

*Andy Rodenhiser, Chairman  
Cranston (Chan) Rogers, P.E., Vice-Chairman  
Karyl Spiller-Walsh  
John Schroeder  
Robert K. Tucker  
Eric Alexander, Associate Member*

*Approved 9-12-06*

## **PLANNING BOARD MEETING August 29, 2006**

PRESENT: Andy Rodenhiser, John Schroeder, and Karyl Spiller-Walsh. Bob Tucker and Chan Rogers arrived shortly after 7 pm.

ALSO PRESENT- Paul Carter, VHB, Inc.; and Susan Affleck-Childs, Planning Board Assistant

Call meeting to order at 7:00 pm

**CITIZEN COMMENTS** – None

ANDY RODENHISER- We will wait for two more members to arrive before we start the Rolling Hills public hearing

**INVOICES** - No invoices to consider.

**MINUTES** - Minutes of August 22, 2006 meeting. No comments or revisions.

Andy Rodenhiser – We need to wait until BOB TUCKER and Chan arrive to vote on the minutes.

NOTE – It was agreed that Susan Affleck-Childs would email the rough meeting notes to Planning Board members the next morning after Planning Board meetings.

### **COMMITTEE REPORTS**

KARYL SPILLER-WALSH – The DRC met last week.

ANDY RODENHISER – What is the status on the design guidelines? Are there examples of what buffer zones should look like?

KARYL SPILLER-WALSH - Not yet. It should be brought up and we should articulate something.

KARYL SPILLER-WALSH – It would be a great tool to have a computer white board to display some of the good examples we find. We should look into it. It is called a SMART board, with display options.

JOHN SCHROEDER – I believe it is a plasma screen.

NOTE – Bob Tucker and Chan Rogers arrive.

A motion was made by Bob Tucker, seconded by John Schroeder to approve the minutes of the August 22, 2006 Planning Board meeting as presented. The motion passed. Karyl Spiller-Walsh recused, as she was not present at the 8/22/06 meeting.

***Public Hearing Continuation - Rolling Hills Definitive Subdivision Plan***

7:08 p.m.

Olga Guerrero, applicant  
Edward Cannon, attorney  
Paul DeSimone – Colonial Engineering

Paul DeSimone – We made a couple of small revisions, fixed some discrepancies between the sheets. We reworked the island landscape design and called out the 10-foot area around the island with pavers. The retaining wall is a big thing. As far as the height of the wall, anything above 4 feet requires a fence on top. I brought you some special pictures. We propose using 4' by 4' concrete blocks, essentially a huge cinder block type approach. They have texture on the front of the blocks. Look at profile on the last sheet. It shows you where the ground is and the sections of fence are needed. The fence is on and off – 40 foot stretch and 40 foot break.

Susan Affleck-Childs – That will look kind of weird.

Paul DeSimone – There will also be a guardrail all along the way in addition to the picket type fence. The guardrail is for vehicles and the fence is for pedestrians.

KARYL SPILLER-WALSH – What kind of material for the fence?

Paul DeSimone – Vinyl.

KARYL SPILLER-WALSH – I thought that kind of fencing had to be sturdier, with some metal in to hold up well.

Paul Carter – What is the maximum height of the wall?

Paul DeSimone – I think 6 feet is the highest. I left it up to the applicant whether she wants to run the fence the entire length of the retaining wall.

Paul Carter – The corner of the wall is near the entrance to the site?

Paul DeSimone – Yes.

ANDY RODENHISER – Looks like it is about 240 feet long

Paul DeSimone – Actually it is more like 325 feet but not all of it is visible plus there is a return of about 30 feet

KARYL SPILLER-WALSH – This is a big wall, long and high. It looks like Lowe's (Milford) You should look at something faced with stone; it should look better than this. It should be much better. It is a long high retaining wall. Could you buffer the wall with landscaping?

Paul DeSimone – That would infringe on the wetlands.

BOB TUCKER – I would think there will be a lot of green, growing stuff that will grow up around it from the wetlands.

JOHN SCHROEDER – I am less concerned about the wall material than I am with the up and down nature of this.

KARYL SPILLER-WALSH – I am reading from Section 7.14.4 of the Subdivision Rules and Regs. Wall and fence designs to be reviewed by the Design Review Committee. We are looking for a stone appearance.

JOHN SCHROEDER – Has the DRC reviewed this wall?

Susan Affleck-Childs – No. The Planning Board didn't receive this until August 24<sup>th</sup> so it hasn't been scheduled yet for the DRC.

Paul DeSimone – I think we could get any type of surface. I have seen a granite type. But we prefer this to a poured wall.

