

February 22, 2005

PRESENT: Dan Hooper, Matthew Hayes, Alan DeToma, Eric Alexander, Karyl Spiller-Walsh

ALSO PRESENT: sac, mark louro

Meeting was called to order at 7:36 pm

Citizens Comments –

Public Hearing Continuation – Pine Meadow

Matt Barnett – we would like to ask for an extension – paul is supposed to turn in everything to Mark on Wednesday, Feb 23 – still going to need a waiver with the 8 lots;

Dan – I thought for the secondary submission, it was to be without the longer road

Matt – 7 duplex vs. 8 single family homes –

Alan – I am remembering that they thought they could do duplexes

Matt – we were going to

Dan – original proposal was for 8 lots with a dead end request – the board's request was to demonstrate that you could comply and you chose to do that with duplexes

Eric – paul had done a rough sketch with all of them with duplex lots – would not have needed a waiver – I think that paul was going to get us a more formal with calcs etc of the 7 duplexes

Susy – delivered to VHB tomorrow

Extension – motion by alan, sec by matt – extend to april 30 – all yes

Public hearing continuation – march 8 at 9:30 p.m. – motion by eric, alan, - all yes

Dan – I also want to take note that the ZBA is the authorizing body for using those lots for duplex vs. single family detached

Karyl- at that point, when it goes to the ZBA, there will be comprehensive water calcs

Dan – we will approve one or the other plans

Franklin Creek Preliminary Subdivision Plan - 18 Franklin Street

Motion to approve PGC estimate for \$245 sec by alan – all yes

Motion to approve VHB for \$250 – motion by alan detoma, sec by karyl – all yes, no matt

#### DRC Funding Request for Design Excellence Awards

Dan – they are reevaluating this process and someone has come forward to sponsor the award production – they are going to be much more rigorous in choosing and deciding candidates and the plaques are going to go back to the drawing board – funding is to be covered by one of the members of the DRC

#### Correspondence

1. Note from DRC re: inappropriate dumpsters at Medway Commons near Cingular – note to Bob Speroni with a copy to Charter Realty indicate that we believe there is a zoning violation

Eric – might this also be a violation of any sort of health code or concern?

Karyl – what about the crosswalks?

Mark – I heard

Alan – in the note, we have become aware that the paint has not worked out as promised –

Karyl – they assured us 9 years – they made it about 3 months

2. Two letters re Land Use Reform Act – Senator Karen Spilka and Representative JimVallee – Matt read both letters – attach and make a part of these minutes

Dan – nothing from Representative Paul Loscoco?

Susy – we contacted him by both letter and followup phone call

Dan – I will contact him again

---

#### Public briefing for Charles River Acres Prel Subdivison Plan

Dan – we are going to pass out some accompanying letters from Police Department, DPS and Planning Consultant – this is a preliminary subdiviisonplan – this is not a definitive – informational exchange at this time

Robert Babcock – Dunn McKenzie – I am here with Mr. Dirzonian and with John Parmentier from Dunn McDenzie – the site is located between massasoit and neelon way by charles river and then village street – currently zoned AR2 – combination of field and woods, sloping from the northerly end down to the river – about 2/3 down the property it becomes very slope – access to public water and sewer – proposing about 550 feet of new road starting at intersectin of

massasoit and massapoag – 6 new lots created on the roadway – intention to have duplex dwellings on each of the lots – they have been oversized – an application has been filed with the ZBA for this – their hearing is March 2 – for the special permit – the existing house will be maintained on the lot and it will have access from Neelon lane as it does now

Stormwater – combination of drywells for the roof runoff and underground infiltration for the roadway and other paved areas – the final site design will comply with BMP with stormceptors, etc. no soil testing has been done yet – we expect to do so soon pending the outcome of this review – we understand they are excellent soils for subsurface drainage

The wetlands edge has been delineated by applied ecological science - Charles river, its bank and associated bordering vegetated wetlands –

All of our proposed roadway and drainage are outside the jurisdictional setbacks – a couple of lots will have to apply to CONCOM for the houses

Right now we are requesting 3 waivers – one to reduce the curb radius at the intersection of massapoag and massasoit - - second is to reduce pavement width to 20 feet wide from 26 – the pavement that is in the subdivision now is 20 feet wide – 20 feet reduces runoff and generally makes a better design – 3 waiver is no sidewalks – there are none in this subdivision and there is not room for such – so we don't propose any

Alan DeToma – do you have a proposed total roadway length from Charles River Road is 943' – but 555' from massapoag

Dan- how about the length from Village Street to the end – that is the nearest thru street

Robert – I would guess it is an additional 600 feet to the 943 feet.

