

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

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 thihs 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 prosong 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 iance – 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 . . .

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 4th – 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 p rivate 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 tht 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 coenants 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 ocnsturct in the future – we need a clarificxation 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 exdtenidng 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 bulding the road to begin sith

Karyl –= ihtink 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 . . .

Eric Alexander joins the meeting at 8:55 pm.

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 localtions 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 incorporated 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 maintenance of roads, stormwater drainage 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

pine ridge – request continuation

9:15 pm for June 8 – OK

short break – 9:40 pm for 5 minutes

Discussion on Site Plan Decisioins

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

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 -

Other Business . . .

1. Letter from Reimer and Braunstein – May 10th
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 . . .

Committee Liason assignments

Chan – SWAP, Capital Improvements

Andy – Business Council, IDC

Karyl – DRC

Affordable Housing Study Committee - John Schroder

Street naming – susy

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 –

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 –

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, MedwayPolice and Bevilacqua Paving – TOTAL = \$19,808.63

Motin by chan – thanks to gino for securing the grant and sheparding 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 he townof 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 –

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 -

Susy - Reminder that we have a public hearing on May 30th – 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 -