KARYL SPILLER-WALSH – I don't have trouble with that. Structurally it has to work. But the concern is how it looks.

ANDY RODENHISER– The visual appearance is what we are focused on and the regs are fairly clear about a stone appearance and meeting with the DRC.

Paul Carter – How are you going to do the two 12" drain pipes through the retaining wall?

Paul DeSimone – These are just huge cinder blocks that you can break at the joints.

Paul Carter – So you will pour concrete around the pipes?

Paul DeSimone – Yes.

ANDY RODENHISER– From a logistical standpoint, this needs to go to the DRC before we can close the public hearing.

KARYL SPILLER-WALSH – Please describe the fencing.

Paul DeSimone – Heavy PVC.

KARYL SPILLER-WALSH – That kind is subject to breaking and is difficult to repair.

Paul DeSimone – The pickets go through the rails. This is a sturdy version and is maintenance free. You don't have to paint.

ANDY RODENHISER – It will be interesting to see how the fencing will stand up to snow.

KARYL SPILLER-WALSH – What happened to wrought iron or aluminum fencing? That is the standard we have been moving toward.

Paul DeSimone – They say this is sturdier than aluminum, according to the salesman.

KARYL SPILLER-WALSH – I would recommend wrought iron or aluminum instead.

ANDY RODENHISER – We need to keep the public hearing open so we can get the DRC's recommendation.

Paul DeSimone – I thought the DRC was for commercial sites. I didn't think it pertained to a small residential site.

ANDY RODENHISER – It is in the regs. 390 feet of length.

BOB TUCKER – It will probably only be 3 layers high.

ANDY RODENHISER – Each layer is 18 inches

CHAN ROGERS – A highway wall wouldn't have to go to the DRC. The Town wouldn't decorate it if it was building it. I don't know why a developer has to have a fancy wall.

ANDY RODENHISER - If we were to skip this step, they would need to request a waiver.

Susan Affleck-Childs – And how you justify not complying.

CHAN ROGERS – I think we are making too much out of it.

JOHN SCHROEDER – The regs say the DRC should look at it and give us a recommendation and that is the way we should proceed.

BOB TUCKER – I don't know why that regulation was set up the way it was. Personally I don't have a problem with the wall as proposed. I am listening to Chan and I don't disagree with him. I have seen a lot worse things that the state has done. But we have our rules and regs that we should follow.

KARYL SPILLER-WALSH – The reason we created this regulation was because there have been walls built around town that look awful. Broken Tree Road is an example of a poured concrete wall and a chain link fence. Broad Acres has the same thing. We have hideous looking bridges and walls and fences that are substandard to the cost of the housing in the neighborhood. All the surrounding towns are requiring more naturalized looking walls. There is no reason why we have to look at this stuff. They make a lot of products that look like natural stone. It is better for the neighborhood and the Town. Anywhere we can get vertical surfaces to have natural look

we need to do that. That is why we created this regulation. We, the DRC and the former Planning Board decided that is what we want to see.

Ted Canon, representing the applicant Olga Guerrero – If we do have the DRC to tackle the wall, I would like to make sure that we have all the other issues resolved.

ANDY RODENHISER – The only thing was the little vertical area.

Paul DeSimone – That is in the CONCOM’s “no disturb” area.

Paul Carter - I had asked about the size of the stones around the pipes. What is the size of the rip rap? 3 inches seems a little small. I would do something bigger, more toward 4-6 inches.

Paul DeSimone – We can do that (larger rip rap) but we can’t do any landscaping within the 25-foot area from the wetlands. But we can do something outside.

KARYL SPILLER-WALSH – What can you do there to cover up the little rip rap trap?

Paul DeSimone – It would be woods and lawn, pretty natural.

KARYL SPILLER-WALSH – But in the process we have to look at a mess until it grows over. Put in some bushes or some trees. We want to hide how it looks.

Ted Cannon – The natural growth around it will fill in very quickly.

ANDY RODENHISER– I am all right with it the way it is proposed. Our only issue is with the wall and the fence. The Rules and Regs have been adopted over the years and in this instance whether or not the state or the town would build something like this is immaterial. It is our job to follow the rules and regs and represent the town’s interest. Certainly what the DRC will come up would benefit us. They have a better idea of design aesthetics. Then we would take their recommendation under advisement.

KARYL SPILLER-WALSH – If this were to be short little retaining wall that nobody is going to see, it wouldn’t be a problem.

Paul DeSimone – You won’t see this wall.

ANDY RODENHISER – You need to go to the DRC.

