed when exiting the project. A Road Safety Audit will need to be completed, this report also needs to be done in order to get state funding to help implement improvements to overall traffic safety. The goal is to reduce traffic by encouraging walking and bike riding; the project will also provide adequate bike parking and sidewalks to make that a possibility.

Nelson Hammer from Hammer and Walsh Design, Inc. is the landscape architect. He stated the main goal of the landscaping is to make the building attractive which helps attract tenants, and second to provide mitigation of visual impacts from Main Street. Maintaining existing foliage as much as possible will be worked into the landscaping plan. The trees will provide screening, and dense landscaping along the parking area will prevent headlight disruption onto Main Street. The incorporation of evergreen trees and deciduous plants to make sure that plants look good all year round while making it easy to maintain as well. The trees that are planted along the outside of the project will provide adequate shade and the pool and courtyard area will have landscaping.

Mr. Engler emphasized that their business model is to develop and own the property, not to build and sell the property. They have every expectation to be involved in the community and with the project. He expects that the majority of the people who are going to live here will be current Medway residents such as empty nesters and single parents as well as families.

Chairman Stumpf explained that the Town of Medway will hire its own consultants to review all the plans, and although they are hired by the town the developer pays for it. There is careful review of all Town Departments as well. He explained that there is a process to holding public hearings on all topics of the project and to refer to the Town of Medway website for the scheduling of those meetings.

Mr. Stumpf asked Mr. Engler why did they decide on 190 units? Mr. Engler explained that they worked closely with town and took into account what the property could accommodate and

housing demands. Mr. Stumpf also questioned the traffic study which was dated from 2010 and what adjustments if any were made to project the growth with the project. Mr. Dirk commented on using census data and actual data from current traffic conditions.

Mr. Stumpf asked how long the build out will take? Mr. Engler stated that there will be ample room for construction vehicles to park and a project of this size would take 14 - 16 months from start to finish.

Ms. Oster member commented on the traffic starting with 65% of traffic going left and 35% going right were the schools taken into account? Potentially adding additional bus stops into the daily traffic on Main Street. Mr. Dirk stated that the data (i.e. flow of traffic and speed of traffic) is taken over the course of two whole week days (48 hours) on Main Street. There is a video recording device tracking everything including all traffic. Ms. Oster also raised a concern on Coffee Street as it is a cut through for many people to avoid Main Street traffic. Has it been considered to have a traffic light put in at Coffee Street and Main Street? Mr. Dirk explained that State criteria needs to be met in order for a traffic light to be considered. That intersection does not meet criteria for a traffic light.

Ms. Oster then touched upon the design of the building being a U-shape, she mentioned the Design Review Committee asked for adjustments to be made to make the building look more "village like" and not like a giant apartment complex but it does not look like any sort of suggestions were incorporated into the design. Mr. Engler stated they did incorporate a lot of the suggestions from the Design Review Committee but no they did not incorporate all of the suggestions. However, the team feels the design works for the site it is most efficient and gives residents access to amenities without having to go outside. He stated that if people have additional discussions or suggestions they are open to them. Ms. Oster stated that she used to be a resident of Natick and that this project is similar to projects in Natick and does not fit in with Medway.

Ms. Gould agreed with Ms. Oster's concerns for the 190 units and the potential impact on the school systems as far as growth is concerned. She also questioned snow storage.

Mr. White stated he would love to hear some of reasons about structure and massing of the design, how they decided on height and the space that it is taking up. He also commented on staying within the character of the town and working with the Design Review Committee.

Mr. Engler commented on use of a flat roof, a pitched roof would have more height. They are trying to balance architecture elements.

Mr. White commented on the amenities such as a pool and courtyard space and what other activities there will be for families besides the pool.

Mr. Phenegar commented on the fact that although only 25% of the units will be affordable the entire 190 units will count as affordable towards Medway's 10% Affordable Housing

requirement. He asked about the change in grade from the street to front of building, which is a 10-foot drop; roughly a 1 story below grade. He also suggested the Applicant provide pictures of what the site would look like from the perspective of someone standing on Main Street looking into the site or someone driving by.

Board of Selectman Chairman Dennis Crowley spoke about this project being a positive thing for the Town, although he understands that it is not the most likeable project. He explained that the Town is in Safe Harbor with this project meaning other 40B applicants need to wait until the decision is made on this one before applying. He also noted if this project is approved the Town will be at its 10% of subsidized housing until the next census. He then explained that the Applicant has agreed to provide the Town with funds to assist in the Town's water and sewer issues as well as improvements to parks and the High School weight room. Some of the funding will also go towards the sidewalk from the project to Medway Commons.

Mr. Engler stated that they approached the school about this project and the school states they are able to accommodate the projected students from the project.