Matt – has wetland line been approved yet

Robert – we have not yet done so –

Dan – no other perceived wetlands there

Robert – no, our guy walked the site

Other guy – if there is something on the lots, that would be filed for separately – for purposes of planning the road, it is not an issue

Alan – how would we review the length of the road

Mark – I think of some of the board members that all those streets are really dead ends – so it is really an extension of a non thru street

Dan – in essence it is a 1500 foot dead end roadway

Karyl – infiltration system –

Robert – 100 year storm by preliminary design

Dan – I would like to ask Matt to read into the record comments from several department heads

Medway Police Department/Jeff Watson Safety Officer – attach and make a part of this record  
- he refers to Chief Vinton

Robert Babcock response – the street names have been changed – in fact there was one property owner that was swapped – we will address the hydrant – he was asking about connecting thru to Neelon lane – it is very narrow, that is why we hand't gone in that direction – it is 25 foot right of way –

Karyl – pavement is 12 feet wide

Robert – I have addressed sidewalk issue

Dan – could you clarify a question on Neelon?

Robert – it really is a public street

Mark – is this being proposed as a private way

Robert – no

Alan read letter from Dave D'Amico – dated Feb 22 – read and attach –

Robert Babcock- response – to do 2% throughout is doable – chambers and manholes and designed that is exactly how we would do it – the location of them, I wanted to do the full property grading on them because the testing has not been done yet – putting them on the north side of the road could be doable and might be a better solution – paved road width too small for the density – I think that is just an opinion –

Mark – what is existing width of massosoit

Robert – 30 ROW - paving is 18 feet –

Mark – would you consider upgrading it?

Robert – yes

Gino – Review letter – some issues have been discussed – landscaped island in the cul de sac needs to be handled – I do note that an emergency access easement is shown on the plan – as part of a larger discussion re: dead end – there is potential to extend this roadway to abutting property – you need to address that as well.

Mark – you asked for a waiver on sidewalks but your section shows a sidewalk - also, you show a sloped granite edging – what are you actually proposing

Robert – cape cod berm except at returns –

Mark – that needs to be vertical –

Mark – there are no drainage easements shown yet - one of the DPS comments was re: access – design for an H2O loading – 15 foot area –

Mark – it will infiltrate for 100 year storm

Robert – correct

Dan – I am curious why you didn't include the dead end

Robert – I had not anticipated that. My interpretation is that the length is from Charles River Road

Dan – there has been some interpretive issues with our rules and regs –

Mark – sheet 3 shows the actual Massopaog Road pavement being outside the ROW – we did find a lot of monuments

Mark – lot 4 setback from the road ROW seems a little shy – it doesn't quite scale to 35 feet – check that –

Karyl- the initial outset at looking – this seems to be a very dense plan for the amount of roadway needed to get there – I have a lot of concerns about the road ending where it could extend further – 12 units are being proposed

Robert – 6 lots but ZBA would need to approve

Karyl – I have a lot of density issues here – this is a river view – very beautiful – putting detention issues on the cliff – I am wondering if some creative thinking to allow the space along the river – maybe another alternative – this one gives me

Robert – the parcel is too small for an OSRD – otherwise we would have looked at it

Dan – we have a proposal for May 2005 ATM - no minimum acreage size

Dan – first, we would like to open to other elected officials

Joe Dziecek – I have no position yet, but the understanding that we are trying to get some public access along the river for walking – I don't know if there is anything in this plan so that the public could walk along and get a view of the river – the PB is well aware that this is a priority

Jeff Trust, 6 Massopag – resident since 1977, I have 3 questions - #1 – why would you name it the same as Massapoag – safety issue – two streets with same name – I think that would cause a problem - #2 – I am concerned about Massasoit – Charles River Tennis court touches Hawkins property –

