

**Town of Medway
Zoning Board of Appeals Meeting
Sanford Hall
Town Hall
155 Village St, Medway MA**

MINUTES OF MEETING

May 17, 2017

Present: Clerk Carol Gould; Committee Members: Eric Arbeene, William Kennedy; Associate Member Rori Stumpf.

Also present: Mackenzie Leahy, Administrative Assistant, Community & Economic Development

Stephanie Mercandetti, Director, Community & Economic Development

Town Counsel

Clerk Carol Gould called the meeting to order at 7:39 PM.

Citizen Comments:

There were no members of the public that wished to make comments on items other than those already on the agenda.

Public Hearing:

Prior to opening the public hearing for Glen Brook Way, Town Counsel explained that the application was incomplete due to an insufficient application fee.

The Board found that the application for Glen Brook Way was incomplete due an incomplete filing fee, on a motion by Ms. Gould, seconded by Mr. White, and approved unanimously. (Mr. Arbeene was not yet in attendance)

The Applicant requested a partial waiver of the filing fee for Glen Brook Way.

The Board voted to grant a partial waiver of the application filing fee for Glen Brook Way, waiving \$12,500.00 and requiring a \$ 7,500.00 application fee, on a motion by Mr. Arbeene, seconded by Mr. Stumpf, and approved unanimously.

Attorney Bobrowski, representative of Metro West Collaborative Development, requested that the Board allow Tetra Tech to complete the Traffic Impact Assessment for the Development.

The Board also requested peer review funds.

7:35 pm – The Applicant, Metro West Collaborative Development, Inc., seeks a Comprehensive Permit under MGL. 40B, Section 20-23 as amended, to allow for construction of a 48 unit rental development to be called “Glen Brook Way,” of which all units would be considered affordable, on 3.17 acres, comprised of the properties located at 0 Glen Brook Way, 1 Glen Brook Way, 3 Glen Brook Way, and 33 West Street.

Due to discrepancies in the hearing notice requirements, Staff explained that an extension to open the hearing to June 7, 2017 would be needed.

A motion to accept the extension to open the hearing on June 7, 2017 was made by Mr. Cole, seconded by Mr. White, and approved unanimously.

Deliberations:

The Applicant, Timber Crest LLC, seeks a Comprehensive Permit under MGL c. 40B, Sections 20-23 as amended, to allow construction of a 157 unit development to be called “Timber Crest Estates” containing 25% affordable units on 170.36 acres which is comprised of the properties located at 143 Holliston Street, 153R Holliston Street, 177A Holliston Street, 21R Fairway Lane, 13 Ohlson Circle, 102 Winthrop Street, 11 Woodland Road, 0R Woodland Road, and 165 Holliston Street, Medway, MA.

Mr. Tayara stated that there were a number of items that he would like to touch on and ask for the Board’s help in making a decision that way conditions don’t “tip the scales” one way or another. Mr. Tayara was concerned about the time for completion in the draft decision. Mr. Tayara stated that when the Planning Board approves a subdivision, there is no time limit for completion. Town Counsel stated that there is a limit of 3 years. Town Staff suggested a time specific time limit.

Under Traffic Safety and Access findings and conditions, Mr. Tayara was concerned conditioning the entire project with providing evidence of access for Fern Path. He would like the few units off of Fern Path conditions upon providing evidence of access.

Mr. Tayara was also concerned with providing anticipating “I & I,” or inflow and infiltration, when he believed that it was previously discussed and not required.

He continued, under Environmental and Wetland Resource Protections, there were two conditions to be taken out.

Under Water and Sewer conditions, he was concerned with showing water flow and pressure “over and over” again, every time they completed a phase or finished a roadway. Town Counsel stated that the concern was for public health and safety. Mr. Tayara also went over a number of water flow conditions that had been met by the Kleinfelder study.

Mr. Tayara stated that how things were worded in the decision was very important to him.

Under stormwater management conditions, Mr. Tayara stated that the final calculations had not been completed and thus infiltration may take more than 72 hours.

Mr. Tayara had issues with requiring removal of snow storage when typical subdivision have enough area for snow plowing.

Mr. Tayara had an issue with the design of homes and requirements for terracing of exposed foundation walls.

Under performance guarantee, Mr. Tayara had an issue with sidewalk binder being required prior to knowledge of where the curb cuts for the homes may be. Mr. Tayara would like the form of surety decision to be exclusive to the Board. Mr. Tayara had a concern with the requirement for 25% contingency, language taken from PEDB subdivision approval; Mr. Tayara suggested 10%.

Mr. Tayara also had a concern with the proposed response time for complaints or inquiries.

Mr. Tayara also felt that the setback requirements would be conforming as allowed by the permit. Mr. Tayara did not feel that future homeowners would need to meet setback requirements of the underlying district.

Deliberations were continued to May 24, 2017.

Any other business that may properly come before the Board:

Approval of Tetra Tech invoice Peer Review services for Timber Crest

A motion to approve the Tetra Tech invoice for \$ 10,709.03 was made by Mr. Arbeene, seconded by Mr. White, and approved unanimously.

Correspondence:

None.

Approval of Minutes:

Tabled.

Upcoming Meetings:

New application scheduled for June 7, 2017.

Adjournment

A motion to adjourn was made by Mr. White, seconded by Mr. Kennedy and approved unanimously. The Board adjourned at 10:11 p.m.

Respectfully submitted,

Mackenzie Leahy
Administrative Assistant
Community and Economic Development