Mr. Stumpf reminded people of the vote made by the state in 2010 on whether to keep the 40B law in place or not and the state voted yes (58% yes 42% no) to keep this law in place.

Andy Rodenhiser Chairman of the Planning and Economic Development Board (PEDB) went over the letter that was submitted by the PEDB. It stated that Main Street is the best location for the project, and the proposed sidewalk will increase walkability to the local businesses. He also touched upon the landscaping issues such as trees and the buffer zone. He mentioned the Design Review Committee comments and strongly urged the applicant to take the architecture comments into consideration.

Matthew Buckley Chairman of Design Review Committee stated that they met with the applicant. The design of the structure is not something they anticipated. The DRC is hoping to work with the applicant to help reach the goal of making the structure more appealing to the Medway community. Mr. Engler asked if he can provide sketches to the Design Review Committee to get feedback and Mr. Buckley agreed that would be acceptable and a great idea.

Bridget Graziano Conservation Agent talked about the waiver request made by the applicant asking that the ZBA adjudicate the Town's wetlands protection bylaw and Stormwater bylaw, rather than the Conservation Commission. This could lead to inconsistencies since the Conservation Commission has been asked to issue an Order of Conditions under the state law. Mr. Engler stated that they need the waivers as they will not be able to adhere to all local Conservation bylaws with this project. Ms. Graziano then stressed the protection of the trees and native vegetation. She also mentioned electrical vehicle charging stations and solar panels as well as irrigation.

Chairman Stumpf then turned to the public for comments.

Lisa Kinsley of 11 Oakview Circle commented on the size of the project and that it seems that the project seems to strictly be for profit for the applicant not for affordable. She then expressed concerns with the size of the 5 story flat roof building and that the applicant did not make any changes to the design based off Design Review Committee.

Glenn Trindade member of the Board of Selectman spoke about the magnitude of the other proposed 40B projects for the Town on Highland Street and Lovering Street. He also mentioned that if the development is sold in the future the units will remain affordable through future ownership.

Mr. Crowley asked the applicant if he would appeal if the Board denied the proposed number of units. Mr. Engler stated that 98% of appeals brought to DHCD are won by the developer, and that the number of 190 units was decided between the applicant and the Board of Selectmen.

Greg Brady of 10 Lee Lane expressed concerns regarding the traffic impact and Stormwater drainage. Mr. Brady states that there is a huge Stormwater drainage issue already and is concerned about what it will be like if the project is approved.

David Travolini Conservation Commission Chairman spoke in regards to solar panels and that he would strongly encourage them to add solar panels to the project.

Sarah Brady of 10 Lee Lane questioned of square footage of units. She then stated she does not feel like the applicant wants to be respectful of existing residents of the neighborhood and Medway. She expressed concern about Stormwater and this is already huge problem in that neighborhood. Mr. Stumpf stated that developer is not responsible for any pre-existing conditions. She also expressed concerns about the traffic and safety of the neighborhood.

Laurie Fowles 4 Cottage Street questioned the relation of the parcels. Ms. Saint Andre explained the two parcels that constitute the property. Ms. Fowles also questioned a current DEP permit on that lot. Ms. Graziano clarified that a permit was issued for the property for a subdivision known as Paul Revere Estates. Ms. Fowles then expressed her concerns on groundwater protection and about the federally protected wetland located on the property.

Mr. Stumpf then discussed Safe Harbor and that if this project is approved the Town will be over 10% which is a permanent Safe Harbor.

Move that the Board finds that the Town of Medway has the benefit of the Housing Production Plan Safe Harbor as provided in 760 CMR 56.03(4); pursuant to a letter of certification issued by the Department of Housing and Community Development ("DHCD") dated October 5, 2018, the Town has a one-year Safe Harbor which commenced on August 16, 2018, and which runs through August 15, 2019; accordingly, the Board elects to proceed with a hearing on the above application, and such election is not grounds for an appeal pursuant to 760 CMR 56.03(8)(a); and to authorize the Chair to sign a letter to the applicant providing written notice. Made by Brian White and seconded by Gibb Phenegar, passed by a vote 5-0-0

Mr. Stumpf then discussed the application fee and that the applicant is requesting a waiver to relieve some of the application fee.

Move to grant a partial waiver of the application fee as requested by the application, so that the application fee will be \$10,000 made by Brian White and seconded Gibb Phenegar passed by a vote of 5-0-0

Mr. Stumpf then discussed hiring Tetra Tech for the Town's review consultant on all aspects of the project.

Ms. Saint Andre stated that Stormwater review will be done through the Conservation Commission. It would not make sense to review Stormwater twice, therefore we obtained a revised peer review estimate from Tetra Tech for the ZBA application which does not include Stormwater review.