Susan DiIulio 53 year resident on Massasoit – I saw the neighborhood grow up around me – I knew it when the street ended Massapoag – around 1967 is when Massapoag went in and the tennis courts and Riverview street – all of a sudden, this whole neighborhood has taken on a real heavy traffic flow – once you hit Charles River road – having lived here – I was almost insulted to see the street labeled as Massapoag – in 19\_\_\_ the BOS tried to rename it to Massapoag – I have noticed that the maps here at Town Hall all say Massapoag – I have lots of info on this that I would like to share with the town – the development that was done became part of the neighborhood – from what I see, Charles River would become a thru way to another development – kind of degrading – we are trying to keep some of the history – a lot of us wonder why the road cannot go out to Neelon – or access the site from Cherokee instead of Massasoit - I am also on the board of directors of the Charles River Tennis Club which was started in the late 1930s

Mark – have you talked to Neelon Lane folks to talk about enlarging right of way

Richard Brown – 9 Massasoit – some comment s- Massasoit is quite narrow – it currently services 6 residential units – also, point out the tennis club brings in a lot of folks from out of town – from April to October, the street has cars parked along it – to add traffic in there could be quite a hazard – the intersection at Charles River, Massasoit, King Philip it really a 5 way – it is dangerous – those are things that need to be considered – different access would be desirable – this would really disrupt the neighborhood and be a danger

Alida Numella – Charles River Tennis – our concerns are parking – if you are taking any of our property for this road – we advise people to drive slowly – lots of kids play in the streets – the traffic is going to be horrendous – 2 cars per family – 24 cars and more if any kids with cars – will you be taking any of that land that the road goes thru?

Joe Dzebeck - I don't know what kind of buildings are planned – preserve some sort of historic or something that will fit into that area – I have seen some up in Westford that are beautiful - colors and style like something you would see in Vermont – would the design review people look at anything in terms of the structures –

Dan – we typically involve them –

Alida – on Cherokee. Does that road go all the way to lot 1 –

Dan – The ROW is generally larger than the paved way – in this case, you have a right of way that is a paper street and the paved way only goes part way – Cherokee ROW -

Alida – we have a plot plan – how much land do we have outside the fence?

Dan – you want to know where your property line ends? You need verification

Robert – we would be glad to help you out with this

Mark – there is a question raised with the emergency access easement -

Robert – I put it on as I thought the fire department would want it – probably not paved,

Craig 233 village st – I am interested in the approval process – does it get approved

Dan – the road and the cul de sac and the drainage system and the creation of the lots would come from the PB – ½ acre requirement per lot – but they have proposed 30,000 sq. ft lots to allow them to go to the ZBA for a special permit for the duplexes

Fred budget, 2 Massapoag street – I have a question – he said he would gravel that easement off of neelon? If it can be graveled, why not connect the 2 roads together

Robert – there is a big difference between an emergency access easement and a roadway

GTeres proctor, 8 Charels river road - huge amount of cars going down this street – busy as it is – tons of cars – cannot let them play outside safely – adding 24 more cars without a sidewalk is a very bad idea – you are causing problems with children and cars – somebody is going to get hurt – a matter of time – an alternate way in would be more beneficial for our area – even when it is plowed, it is still very narrow – ambulance – I don't think you have thought it thru

Leggee – a lot of the lots are small, a lot of people don't have a lot of extra room so when they have company and parties there is parking on both sides of the street – this is what we have done all these years –

George Hawkins -1 Massapoag Street – one of my concerns is the amount of traffic that is going to go between my house and the Chares River tennis courts – and you want to put a road in there – I am concerned about the kids – another dozen houses is going to present a difficulty and a problem for the area –

- is there any concern for wildlife

- dan – not the PB , but CONCOM

would this be required to have town water and sewer

dan – it is proposed

Are the water mains big enough to take in the added houses

Robert – we have not done a flow test

Dan – that would be a matter for the water sewer board

Matt – even if the road does not loop up, could the water line loop up to village street

Robert – it is possible, yes.

Beth McDonald – abutter on east side – what is going to happen with the existing farm house

Robert – the existing house at 6 Neelon would stay on its own lot

Tom King, member so charles river tennis club – is town sewer guaranteed? If not available, where would septics go? Could you put septic systems in there if town sewage is not availbe

Dan – they would have to prove to the BOH that the sites could handle septic

Dan – we want to give you some guidance based on what we have before us today –

Eric – I would say that from my perspective, I would strongly encourage the applicant to connect up with Neelon – whatever that may entail – ifit means seeking opportunies to acquire land to widen it – I personally would really like to see that conne

Alan – I would like to echo that and enhance it – I would like to see this plan not need a dead end waiver – I would very strongly encourage applicant alternative plans that would not rquire a dead end waiver, that then provides a plan that is the bewst interst of the town, neighborhood and safety

\matt – I would like to see neelon street looked into more to get rid of the dead end issue and safety concern s

dan – inorder to do what is being recommended, that would require connectivity –

mark – none of the roads are one way now?

Robert – if developing neelon lane is the only way, would 1 way traffic be considered?

Mark – I was asking in terms of the 15 foot radius for a turning movement with 2 way traffic

Karyl – the whole subdivision is difficult - I would like to see the whole thing – come in with some real creative thoughts – maybe other layouts – certainly using neelon lane – a lot of land is given to buffers and setbacks in these lots – what if this went back to being one lot and a communal condominium

Robert – under the current bylaws, there is nothing that would allow for that

Karyl – but in 3 months, we hope there will be. – the whole scale could be in keeping with the neighborhood –

Alan – wind up with the same camp feel

Dan – but with the thru way access –

Karyl – is this a horse race

Robert – I understand the neighbor's concerns – dense neighborhood – when we do designs, we try to do it in a comprehensive manner – you cannot put the weight of all the problems of this neighborhood onto this one parcel –

Karyl – but you are exacerbating those problems

Robert – too many cars, tennis club, driving too fast

Mark – but you will agree that 18 foot massasoit street is limited in its capacity

Dan – in summary, I would suggest getting hold of a draft of the proposed OSRD bylaw proposal – the advantages there clearly might afford you some opportunities to cluster these lots in a different configuration

Robert – I would agree it would be better

Dan – I would want there to be some preservation of the river banks – I would want to see the old growth taken – pines and hemlock are several 100 years old –

Robert – I believe this parcel was farmed at some point in time

Dan – I think that is an important matter with this parcel – medway has probably the lowest % of protected open space acreage – we are at about 3% - the Charles river may be our one gem in town that is just not appreciated or protected well enough – if you were to consider an OSRD plan, there is really great opportunity to protect that river and allow for future connectivity –

Karyl – as a matter of economics, in terms of envisioning what could be – I should imagine that something else would hold a much greater value than would you an anticipating what you would get out of these duplexes

Dan – it is hard to consider something that isn't on the books – we do have an existing OSRD bylaw that has not been explored by many – the 10 acre minimum acreage – I think you will find when you read the new one that there are some enticing opportunities

Robert – we will take a look at it

Karyl – if you want to come back informally – we would be very interested in saying what

Legge – as a neighborhood, have a very high interest in this- we want to make sure that I get a notice and another -

- another thing that is confusing to me – there was a hearing before the zoning board and now there is another hearing before the zoning board – is there any order – this is getting too confusing now –

dan – in terms of sequence, there is no rhyme or reason – it would be advisable to secure the PB approval of the roadway and lots and drainage first – but I guess the ZBA would want them to come to us first – and then they would additionally

Robert – we applied at the ZBA before to get a read on the duplex issue – that didn't work; they wanted to see a more comprehensive plan before they act –

Dan – I appreciate you trying to coordinate – thanks for coming before us with a preliminary plan – I hope it was a help to you as well – if there are no further questions –

Robert – do you want to continue this public briefing

Susy – generally, we don't approve a prel plan - look at the OSRD and do some concept sketches and get in touch with us and schedule an informal discussion with the PB

Dan – no fees

\*\*\*\*\*

Wingate Farm Public Hearing Continuation -

Karyl – recuse

Dan – apparently a deadline extension has been requested –

Motion to accept extension to april 30 – matt, alan – all yes – no Karyl

Motion by matt, eric – continue to march 22 at 7:35 p.m.

-----  
127 Main St – AUOD – Plan Endorsement

board signed plans

sac to have town clerk sign on 2-23-05

-----  
The Haven Certificate of Action –

Alan read letter from Medway Police Department from Jeff Watson – attach and make a part of the record

Motion to extend the deadline for PB action to March 4, 2005 – alan, matt – all approved

Reviewed draft 2-22-

Revisions –

To approve march 1

---

Construction observation –

Mark – contacted Hartney re: preconstruction meeting soon

---

Correspondance

7 b BOS note re: Medway Commons certificate of approval – amendment -

Discussion coming soon . . .

