

April 5

Called to order at 7:35 pm

Jim Pavlik – 10 Walker St ANR

1913 plan of land showing Pearl St – my father bought the land from the Gallagher family

1984 ANR Plan – shows pearl st layout and created a new lot – signed by PB – point here is that Pearl St is shown on an ANR plan approved

dan – the way is not on the ground in the same place as the plan shows – we question whether the way is in existence on the ground – in some senses, Pearl St is a paper street –

gino – there are 3 ways that justify an ANR –public way, or a way on a subdivision lan or a way in existence when the subdivision control law came into effect having suitable grades, adequate construction for municipal services

jim – I don't believe that it is a way that has to be approved thru the def sub planprocess – I think that an ANR plan signed by the PB is sufficient

dan – thru def sub is the only way that a waqy is created

jim – buthte way exists

dan – the on the ground location is not

karyl – what is condintion of the road

jim – pretty good condition

karyl – why didn't the on the ground way go thru the

karyl – what will you do with this road?

Are you going to bring the road ack into the right of way

Jim – I don't believe it is necessary to do – I believe there is sufficient access to the lot from walker street

Karyl – the way in existence is on private land

Susy – do you have rights to use the way on the koshivas' land

Jim – we believe we have the rights to the layout – we own to the centerline of the right of way

Karyl – the lot doesn't have actual frontage on the way on the ground

Dan – is the pearl street right of way real - - does that way provide adequacy of construction, grades, etc. – it doesn't seem to do that – he may own to the centerline

Karyl – there is no frontage on the way on the ground on the koshivas property

Dan – that way on the ground is not in the right of way so it falls off the chart as a way –

Jim – I believe the zoning bylaw requires that there be 150 of frontage on a street or streets

Dan – correct, but the additional information we have on ANRs

Jim – and the other part of it is that in the opinion of the board whether it has suitable construction for its intended use

Gino – zoning bylaw defines a street as a public way or a way shown on a def sub plan – a lot may abut a way but may not necessarily have sufficient frontage – there must be a specific determination that the

Dan – it needs sufficient width, grade and construction

Jim – for the intended use

Dan – pearl street which is what you want to qualify this – doesn't have those things on the ground – walker street is not in question here

Matt – concerned about access from walker st so close to Pearl st.

Gino – say pearl st didn't exist at all, then they would have to use walker st for frontage determination

Dan – if we can't figure this out

Jim – we provided these other land court plans – 1988 ANR plan where it shows the layout of Pearl Street – signed by the PB

Dan – plan must be approved and endorsed under the sub control law –

Gino – under his thinking, every 150 feet along pearl street would qualify for ANR endorsement and a subdivision would not be needed

Jim – in 1985, the PB signed a plan –

Susy – they may have made a mistake

Dan – this was before the ANR booklet and information –

Dan – we have to make a determination on this by April 8 – we need to vote on this tonight or they have to give us an extension to discuss further

Karyl - you can get 2 lots

Alan – I have some concern that there is something at the registry that shows a lot was approved previously – but with the rules we currently live under -0 the road isn't where it needs to be to have the proper frontage – I am not sure if I can vote yes or no at the moment – I almost need a little more juice to get there – I would think an extension would be

Karyl – it is my opinion that I would decline that – we have been thru similar issues - it is in our best interests to find some of these effete streets – you would still gain one lot

Gino – one additional comment, on the previous approval from the 80's – if that is a 2 family house, there is also provision under subdivision control to divide a property that has a building already on it – if there was a 2 family house –

Jim – that is when there is multipole buildings

Gino – I am just trying to speculate on what they did

Karyl -0 what were they thinking

Matt – do you believe you can offer any more

Jim – I would like another extension

Eric – I am leaning toward declining but if they would like to get some more info

Jim – I would like to do so and get a legal opinion

Extension to April 29, 2005 – motion by Matt Hayes to approve the applicant's request to extend the deadline to April 29, 2005 – seconded by alan - all yes

Continue to April 26, 2005 at 8:30 p.m.

PUBLIC HEARING – ZONING

Motion by matt and seconded by eric to waiver reading of public hearing notice – all yes

Dan – I am aware that we are going to get some amendments on the contractor's yard stuff from Joe Dziecek – but those have

Dan – I would suggest we keep the public hearing open for a few more comments

Susy – I would suggest you not make a recommendation until the PH is closed

Definitions

Contractor's Yard – no comments

Drive-thru facility – no comments

Upland building area shall not include wetland replication areas as determined by concom

Matt – can the state direct replication areas be required

Alan – or any other state or federal government agency that may

Tony – or any governmental body

Tony – they appeal concom decision to the DEP, then to state

Matt – or any other state or federal agency having jurisdiction

Susy – concerned about broadening the bylaw and whether the AGs office might throw it out as it is more inclusive

Tony – the town's bylaw is more restrictive on activity in the buffer area –

Keep it as it is – no changes

Site Plan Review and Approval – citizens petition

Dan – any comments on this article – I will tell you this, even this article I stood with Matt before the BOS and gave an explanation as to why it was proposed and supported by the PB – I have to say there was not a lot of considerations by the board, except for a few minor ones from jim galligan – and raphalela rozanski who was concerned about consolidating review of site plans might not be best

Karyl – reasons

Dan – raphella's concern is that the bos has a chief of commerce mentality – they should make

Matt – one of the selectmen thought that the bos should be the appellate body for site plans – some members felt that it wasn't a good idea for them to be an appellate body for the PB – my sense is that the bos were generally in favor

Dan – we heard kent say he was in favor; jim galligan was in favor of the concept of the PB as being involved in the review process and being in attendance and therefore it was more relevant that the pbn be the approval body – I did mention to them my concern about the omission of the

bos attendance at the public hearings even though they have the decision making authority – in terms of subdivision plans, if you are not in attendance, you are not legally authorized to participate in the vote – you can, but it might jeopardize the vote and open it to appeal – I don't believe that has been tested for site plan, but the

Karyl – but during the approval of medway commons, the bos didn't sit for the hearings, and they had one night to fill in a year's worth of info

Dan – in a practical sense, it doesn't make sense for the process to continue as it does today – in more complex proposals, you need to dig in to them – we did for a long time on medway commons – the pb in attendance the night of bos approval of medway commons – we felt a real hit on the things that we had negotiated –

Karyl – hit to the town

Dan – we were brushed aside – I thought that the bos addressed this fairly well – it is the town meeting to vote – it came thru via a citizens petition to force it to the floor –

Gino – a comment on your earlier comment – that the bos should be an appeal
Site plan is not a yes or no –

Dan – so, in a sense there is no appellate need

Eric – as designed, there shouldn't be any need for an appeal – participatory nature early on with town staff

Alan – from a selectman's position, if they have a strong desire for them to support a business – they have every right to participate in the public hearing and advocate for them before the PB – and then allow the people here who are dealing with the details and day to day to make the appropriate decision – we aren't going to shoot it down – we are guiding it to achieve to maintain certain levels of standards – it seems like a natural

Karyl – the current structure does encourage appeals

Dan – from either side – it also encourages to some degree a dismissal of the process of PB review and that serves no good for the town of Medway Planning Board

Karyl – it takes some teeth out of the rules and regs

Dan – it doesn't serve the town well to have the guidelines dismissed

Susy – medway business council possible meeting – end of april –

Dan – I will try to attend

Contractor's yards in ARI and ARII -

Contractor's yard – not allow in an AR I or II zones, also removed riding stable as needing a special permit; specify that special permit is to be issued by the ZBA

Drive thru facility – special permit to be issued by ZBA in CI and CII

Signs – Commercial V and Adaptive Use Overlay District - new sign tables

Dan – BOS did have a comment – Jim Galligan – on this – he asked if where we are creating these standards, would there be existing non-conforming signs; I said there probably would be;

Eric – does Massachusetts allow for amortization of signs – I know other states allow for it –

Dan – we had it in our first draft, but dick maciolek strongly advised against that – we had 15 year – too bad, it would serve greatly in our attempt to clean house a bit

Karyl – dick steinhoff's sign – isn't too great

Dan- if weather or other causes bring a sign down – is that a repair or replacement?

Susy – we still need to work out something with the bos – on the letter to sign companies

NEW OSRD article to replace the existing article

Citizens petition article

Dan – bos had some comments on this –

5 b) – change “house” to “dwelling units” –no need for “individual” – cleanup the whole thing – appropriate usage . . .

dan – did you run some numbers thru a subdivision – I ran charles river estates thru this yield plan formula – I thought in that application, it might have been a tad high – I certainly don't want to by any market increase to densify our town – I was hoping to get this yield formula – they wanted 6 structures/12 units (duplex) – it is really hard for me to make a clear choice for what constitutes a fair

gino- I ran it for grapevine – which came out 6 lots, the formula came out to 8 units – so then I played around with the formula and didn't deduct any wetlands. I also did evergreen meadows

sing current formula – I came up with 17 – when I applied the new formula it came out to 14 so there is no incentive to do it if it comes out less than conventional

dan – sites with wetlands come out with less

gino – the formula has the advantage of not having to go thru all kinds of things – keep it simple

karyl – I think we need to be more progressively allowing this – don't go backwards – even if it means allowing more dwelling units

dan – Joe musmanno is a strong advocate for not increasing density - what is the general sense of the zoning board on the issue of density – the master plan has parallel concerns for not increasing density and preserving open space –

karyl – there is very little in the master plan on aggressively protecting open space

tony – I think that the zba will support joe in being committed to density concerns – but in an open space design, you want people to do it, you want to give them some kind of carrot - the most important aspect of this is the first step to identify resources – find the balance of both – how do you get that balance – you gotta to have something that kicks it above – I think you need to kick it up a bit

dan – enough to give them clarity – quick easy formula – secondly, they have a reduced infrastructure requirements- they can couple of things – all kinds of advantages from a capital outlay – people tell us those are small beans compared to unit counts –

tony – I think that is why Joe – he thinks the incentives of making a smaller road and infrastructure is enough to go to open space – but I know it is not enough – to developers, to them, it is how much money you are going to make overall, if you can tell them the infrastructure isn't as bad, and the density is at least equal then it gives them incentive to save land and money – focus is conserve

eric – running it thru the formula, no wetlands gets a significant boost in density; lots of wetlands, some reduction in density – if I were king of the world – everything would be open space – you want to build more dense on the land that is good

dan – what would result, it that on the wetland parcels

tony – when an engineer will do the wetlands, he takes the parcels – they split the wetlands up to straddle lots – conventional approach – should wetlands be considered to be open space? I think open space should truly be usable

gino – another requirement in the osrd is that the open space cannot have a higher percentage of wetlands than the overall site

karyl – it has to be a formula that includes both

tony - you have to be able to show incentives

karyl- there needs to be zoning relaxations

gino – that's what this does

dan – when you are ready to right that, let me know – require that any subdivision be an open space

karyl – density is linked to land, - it needs to be separate

eric –we need to be more picky about the definitioin of open space – direct things to dryer pieces of land

gino – a followup is that the open space parcels don't have to be contiguous to the developable land.

Matt – could that be done thru this?

Gino – not as it is right now

Karyl – I don't think we should overlook wetlands as open space

Tony – in my eyes, it is protected open space – but that is not the same as general open space

Dan – are we comfortable with this formula, knowing that it could be a 10 to 25% overage compared to a conventional - that is the maximum allowable

Matt – use our engineer to look at the site as a conventional – see what the yield would be – they want 15, conventional would be 10, maybe we end up at 12.

Tony – even if the incentive is on the high side, you don't have to necessarily allow the maximum – they are going to do a conventional layout anyway – but I still think the open space option is more attractive

Dan – you will get a conventional that will take full liberties of interpretation – it will show high – that is really a false number – I think it is difficult to come down – I would rather see a consistent 10% - or in the rules and regs, we have some benchmark number guideline – it is not the intent to get this all blown out of water –

Tony – you also need to look where you are putting it – ar1 vs. ar2 – you want ar1 to be less dense

Dan – any other issues on OSRD? I think the board should continue to think about it – run thru Ishmael Coffee or Hartney Acres

Karyl – there is one thing we are overlooking in conventionals – marketing element – very big custom houses are becoming what is being done

Dan – this won't eliminate those – but the market is down

ARCPUD

Dan – we are revising this based on what we have learned in dealing with past projects – gives us some flexibility

AUOD bylaw

Dan – issue by ZEO – on conversion of a house to 2 family use in conjunction with commercial uses –

Tony – zba discussed was that do we increase density on that parcel to a degree that may not be favorable - what we do, if everybody maxed out, what would everybody do then – I am in favor of taking a single family and making it a two family to make it commercial – then it becomes a lot with 2 buildings on it – it becomes different – what we try to do, is to say if everybody took advantage of that, what would happen, could it be too much or too involved?

DAN – If you were to take all the – I think you would find that very few could build a separate structure – so I don't think it would increase density very much – it may increase use density, but not residential density – we felt it is a good tradeoff to find ways to incentivize

Tony – there is a use that you are changing and then the density – I think changing the use is a good thing but you have to take each lot as a whole – can you still make it attractive –

Susy – we have a problem – bob says it doesn't allow for 1 residential unit with commercial uses

Dan – we need to fix that

Tony – you want to stay in the same building

Susy and gino to find a way to fix this =-

Avelino Rezoning – to add to Commercial V district

Avelinnos asked for this – endorsed by medway business council –

Motion to continue zoning public hearing to april 26 – 8:45 pm – matt, karyl – all yes

break – 9:45 pm return

Sign Design Guidelines – Public Hearing Continuation

Dan – cudoos to the design review committee but getting us something - they did take it up specifically, and they did come up with the changes we asked for. A very good start to a good guide to applicants to come in –

Karyl – it is comprehensive

Dan – more on

Susy – how to use design guidelines – illustrate, give to Bob to distribute; send to sign companies

Matt- we could also include with site plan rules and regs

Susy – add to DRC web site as well

Motion to close public hearing for sign design guidelines – matt, second by alan – all yes

Motion to approve the design guidelines as presented and amended – alan and eric – all yes

April 1 draft

April 5 – list of changes that were made

VHB draft of appendix details

SAC – updated forms

Dan – review this list to see if there are any you want to discuss

Matt – there is a proposed stormwater bylaw – how do these compare

Matt – is perimeter drain stuff in the details?

Dan – no I don't thin so – we need to fix that

Matt – has Dave seen the sections?

Susy – I gave them to dave last week

Dan – Matt, could you meet with Dave

Gino – typo on parallel –

Dan – number the appendices –

Susy – yes, and I want them to flow in order of the regs as well

Dan – also new forms

Karyl – next steps after this – we need to knit this in place now –

Motion to continue to April 26 – 9:30 p.m. – eric, matt – all yes

AHSG status –

Eric – inclusioary hosing – any application submdiviiatnapplicaotn would require – some triggering size – would require some % to be Affordable (to count toward 10% MDHCD) – it would cover everything – subdivisions, arpud, osrd –

Alan – think about the benefit that has especially for arcpud – especially for seniors – another altnerative to continue living in the are

Eric – second is the notion that we would look at areas of the town where there are existing nonconforming lots and adaptiting some kind of special permit proecess to utilize those for Affordable housing - in my neighborhood, 8,000 sq. ft lots prevail – there are several exiswting non conforming – it wouldn't hurt the neighborhood to do some infill construction –

Dan – would you want to allow for ANR

Next meeting – april 28th

Preparations for 2005 Annual Town Meeting

Dan – For each of the warrant articles, a PB should be assigned so that they can represent this at town meeting –

Dan – I will take site plan and development review coordinating council and general bylaw article for warrant article submission

Eric – I will be out of town on May 9th

Alan- I will be on a retreat for my other board on May 9th

Dan – the budget issues may be delayed – continue the town meeting into June – to deal with the budget – need for time – get state involved . . . since we are the bulk of the rest of this – it may start right up for PB consideration

Karyl – is there anything we anticipate negativity where we should get a presenter

Dan – Glen would be willing to help us with site plan

Eric – if there is any need to develop anything in advance, I would be glad to help out with that

Dan – we would need to schedule that with Mark Cerel

Matt – I will take the OSRD;

Susy – I think the contractor's yard thing could get oinky

Matt – pass to Joe D??

Susy – also need to be prepared as well for tree fund and sidewalk fund

Followup with Fire Chief – on payment for Greg Coras – Camelots

Matt – contractor's yard – 3

Matt – drivethru – 3

Karyl – uplands

Sign Standards – dan – 2

ARCPUD – Dan

AUOD – matt - 2

Avellino rezoning – karyl -

Tree revolving fund – matt

Sidewalk fund - matt

Street acceptance – matt

April 26 – Decisions on everything –

Hopping Brook Prel Plan

Motion to accept estimate of PGC for \$280 – karyl, alan – all yes

Motion to accept estimate of \$250 from VHB – alan, eric – all yes – matt recuse

Forest Edge Status

Dan – latest request from the town – deeds, assign bond;
Latest request from Jonathan Bruce – releases from PB and CONCOM;

Dan – we need to volley back to the developer –

Susy – I think it is reasonable for you to agree to cover the snowplowing out of the bond

Matt – what would the town have to do to get an certificate of compliance –

Town Administrator Search Discussion

Dan – Andy Rodenhiser is chairman, he has asked for input from the PB

Karyl – one simple thing, a question or call by any board member should be promptly responded to; it shouldn't be hard to get thru to the TA

Matt – leadership and communication; that is tough to find out in a resume

Dan - how about written responses – if everybody is on a committee came in with questions, he wouldn't be able to function – 48 hours response to written requests

Dan – anything specific to planning at a TA level

Eric – I would like to see a candidate for the position have a demonstrated commitment to planning in the communities they have previously served

Dan – indepth undetangind, appreciation for planning matters – a visionary in a sense

Matt – a uniter, not a divider

Dan – communication is critical – I would liket o see somebody who has some experience with web site – appreciation for such – how a town web site could tackle many of the questions that come in – efficiency standpoint – a point person for the web site – manager in town hall for that thing – somebody right here –

Matt – the school web site – article said it is very easy for teachers, etc. to update –

Eric – not difficult; you have one person to sign off on things

Gino – you need somebody to ride herd on getting updates done

Dan – we haven't updated our picture – we need to get on top of that

Eric – efficiency issue for staff – I go to the web site

Dan – the TA is drowning in work –

Dan – supporter of long term plan for expansion relocation of town hall facility

Karyl – if we had an alternative meeting room some place else, then this space could be better used

Susy – coordination among departments –

Write up for Andy

Bond Default Account – status report
March 24, 2005

Forest Edge –

Susy – background memo

Eric – if AI is willing to try, then I say go ahead;

Dan – if subdivision rules and regs were my focus this year, then I would suggest streets and bonds be a focus of the PB in the future; I think BOS would have to put time into this – summer and fall –

Distribute Hopping Brook plans

Motion to adjourn –matt, alan

11:15 pm -