Move to approve Tetra Tech's revised peer review estimate dated April 22, 2019 in the amount of \$14,763. Made by Brian White seconded by Gibb Phenegar with a vote of 5-0-0

There was discussion regarding scheduling of additional public hearing dates. Ms. Saint Andre stated the importance of the timeline due to making sure all meetings are completed by Safe Harbor expiration in August.

The Board member discussed availability and decided on the following upcoming meetings regarding the project to be scheduled:

May 15th – Traffic Review

May 29th, June 5th, June 12th, June 19th, June 26th, July 10th, July 17th – To be determined

Motion to continue the hearing for 39 Main to Wednesday May 15, 2019 at 7:50 pm at Sanford Hall made by Brian White and seconded by Gibb Phenegar passed by a vote of 5-0-0

Approval of Minutes from April 3, 2019

Motion to approve April 3, 2019 minutes as presented made by Brian White and seconded by Gibb Phenegar with a vote of 5-0-0

A motion to adjourn the meeting was made by Brian White and seconded by Gibb Phenegar at 10:12pm with a vote of 5-0-0

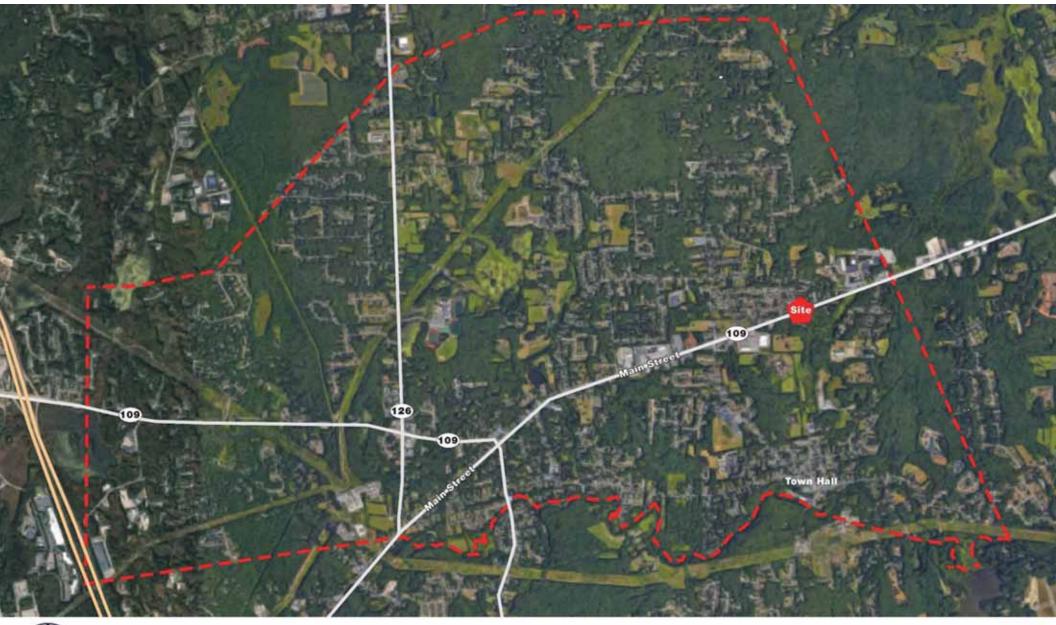
Respectfully submitted,

Stefany Ohannesian Administrative Assistant, Community and Economic Development











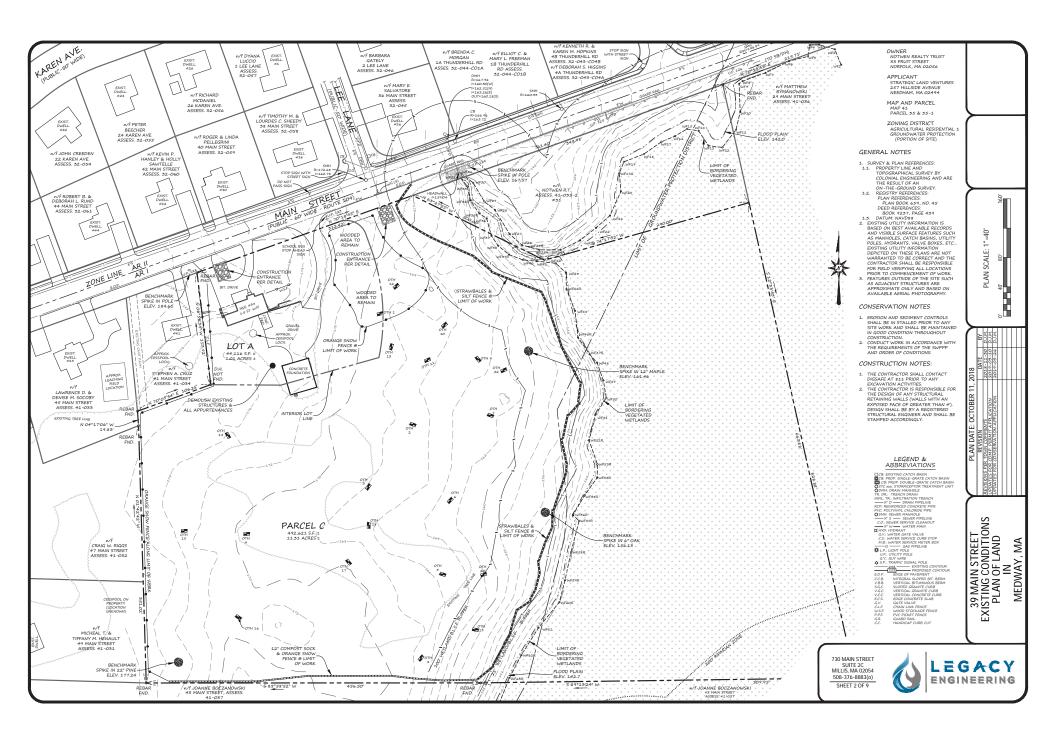




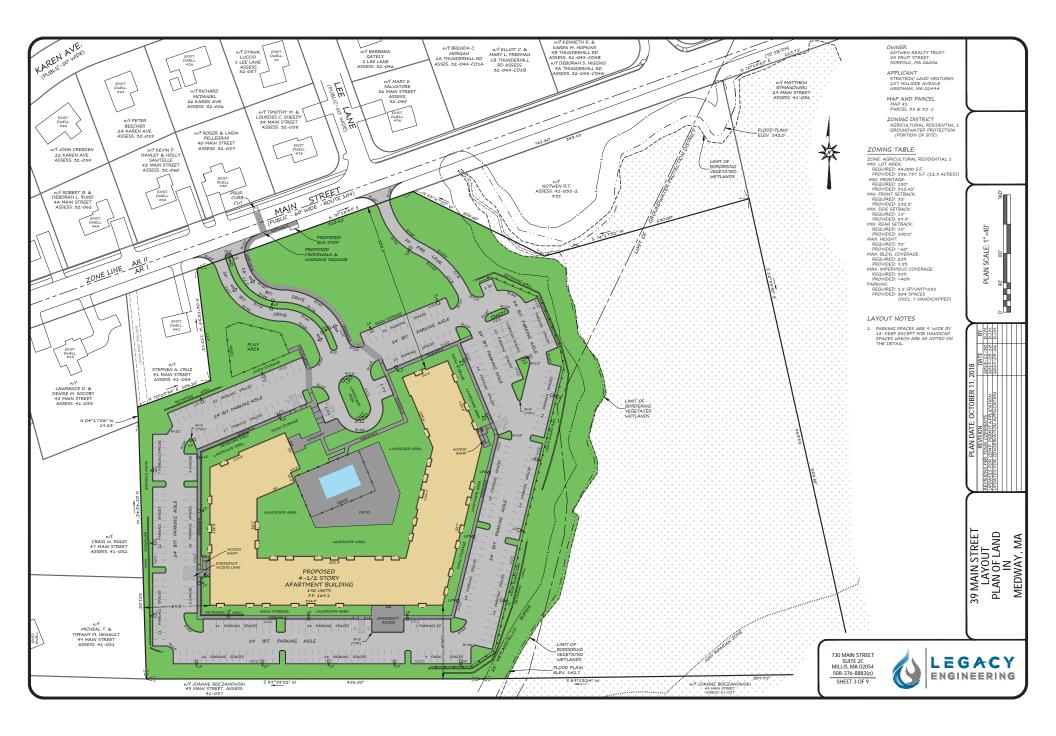




















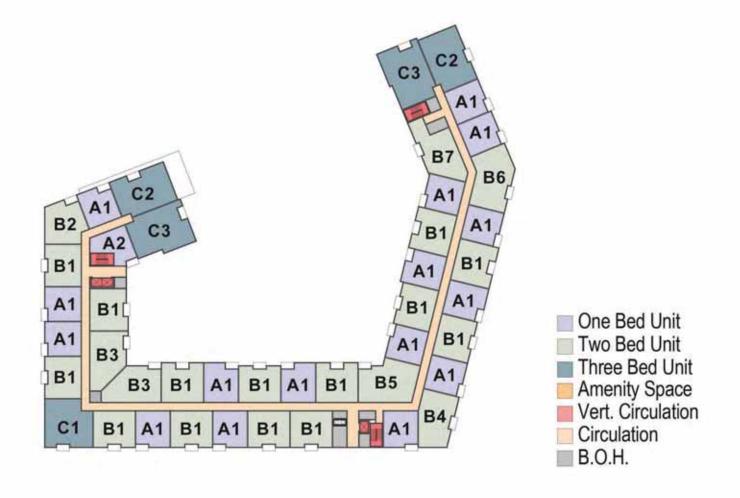






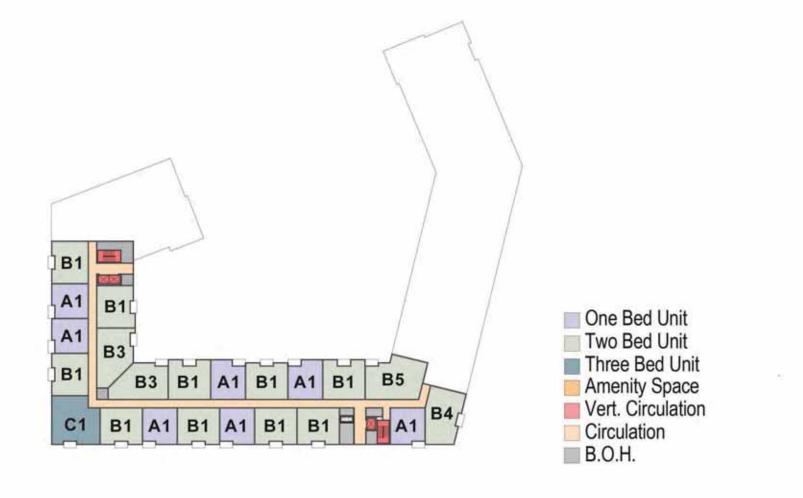
















UNIT TYPE	DESCRIPTION	BEDS/UNIT	UNIT NRSF	15T FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	5TH FLOOR	UNITS		TOTAL NRSF	UNITARX
A1	1 BED/1 BATH	1	787	15	16	16	16	7	70	70	55,090	36.8%
A2	1 BED/1 BATH	1	723	0	1	1	1	0	3	3	2,169	1.6%
A3	1 BED/1 BATH	1	810	3	0	0	0	0	3	3	2,430	1.6%
		Average SF	785	18	.17	17	17	7	76	76	59,689	40%
81	2 BED/2 BATH	2	1,023	12	14	14	14	10	64	128	65,472	33.7%
82	2 BED/2 BATH	2	1,015	1	1	1	1	0	4	8	4,060	2.1%
B3	2 BED/2 BATH	2	1,170	2	2	2	2	2	10	20	11,700	5.3%