CHAN ROGERS – In 10 years you aren’t going to see it.

Paul DeSimone – The walls that Karyl is talking about are high retaining walls that face the street.

ANDY RODENHISER – We need to have some caution. Some people took advantage of a lax standard. We need to do our job. We will keep the public hearing open.

CHAN ROGERS – Can we close the public hearing subject to their complying with the DRC review?

ANDY RODENHISER – No, because we can't take in the DRC recommendation after the public hearing is closed.

Ted Cannon – I understand the process. We just want to resolve any other issues.

Paul Carter – The concrete pavers for the island, what is going to be under the pavers?

Paul DeSimone – A 12-inch gravel base, the same as our whole road base. I can put that on in.

Paul Carter – If you are going to change the wall detail, make sure the other wall details match each other. There must not be a conflict in the plans. The plans now show 2 different wall designs

Paul DeSimone – The face is your concern. Who doesn't like it?

ANDY RODENHISER – I am OK with it.

CHAN ROGERS – It is nice looking.

JOHN SCHROEDER – Paul, the other issues you have brought up in your last letter . . . have those been taken care of ?

Paul Carter – Yes.

Paul DeSimone – I can get you a copy of the disk.

NOTE - The next DRC meeting is September 11. Susy will schedule that.

ANDY RODENHISER – Plan to bring some photos or samples of the products you want to use.

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to continue the public hearing for the Rolling Hills Definitive Subdivision Plan to September 12, 2006 at 7 pm. The motion passed.

Susy Affleck-Childs – We will need the applicant to request a deadline extension that night to give us time to write the decision.

KARYL SPILLER-WALSH – I am still concerned about the fencing too. We need to check into that some more from the Hartney project.

***Public Hearing Continuation*** – River Bend Village ARCPUD Special Permit and Definitive Subdivision Plan.

7:58 p.m.

NOTE – Associate member Eric Alexander joins the meeting

Mark Deschenes, Abbott Real Estate Development  
John Spink, Coneco Engineering

Mark Deschenes – There are several things we want to address this evening. Last time, you had some comments on the elevations and grading and swales and if it is OK with the board, I would like to touch on those issue. Then we can talk about the list of waivers after that. Also, I have brought 4 full size copies of the landscaping plans and will get you some small size ones this week.

NOTE - John Spink distributed a revised waiver list dated August 22.

ANDY RODENHISER – We are working from the May 26<sup>th</sup> version received by us on June 5<sup>th</sup>.

John Spink – There was another version that I gave you that you should have.

Mark Deschenes – I have revised elevations. The one we submitted had the wrong entry portico for the large building. It has been corrected on the west elevation. On the south elevation, we pulled the siding down to within 18” – 2 feet off the ground. That detail was brought all the way around the back. It will also be hidden by the foundation plantings. I hope that this has addressed the concerns you had about the building.

Mark Deschenes – The other question was regarding the swales and grading. I have a handout for you, 11x 17 size to show some of these areas of concern, based on a conversation I had with Susy based on her conversation with Karyl Spiller-Walsh.

Mark Deschenes – We have tried to soften some of the steep slopes and flatten out the bottoms. We looked at 4-5 areas and softened the grading to make it more gradual to 1:8 slope. There are some cross sections through these same areas and it goes from a 1:3 to 1:10 slope in another location.

The updated landscaping plan shows the site trees. There is a substantial amount of screening between the two sets of units. We can revise that again if we are gong in the right direction.

If we are headed in the right direction, we will incorporate into the final plans.

I tried to address Karyl’s concerns from what I understood from your conversation with Susan Affleck-Childs.

BOB TUCKER – Generally there is a 3:1 slope. What are you at now?

Mark Deschenes– 1:8 and 1:10.

ERIC ALEXANDER – I think Karyl was most concerned where the elevation changes were most significant.

KARYL SPILLER-WALSH – Yes, I think this is an improvement in those areas.

ANDY RODENHISER– So are we OK to tell them to go ahead with these changes?

Agreed.

Mark Deschenes – Regarding the waiver list. What I remember of the history is that we submitted a list with the regs in their totality. Paul Carter’s first comment was that it was not very helpful and he suggested we just focus on the ones that we need waivers on.

ANDY RODENHISER – This version is much better. Let’s walk through them.

Susan Affleck-Childs – I believe this is my error in not getting the newer version of the waiver requests to you. I am not remembering getting them, but that doesn’t mean we don’t have it.

CHAN ROGERS – The street will be built to some standard and there will need to be construction inspection. Also, the plans should have a statement about the private way status.