7a – letter from Disability Commission re: Speroni Acres – OK on street acceptance

\*\*\*\*\*

Invoices

VHB – Plan Review – \$3243.59 – alan, eric – all yes – recuse matt and karyl

VHB – Construction Observation - \$2121.76 – alan, eric – all yes – recuse matt and karyl

---

Update on Town Meeting Articles

All submitted

Dan – susy and I met with Medwsay business Council on site plan bylaw

Matt – would they do a letter of support?

Dan – I would like it if they would do so . . .

Dan – I met with the ZBA and reviewed the OSRD bylaw

Karyl – I want to have some idea as to what their responses might be ahead of time –

---

Committee Liaison reports

AHSG – Thursday, Feb 24<sup>th</sup> at 7:30 p.m. – good attendance

Susy – citizen/resident – Judi

Eric – I attended a meeting of the Affordable Housing Committee – it was interesting – clearly they are advocates for affordable housing – very enthusiastic about the 40B applications pending – likewise, seemed skeptical about direction the PB is taking with DRC and other things – too onerous -

Matt – CIPC meeting – we will be meeting Thursday night

Dan – what about town hall idea

Matt – they said to bring it to the Municipal Building Committee

Dan – let’s not drop that issue – start that foundation for a new town hall – location and larger facility to accommodate

DRC –Karyl – went over Rules and Regs

Sign Design Guidelines –

---

Revised West Haven 40B project -

Dan – ZBA meeting lastg week – the overall site design has been drastically revised- not single family detached – 4 or 5 or 6 individual house lots but mostly a series of townhouse configurations – pockets of them – 4-5 unit buildings – more open space scattered throughout – I just can’t find it – I will get it to discuss next Tuesday so we can prepare a review and comment letter – this revision results from the ZBA’s direction –

Alan – for our next meeting – subdivision rules and regs – February 10 version

---

FY 05 Budget – Request for return of funding

Dan – the real problem with this is the process – is that we haven’t been asked in any official manner how we think funds should be returned from our budget – feels a little bit of an 11<sup>th</sup> hour Of the \$104,000 being “taken” - \$7,000 is being targeted from us. – in that context, I really get annoyed

Alan – how did they not find money in those – what criteria?

Dan – I did run into today from soccer – ran into a FINCOM member tomorrow night – Matt, if you can come –

Karyl – we feel like we don't even have

Eric – we have some very significant projects we have undertaken – osrd, rules and regs – those are very comprehensive – this is not a representative year –

Dan – I would like to think that this is a new model for representative years going forward – I would like to think that this level of intensity is become the norm –

Matt – will this effect next year's budget

Dan – I don't want people to think that this year is a blip

Eric – my concern is about looking back –

Dan – how about we say we could give \$10,000 back – if that is what we felt we could – we just didn't really have the chance to

Dan – I don't want to shortchange

Eric – seeing that we don't have proper time to do diligence – if we were to do away with all of the little items – how can we survive – say we could save \$1,000 from the small stuff – where can we come up the other \$6,000 – I just don't see it –

Dan – we divide up – the

Eric –

Dan – so board . . are we agreeing with \$7,000

Alan – my gut is not saying that \$7,000 is realistic

Gino – of the \$20,000 for consulting services, \$10,000 was allocated for master plan –

Dan –

Eric – I am comfortable with \$7,000 –

Alan – it was arbitrary when we began – my comfort is more like \$6000

Dan – I think when a town is in trouble, who is to blame needs to be addressed – but how do we address today's crisis – how do we suggest to those who are in authority in terms of finance – I rely on their expertise

Karyl – it seems arbitrary

Dan – I wish we were asked –

Matt – anybody comfortable with giving more than \$7,000 back?

Karyl – I think it is too fast – we need more to look at – we are shooting in the dark here –

Eric – I feel like I have a better handle on it now – by sitting down and getting input from Gino tonight – understanding – I feel comfortable with it now –

Karyl – we are running with insufficient staff and space and only thru volunteer efforts

Dan – can I have a show of hands on a number – also authorize susy and I to write a note addressed to FINCOM that the number is arbitrary –

Karyl – we are barely able to keep up with the work load – we have decided to take out this – gift it back –

Alan – prior to hearing Gino's commentary,

Dan – I am comfortable talking to fincom about \$7,000 – we want to share in the burdens and gifts – this doesn't appear to be as shared as we would like to see it –

Dan – susy and I will write a letter to the TA office – and copy the FINCOM

Eric – you write the letter to the source that it should have come from –

Motin toad journ – 11:55 pm

All yes