B4	2 BED/2 BATH	2	1,185	1	-1	1	1	1	5	10	5,925	2.6%
85	2 BED/2 BATH	2	1,190	1	1	1	1	1	5	10	5,950	2.6%
86	2 BED/2 BATH	2	1,200	0	1	1	1	0	3	6	3,600	1.6%
87	2 BED/2 BATH	2	1,245	1	1	1	1	0	4	8	4,980	2.1%
		Average SF	1,070	18	21	21	21	14	95	190	101,687	50%
C1	3 BED/2 BATH	3	1,300	1	1	1	1	1	5	15	6,500	2.6%
C2	3 BED/2 BATH	3	1,310	1	2	2	2	0	7	21	9,170	3.7%
C3	3 BED/2 BATH	3	1,325	1	2	2	2	0	7	21	9,275	3.7%
		Average SF	1,313	3	5	5	5	1	19	57	24,945	10%
TOTALS		Average SF	381	39	143	43	43	22	190	123	186.921	100%

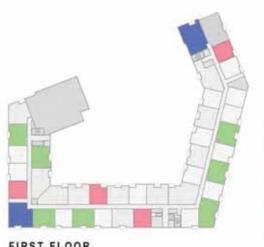
PARKING SUMMARY	
STANDARD PARKING SPACES	290
ACCESSIBLE SPACES (VAN INLUDED)	14
TOTAL PARKING SPACES	304
PARKING RATIO	1.60

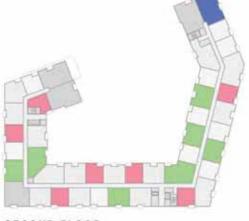
RESIDENTIAL SUMMARY	CALCS
FIRST FLOOR	51,500
SECOND FLOOR	50,500
THIRD FLOOR	50,500
FOURTH FLOOR	50,500
FIFTH FLOOR	27,500
TOTAL PROJECT GSF	230,500
LEASING / AMENITES @ FIRST FLOOR	5,000
TOTAL RESIDENTIAL NRSF	186,321
EFFICIENCY	81%



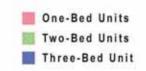












FIRST FLOOR

SECOND FLOOR

THIRD FLOOR





	MARKET BATE ONITS:					
UNITTYPE	TOTALLINES	TOTAL BEDS	TOTAL NIST			
At	54	54	42,498	28.4%		
AZ.	2	2	1,445	1.1%		
A2 A3	1	1	810	0.5%		
	57	57	44,754	30%		
61	47	94	48,081	24.7%		
82	47	6	3,045	1.6%		
83		16	9,360	4.2%		
84	4		4,740	2.1%		
84	4	8	4,760	2.1%		
86	2	4	2,400	1.1%		
86 87	3	6	1,735	1.6%		
	71	142	76,121	37%		
CI	4	12	5,200	2.1%		
CZ	- 5	15	6,550	2.6%		
CI	5	15	6,625	2.6%		
	14	42	18,375	7%		
TOTALS	1021	2410	119.250	725		

TOTAL UNITS		TOTAL NEST	LINET MEK			
16	18	12,592	8.4%			
1	1	723	0.5%			
2	2	1,620	1.1%			
19	19	14,935	10%			
17	34	17,391	8.9%			
1	2	1,015	0.5%			
2	4	2,340	1.1%			
2	4 2	1,185	0.5%			
	2	1,190	0.5%			
1	2	1,200	0.5%			
1	2	1,245	0.5%			
24	45	25,566	13%			
1	3	1,300	0.5%			
2	6	2,620	1.1%			
2	6	2,650	1.1%			
5	15	6,570	3%			
- 11	10	41,071	21N			

FOURTH FLOOR

	MARKET UNITS			
	NUMBER OF	MINAGES		
ONE BIED	57	780		
TWC ECO	71	1,072		
THREE MED	34	1,313		
TOTAL	143			

MINNER OF LINES	AVERAGE
19	786
24	1,065
5	1,314

TOTAL UNITS

ROTAL UNITS	ANTHORIS SE UNIT THE
76	785
95	1,070
19	1,313

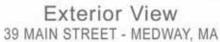


Affordable Unit Locations 39 MAIN STREET - MEDWAY, MA













ADDED IN CORNER BOARD TRIM
AT BUILDING CORNERS.

SHIFTED PROPORTIONS OF OVERALL MASSING.

UPDATED LOOK AND COLOR OF BALCONY RAILINGS AND DECK.

ADDED IN TRIM AND ADJUSTED PROPORTIONS OF BAYS.

ADJUSTED THE SIZE AND PROPORTION OF BAY WINDOWS.

ADDED IN ALTERNATE MATERIAL AT UPPER FLOOR.

ADDED IN HORIZONTAL TRIM AT UPPER FLOOR.

ADDED HEADER AND SILL TO BAY WINDOWS.

MATERIAL (LAP SIDING).

UPDATED MATERIAL, WINDOW PATTERN AND FENESTRATION OF AMENITY SPACE BUMP-OUT.

























North Elevation



East Elevation



Building Elevations
39 MAIN STREET - MEDWAY, MA





South Elevation

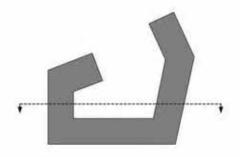


West Elevation



Building Elevations
39 MAIN STREET - MEDWAY, MA

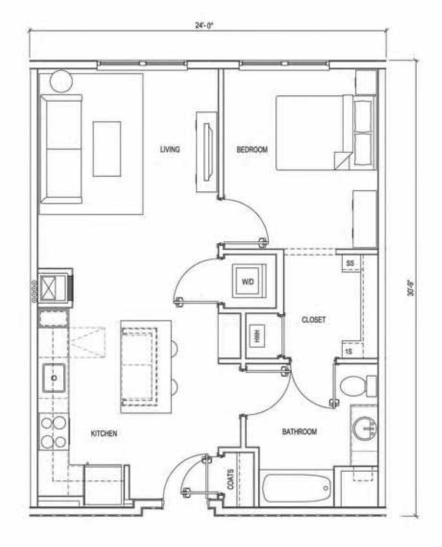




FTH FLOOR T- 8" UNIT UNIT UNIT	UNIT	BUILDING BEYOND	Total Control	FIRST STATE OF THE
		and the same of th	UNIT	UNIT
IND FLOOR	UNIT		UNIT	UNIT
IND FLOOR - 8" UNIT - 15"	UNIT		UNIT	UNIT
RET FLOOR UNIT	UNIT	COURTYARD	UNIT	UNIT



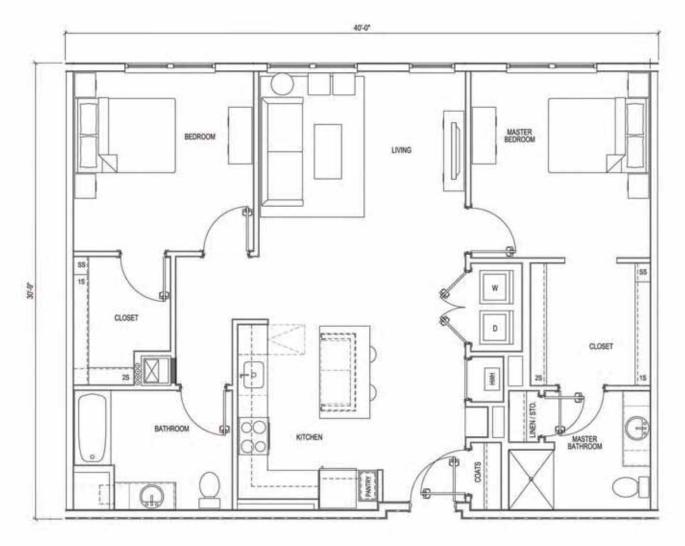








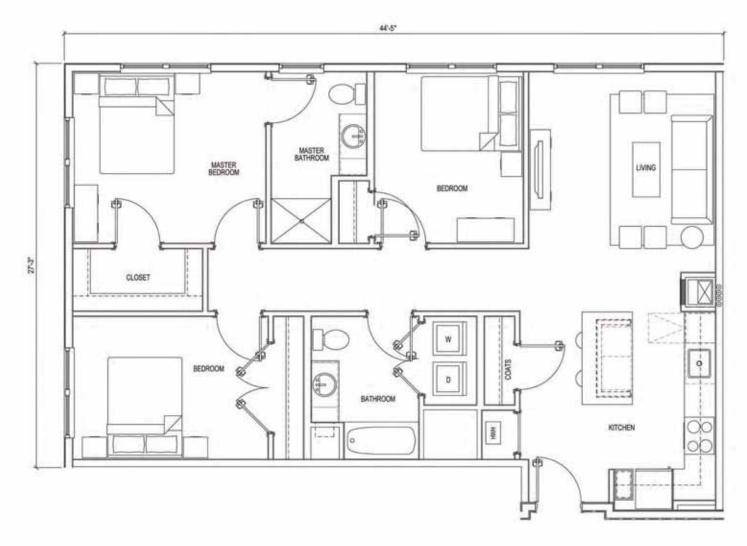


















Proposed Residential Community 39 Main Street Medway, Massachusetts

Transportation Impact Assessment Summary Prepared by:



April 24, 2018

Transportation Impact Assessment Summary

- Prepared in consultation with the Town of Medway and MassDOT, and performed in accordance with MassDOT's Transportation Impact Assessment (TIA) Guidelines;
- Includes a detailed assessment of traffic volumes, pedestrian and bicycle accommodations and public transportation services;
- The Project was not shown to result in a significant impact on operating conditions (motorist delays or vehicle queuing) over conditions without the Project, with Project-related impacts defined as an increase in motorist delay of less than 3.0 seconds and in vehicle queuing of up to one (1) vehicle;
- All movements exiting the Project site driveway at its intersection with Main Street are expected to operate at LOS C during the peak hours with vehicle queueing of up to one (1) predicted;
- The Main Street/Medway Commons/Walgreens Driveway intersection is included in MassDOT's High Crash Location listing. Recommendations have been provided to advance safety-related improvements at these intersections; and
- Lines of sight to and from the Project site driveway intersection with Main Street were found to exceed the required minimum distance for the intersection to function in a safe and efficient manner.

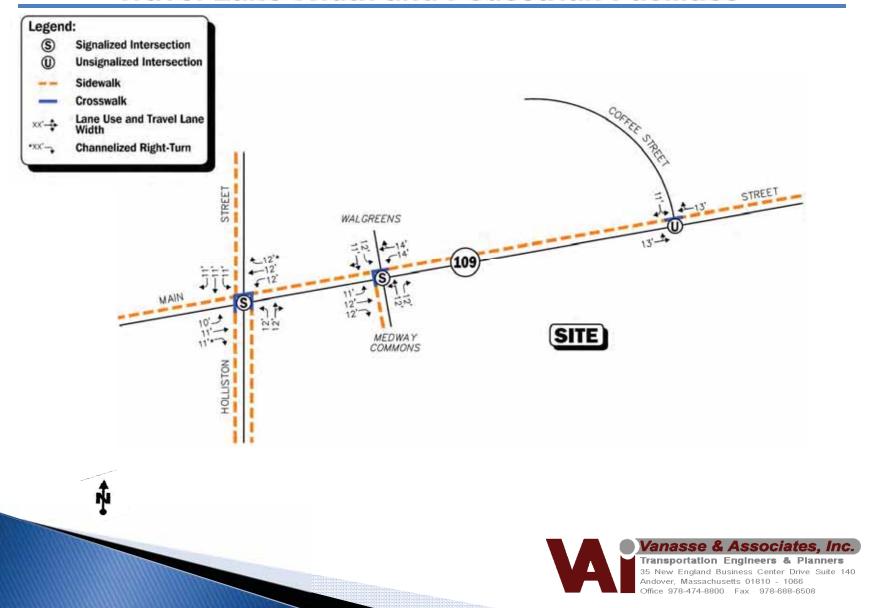


Site Location Map





Existing Intersection Lane Use, Travel Lane Width and Pedestrian Facilities



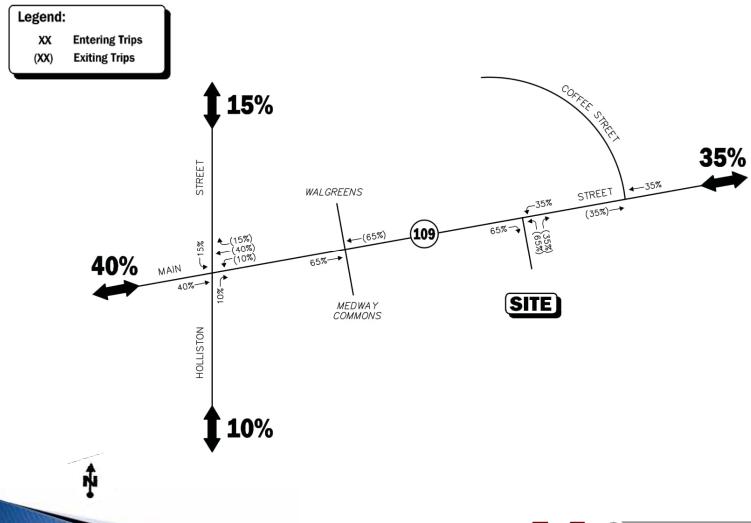
Trip Generation Summary

Time Period/Direction	Vehicle Trips Proposed Residential Community (190 Units) ^a
Average Weekday Daily: Entering Exiting Total	517 _517 1,034
Weekday Morning Peak Hour: Entering Exiting Total	17 <u>47</u> 64
Weekday Evening Peak Hour: Entering <u>Exiting</u> Total	50 <u>32</u> 82

ABased on ITE LUC 221, Multifamily Housing (Mid-Rise).

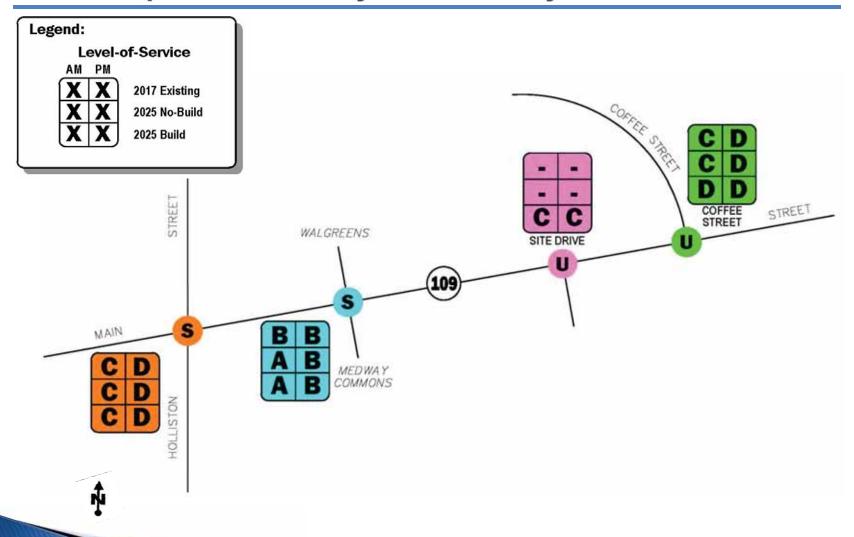


Trip Distribution





Traffic Operations Analysis Summary





Transportation Improvement Program

Main Street/Medway Commons/Walgreens Driveway:

 Facilitate the completion of a Road Safety Audit (RSA) to identify improvement strategies to enhance safety

Transportation Demand Management:

- Property owner or manager will coordinate with MassRIDES
- Residents to be made aware of Emergency Ride Home program
- Public transportation information to be provided in a central location and/or otherwise made available to residents
- "Welcome Packet" to be provided to new residents detailing available public transportation services and commuter options
- Pedestrian accommodations will be provided that will link to the sidewalk along
 Worcester Street that will be improved as a part of the Project
- Secure bicycle parking will be provided









39 MAIN STREET - MEDWAY, MA