BOB TUCKER – I consider the Mass Highway Standard Specifications to be a fair minimum standard. It is too broad in scope and nature to have us waive section 7.1.2 regarding the Standard Specifications.

Paul Carter – Those standards are about quality of materials.

JOHN SCHROEDER – If you look at those specs, there are a lot of things in that document that don’t apply.

ERIC ALEXANDER – The MHD standard specs are incorporated by reference.

Mark Deschenes - This is a reasonable request.

KARYL SPILLER-WALSH – You can’t separate design from materials. I think the design and materials are going to be integral elements. Am I wrong?

CHAN ROGERS – Your general statement is correct. They have to specify the exceptions.

The waiver requests have to be very specific.

ERIC ALEXANDER – Whatever the waiver grants wipes away any conflict.

NOTE – The Board went through the 8/22/06 waiver requests on an item-by-item basis. Based on that discussion, John Spink will revise the document and resubmit.

KARYL SPILLER-WALSH – This is truly a high impact design, not low impact as they claim. Very little of the existing material will remain. It will be removed to allow this magnitude of swales to exist.

Mark Deschenes – I want to address Karyl’s concerns. We have a 55 acre site. We are impacting less than 16 acres where we are building significantly. Around the areas where we are not building we are pretty much leaving the natural vegetation. Yes, we are building heavily in the developed areas. We have gone through a lot of painstaking efforts to leave a lot of the land naturalized. We are looking at close to \$1,000,000 in landscaping for 16 acres. In terms of the roadway, we have minimized the size of the road. We have taken off some of the curbing so water sheds back into the natural environment and we can avoid having huge detention ponds. I



still think the integrity of the design has been preserved. We have consolidated to try to minimize that impact.

CHAN ROGERS – Well that first series of cross sections shows how you lessened the pitch and we all liked that very much, so they have done a lot to change it

Paul Carter – You need to add impervious core to detention area dikes.

Susan Affleck-Childs – In 15 years, how are the condo members to know what they can't mess with these stormwater management areas. .

Mark Deschenes – I will look at our documents to make sure it is clear.

KARYL SPILLER-WALSH – Has this been done elsewhere, something of this scope?

Mark Deschenes – Yes.

John Spink – Done everywhere except in Massachusetts.

Susan Affleck-Childs – All of these will be on the commonly owned land?

Mark Deschenes – Yes.

KARYL SPILLER-WALSH – I see the entire project as its own stormwater lot.

Paul Carter – They are recharging roofs, using pervious pavement for sidewalks and driveways, but the development is being concentrated within 16 acres and it is an open system drainage.

Mark Deschenes – I could go bigger and have less open space.

KARYL SPILLER-WALSH – Or you could pull out half the units.

ERIC ALEXANDER – With all due respect to Karyl, I don't know if that is even a fruitful discussion to have at this point. We have gone this far.

KARYL SPILLER-WALSH – It was their choice to leave the stormwater management till the 12<sup>th</sup> hour. It was unfortunate that the Charles River Watershed Association had a discussion with them so late which then impacted their design.

ANDY RODENHISER – It wasn't intentional on their part.

KARYL SPILLER-WALSH – The swale system was a response to the CRWA issues.

KARYL SPILLER-WALSH – According to Paul Carter, the drainage design is not squeaky clean.

Paul Carter – The swales serve to convey water.

ANDY RODENHISER – We have to compromise at this juncture.

CHAN ROGERS – Would it help to say we approve of the general concept.

ERIC ALEXANDER – I don't think we should spend time rehashing where we are and how we got here.

JOHN SCHROEDER – I have a concern about 10 years from now. It is a complicated system and fully integrated. Will this complicated system be changed by somebody?

Mark Deschenes – I want to check out the Operations and Maintenance Plan to make sure your concerns are addressed.

Mark Deschenes – It is a complicated system, but it is a very redundant system. If one method fails, there is another method that serves the function.

Mark Deschenes – We have given you the Operations and Maintenance Plan.

Susan Affleck-Childs – I am afraid that is another piece that I didn't provide to you.

KARYL SPILLER-WALSH – That is what I need to know that there is a backup system. If this fails, this is going to turn into a moat. I think this is a very adventurous project. If it doesn't work there will be a lot of people in a lot of trouble.

ANDY RODENHISER – You need to visit with the Fire Chief on the road/driveway stubs to see if he has any turnaround issues.

Mark Deschenes – We submitted revised drawings to VHB last week to discuss on September 12 at our next public hearing.

ANDY RODENHISER – It is all our expectation to wrap this up on September 12<sup>th</sup>.

Paul Carter – Did you fully address our previous comments? I did talk to the guy who is doing the drainage review. He had some comments but we are still in the process of reviewing it.

Mark Deschenes – Would it be possible to have a meeting next week at your office to address any of those remaining issues?

Paul Carter – I will talk to him and see if he can do that.

A motion was made by John Schroeder, seconded by Chan Rogers to continue the public hearing to September 1,2, 2006 at 9:30 p.m.

NOTE – Eric Alexander leaves at 10:10 p.m.

## ***OTHER BUSINESS***

### ***Hartney Acres - Letter from John Claffey***

Susy Affleck-Childs – As part of the approval of Hartney Acres, the developer is to provide the Town of Medway with \$25,000 to make improvements on Blueberry Hill Road. Mr. Claffey has asked to have until the end of December 2006 to provide those funds.

A motion was made by Karyl Spiller- Walsh, seconded by John Schroeder to extend the deadline for payment to December 2006. The motion passed unanimously.

***Country View Estates – Estimate from VHB to review proposed plan revisions***

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder, to approve VHB's estimate of \$3,650 for plan review services related to proposed revisions to the Country View Estates definitive subdivision plan. The motion passed unanimously.

NOTE - Paul Carter leaves at 10:20 pm

***Fall Town Meeting***

Susan Affleck-Childs – Last night the Selectmen set October 23, 2006 as the date for a special town meeting. The warrant is open now and will close September 11, 2006. I have a master list of articles we have talked about.

ANDY RODENHISER– I understand there will also be a special town meeting in December to set the tax rate.

ANDY RODENHISER – Let's go for adopting the Mullins Rule.

JOHN SCHROEDER – I would like to aim for December for the affordable housing trust fund.

ANDY RODENHISER– We should work between now and the annual town meeting on a good program of public information.

JOHN SCHROEDER – Buffer zone issues, let's aim for spring, 2007.

ANDY RODENHISER – Also look at the areas to be included in the open space for OSRD and ARCPUD.

CHAN ROGERS – I would like to look at building permit limitation options. That is one of the only recourses we have.

JOHN SCHROEDER – I understand it can be done, but there has to be a reason, a timeline, a plan to address the defect that is causing the problem. Maybe we could restrict development until more sewer capacity comes online.

JOHN SCHROEDER – As a planning board and considering the goals of the town, we are trying to increase commercial development for our tax base. If residential development takes up all the current capacity, what can we do?

CHAN ROGERS – There is another whole set of negotiations that needs to occur with Water/Sewer Board. And now we have the CRWA letter. We have done nothing as a town to set up a response to the issues raised. This issue should be brought to the town administrator to emphasize the point that all these things have to take place or we wont be effective.

ANDY RODENHISER – Mark Flaherty takes his cue from DEP. I went before the Water/Sewer Board and told them about our upcoming projects and shared our capacity concerns. They are going to go down and meet with the Charles River Pollution Control Board re: capacity.

JOHN SCHROEDER – How can the CRPCB tell us if they can't keep track of what is being used?

CHAN ROGERS – The town administrator should be made aware of these issues, especially regarding sewer capacity.

Susan Affleck-Childs – We have to recognize that Water/Sewer board is a very independent entity and not under the jurisdiction of the Board of Selectmen or the Town Administrator.

ANDY RODENHISER– I will stay abreast of this issue.

It was agreed that we would work on the following articles for the fall town meeting.

Restaurant 45 – License to use part of right of way for parking, signage and landscaping

Mullins Rule – To accept state law that allows some flexibility on attendance at al public hearings. Ask Mark Cerel to help.

Groundwater Protection District Locations – 2 changes as requested by Water/Sewer Board

OSRD – Add decision criteria re: neighborhood impact.

NOTE – Susy and Andy will work on drafts and circulate to PB members next week for feedback.

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KARYL SPILLER-WALSH – We need to anticipate more what the comments and concerns will be on rezoning proposals

JOHN SCHROEDER – Maybe the east side industrial park wasn't the best choice for last year. I would have preferred to focus on the Route 109/126 area.

***Planning Board Fees and Bond Schedule - Ideas for Revisions***

Susy Affleck-Childs – We take a look at this annually. Here is a handout with the current fees and some ideas on adjustments.

ANDY RODENHISER – What about adding a per meeting fee for projects? We need to address the cost of doing business. We need to work toward becoming a self sustaining board.

JOHN SCHROEDER – Can we do that? Any precedent?

Susan Affleck-Childs – I can put together something on what we have brought in for \$ for the past few years. This will help us evaluate options.

A motion was made by Karyl Spiller-Walsh, seconded by John Schroeder to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant