

February 13, 2007 PB Meeting

PRESENT: Chan Rogers, Bob Tucker, Karyl Spiller-Walsh, John Schroeder

ALSO PRESENT: Barbara Saint Andre, Town Counsel; Susan Affleck-Childs, Planning Board Assistant.

Chan Rogers called the meeting to order at 6:25 pm

Workshop with Barbara Saint Andre/Town Counsel

Reference to Barbara's letter dated February 2, 2007.

Barbara Saint Andre – I was asked to comment on some hearing procedures in terms of public hearings and discussions outside. What I was trying to convey is when you are acting on any application, the courts consider you to be a quasi judicial board. You are sort of like a jury when you are not supposed to talk to anybody outside the courtroom. Your work doesn't rise to quite that level but it is a serious matter with property owner rights at stake. You should treat it in a very formal manner. You need a majority vote of the entire board. My opinion has always been if you are in the midst of a public hearing process, everything you are going to consider should be from info presented within a public hearing. The courts have said that you are expected to bring your general knowledge of the town to the table. It may be possible to avoid people saying things to you – family, grocery store, etc. – and sometimes you do have conversations with people or an applicant about a pending project. These are called exparte conversations. At the next public hearing you just report back on those conversations, simply make reference to the conversation that took place.

The second question you had is about board members talking about a project under consideration at a time other than the public hearing. As an applicant, they are entitled to be at the public hearing to rebut anything that is discussed. I know it is hard, but try not to talk outside the public hearing.

Karyl – What about conversations we have among us about a matter before the board?

Barbara – Be careful you don't have a serial conversation. The issue is that interested parties are excluded from the conversation.

Andy – that is more subjective than what the bylaw says - Karyl has an eye for design, Chan has an idea about mechanics of the discipline of engineering and may not have as much concern for design as he does for structure. He and I may talk or share an email whether we should make somebody do something. Karyl and I could be talking about how something looks – quite often, that is the way a discussion happens. I am not telling him what Karyl thinks. As chairman, you end up with a lot of loose ends. I may need to interact with Susy to get info back to the applicant, or town counsel.

Karyl – lack of insight, education or knowledge about how something could become a better project.

Andy – In the context of vetting applicants for town counsel, Petrini came across well due to their willingness to offer workshops. I think it should be offered at a time when the new boards come together after the next election.

Barbara – In the perfect world, you shouldn't be talking amongst yourselves about an applicant that is before you.

Susy – Something else we need to work on is a policy on how to handle situations where there is a difference of opinion between the PB and the ZEO

Chan – When are we supposed to deliberate the issue, because you don't do that in the middle of the open public hearing? I would like to think we could close the public hearing and then deliberate

Barbara – Most boards like to close the public hearing before they start to deliberate.

Karyl – By that time, it is too late to make changes.

Chan – You have to have time to talk about the issues

Barbara – A lot of the things you deal with are over a series of evenings. You may actually have to schedule a time for deliberations. You don't have to do it that way.

John – Is there a way to deliberate mid stream? Can we have an executive session to discuss a particular element of a project?

Barbara – No executive session. Certainly at any time during the public hearing you can have a time to discuss among yourselves – what boards often do if there is an issue – is get a sense of the board – you are never bound by anything until you are done – sometimes boards are trying to give some direction – sometimes provide a consensus direction.

Andy - We are having a scheduled public hearing, we talk about it, the PH is continued to 3 weeks from now, but during the course of the next public meeting, can we discuss something if applicants or abutters are not there?

Barbara – My opinion is that you should not be discussing a project it outside the public hearing.

Barbara – As long as a public hearing is open, any discussions you have should be during the public hearing. You want to allow the applicant, abutters and other interested parties to come to the meeting and hear what people have to say.

Andy – At the end of each public hearing we announce the date and time of the continuation

Bob – If we discuss an applicant tonight and we decide to continue it for 2 weeks, can we have a discussion then?

Barbara – You are asking if you could have a session of the public hearing to just discuss an application. At the public hearing you would say, we would continue to 2 weeks and just have a board discussion at that time.

Karyl – If we can't talk amongst ourselves or with a citizen, then I am going to be calling town counsel when I have questions about what we should be doing. If I can't call Andy or another board member, is that what we want to do? I am looking for a sounding board.

Andy – I think that is an extreme example.

Karyl – On a weekly basis that is what goes on.

Andy – We can set aside time to discuss something within the public hearing.

John – A question comes up on the interpretation of a bylaw, can I ask the chairman if we can discuss an issue?

Andy – You can say “I need some clarification something.” Then the applicant is hearing where we are coming from.

Chan – We learned this the hard way from the Medway Gardens project. In that case, the board should have stopped and gotten some consensus on major issues to be sure we know where we are going. Karyl would like to be able to discuss controversial issues of a project external to the board.

Karyl – It just needs to get done.

Barbara – In the perfect world, it should be done at the public hearing. Any conversations that occur outside, at the next public hearing you simply announce and put it on the public record

John – I have a specific question. Tonight there is a public hearing and I intend to announce that I had a conversation with the property owner outside the public hearing.

Karyl – There are no issues that you represent that aren’t PB. We are talking about a chance to unfold./

Barbara – when I do the seminar for the boards, I go through how to hold a hearing and make a decision that will hopefully stand up – I will go over some of this and give some tips – we have covered a lot of that already tonight.

Karyl – we are desperate.

Barbara – you are doing fine.

Bob – I think this board makes every attempt to do everything above board and sometimes it is more of a struggle than others.

Andy – Thanks for coming.

7:05 p.m. Turn on TV system and put in video tape.

Chan – Are we going to be asked by Medway Gardens how each of us feels? You have talked to them, we haven’t. This is the details about the conduct of a meeting that I am concerned about. How are we going to comport ourselves?

Andy – We just heard from town counsel that we shouldn't talk about a project outside the public hearing.

Chan – Are we going to have to answer a question from the applicant about how each one of us feels?

Karyl – the simple answer is no.

Andy – We have received a letter from them withdrawing. As far as I know, they are not going to come tonight but I don't have a crystal ball.

Chan – I am asking about procedure. Am I obligated to answer their question?

Andy – I can't address what will happen in the future.

Andy – I don't think you are obligated to answer their questions

CITIZEN COMMENTS - none

Pine Ridge – Bond Estimate Discussion

John Claffey and Paul Yorkis

Reference bond estimate from VHB dated 2-7-07.

Paul - Thank you for meeting with us to discuss the bond estimate. as you know, the village at pine ridge was the first of its kind (OSRD) under the zoning bylaw – we have been doing a number of firsts – now we are the first to establish the parameters for a bond when it is not going to be a public way. I would like to outline some questions and then focus on the last part of the letter.

NOTE – Paul distributed a letter dated 2-13-07 – 4 parts

There are errors in the estimate – concrete pavers in the cul de sac island are not shown on the plan. Sloped granite edging is not shown on the plan. The length of granite curbing is wrong. The street signs – the number of street signs is wrong. There is only one location.

Paul Carter – in looking at the plans, the plans don't show a detail of the cul de sac island. But it does show what looks like pavers, so we assumed the PB's standard detail which has the concrete pavers. The interior circle was shown as a cape cod berm – you can only do that next to asphalt and not next to pavers – the detail requires a flush granite curb next to the truck apron – the detail wasn't well defined on the plan, so for purposes of the estimate, we could only assume the PB's standard detail – there are some items that need to be better defined relative to that if you plan to do something else –

John – the landscape plan calls out grass and cape cod berm – the other sheet calls out white striping and not granite curbing

Andy – is he required to do anything or just do what is on the plan or does he have to comply with these subdivision standards?

Paul Carter – it is really up to the board

Chan – typically we would have waivers.

Andy – It is already an approved plan the way it is.

Paul Carter – It says a 10 foot wide truck apron –

Andy – did you request a waiver from that standard?

Paul Yorkis – No. The plans that the planning board has endorsed are the plans we are supposed to build. If during the course of the review process this matter had come up, we would have discussed it and resolved it.

Karyl – I don't ever recall that there was any discussion about white striping – all the other indications of the cul de sac indicate there is to be an apron – that looks like a standard

Paul Yorkis – I do not recall any discussion with the DRC or the PB

Andy – can we look at the DRC's letter?

Karyl – the landscape plan looks like an apron. I never recall it being a white line.

Bob – if it is a white stripe, then I would assume it would be paved asphalt underneath it.

Bob– what they are required to build to is the drawings with the waivers. If they have done that, they have upheld their part of the bargain.

Paul Yorkis – we were not trying to put something over on you.

Andy – we have to root out this issue.

Paul Carter – I assumed it was going to be a paver type apron. We didn't understand what was going to be constructed, so it can be clarified and we can revise the bond estimate.

Bob – let's go through all the items and agree to go back and look at what we need to . . .

Andy – we should review the DRC's letter

Paul Carter – I would also share with the board, that with other applicants we discussed different surfaces and we called it out on the plans.

Karyl – what happens on the apron is that you have a cul de sac island . Then there is an apron which has a slight angling – go around room and plowing room – it is not a flat surface- if there is a surface change there should be a sound change

Paul Carter – flush granite curb, you need to be able to provide structural support to paving and pavers – control that edge – those are the reasons behind the detail – try to reduce the amount of pavement in the cul de sac – the truck apron material was not defined well on the plans.

Paul Yorkis – the signs are based on MHD’s unit pricing for the signs. I have attached the cost of the signs produced by the town’s vendor.

Bob – Our regs reference the MHD standards.

Paul Yorkis – this is real money. MHD figures just don’t apply here.

Bob– did you ask for a waiver on this?

Paul Yorkis – I don’t think we should have to be required to have a waiver because this is not a public way. You and we are in a new area. This is never going to be owned by the town.

Chan – I say no units get sold if the road isn’t built. We control that thru an occupancy permit.

Paul Yorkis – in this particular case, we have a private way, we have a condo association, we have a road in place but it is not completed/finished – and the certificate of action indicated a bond will be posted – the building inspector will not allow a building permit for this project until the bond is in place and the Planning Board is satisfied. – We want to address that issue so that John can submit his application to the building department. Right now we can’t build because of the language in the certificate – In this case, I think there is good reason for the town to have a bond – what needs to be done that the town needs to be concerned a bout vs. the buyers. My perception on behalf of John is that the town has an interest in drainage and how the proposed private way intersects with Candlewood which will be a public way. Those two reasons are why there ought to be a bond.

Andy – with an exception of the amounts, what else do you feel needs adjustment?

Paul Yorkis – I have raised questions – why is there road maintenance, snow plowing, loam, borrow and seed which is part of the common area, the contingency is 25% and it used to be 20% - when you look at this bond estimate and compare it to Hartney Acres there seems to be a substantial disconnect – also, on what basis was the landscaping estimate made?

Paul Carter – including road maintenance and snowplowing is the policy of the board.

Paul Carter – as far as loam, borrow and seed, I am not sure the exact limits of that . . I assume that is within the area adjacent to the road and cul de sac

Paul Yorkis – the road is common area with ownership by the condo association – it is a private way . .

Paul Carter – loam and seed is needed to stabilize off the grading of the roadway

Paul Carter – as far as the contingency issue – 25% is in the subdivision rules and regs

Paul Carter – as far as comparing these two (Pine Ridge to Hartney Acres) . . . the Hartney estimate was prepared a year or 2 ago and the unit prices have gone up since that time.

Karyl – I have to agree with him on the 1 year road maintenance – I think it should not be included.

Bob – the reason why he included it is that the regs specify it that way. These are the rules we used to approve this project and if there wasn't a waiver requested, then the rules apply.

Chan – this is not a subdivision in the traditional sense, I think it is a matter that you tell us what is a fair amount.

Paul Yorkis – we outlined that in the letter I distributed -

Bob – would you anticipate come in for bond reductions?

Paul Yorkis – No, it sits there until the last unit is sold and the as-builts are done and an engineer's certificate is provided.

Paul Carter – the one thing about the landscaping – there is a lot at the entrance – it is a huge plan – that is what the number of based on – does the board feel?

Chan – yes, I do think that should be bonded . . .

Karyl – the whole approval of this special permit was based on neighbor's comfort level

Paul – this estiamtie is basedon what is left to do based on our inspecltions – it was prepared by jack lydon who has been doing the inspoelectons – separate from the island thing which there is some misundetandig

Paul – the top course hasn't beenconstructed and there is some binder repair that needs to be taken care of

Andy – how do you guys feel about Paul and Paul working on something and coming back to us –

Bob– the rules are the rules – you made a decision based on the subdivision rules – I think this is a golden opportunity to take a look at this – take this and go to the future with it as well to come up with an amended direction for private ways - we need to have a better roadmap to get to this point

Chan – lets recognize it and take the bull by the horns - lets reduce the bond – I don't feel constrained and recognize a problem and rectify the problem

Andy – Barbara, any comment you would like to make

Barbara – it is hard for me to comment – as I haven't read the decisioin – but the certificate – there are certain regs set out

Paul carter – I don't have a problem – it is up to the board on how to handle the cul de sac – if you are comfortable with what is on the plans, then we can revise the estimate – I would ask how you want to handle th elandsaciong issue – what is left is really the road maintineanc,e snow

plowing and those are the remaining issues here – the other things are the prices – are based on the subdivision rules and regs which are the MHP pricing – two big issues are the cul de sac and the landscaping

Bob – all the regs call for is – I

Chan – I see many issues that are unfair

Chan – I move that we have the two Pauls to work together to try to come up with a revised – seconded by Karyl

John – I don't think the 2 Pauls can work this out without some direction from the board

Chan – move to amend my motion that within the discussion there be recognition to issues that the board may or may not want to include in the estimate . .

Paul – I would like to see some direction from the board on the landscaping plan

Chan – this does not preclude the board from bring up any further issue after the two

Paul – Paul Yorkis is proposing that they not bond any of the landscaping

Chan – the board still has the

John – I think VHB has come up with a number and the applicant has come up with a number, I don't think it is fair to come up a new number – any new number is based on the decision of the board

Andy – any dispute on the MHD costs?

Paul Y – I dispute whether those are realistic costs . . .

Andy – let me rephrase the question – is there any dispute as to whether the figures represent the MHD costs

Paul Y – I believe those are the current MHD costs. I am indicating to the board, that by applying those MHD standards to a private way does not make any sense to me and I would strongly encourage you to review your regs – you have encouraged folks to pursue projects like this – this applicant is caught between a rock and a hard place because you are insisting on one standard and

Andy – isn't it fair to us to say that you could have requested a waiver

Paul – on my part, when we were going through waivers with you, that never came up – I will take half of that responsibility because we were going through a brand new process that we had not done before

Andy – do you think it is incumbent on us to make recommendations to you

Paul – this is the first time since I have been appearing before the board that even the possibility of requesting a waiver from a bonding regulations has ever come up because all the other projects have been public ways

Gino – there have been other private ways that have gone through the subdivision process

Chan – you can

John claffey – if I may – obviously, for us to determine what the bond was when I was going thru financing – I try to make an educated guess – I looked back at Hartney, and tried to come up with – I had to include an estimate to the bank – that bond is going to cost me more than what it will cost me to finish it – I am just not in a position to do that

Chan – let the two people

John – I think this should be a bond – I only have so much money to put into it

Andy – if we agree that this is the number that MHD uses, is there a question on the quantities

Paul – I would like to ask David Faist to go back and review each and every item from a quantity perspective – I think

Andy – to John's point, unless you have a dispute as to quantity or price, we should discuss the reduction

Paul – we don't have any problem revising the bond estimate based on what the board wants or what is on the plan

Bob – I think there is a revision that is required – take out

Compare notes on quantities, rates are established –

Paul – there is no standard rate for landscaping

Paul – the building commissioner will not review the plans until such time as the PB informs him in writing that a bond amount has been established for this –

Bob – I think it goes to the point, that the board must be satisfied –

Chan – I move the question

All in favor for the amendment – yes

Chan – I move the original motion – 4 yes, one NO

Andy – Barbara, do you have anything that might apply to bonding for condominiums and private ways –

Barbara – it is a problem – you still want it to be built to the plan

Continue the Public hearing on Medway Gardens

8:10 pm

John Vigone, attorney- folr avellino family – the reasoning behind withdrawing is an understanding that they have paid certain amounts into the town - \$11,000 filing fees and \$10,000 toward consulting fees – the understanding is that they would receive the balance of the consulting fees back – about \$3,000

John – Drake has asked for an accounting of how the funds were spent

John – filing fee of \$11,000 – it is my understanding that the board doesn't have the authority

Barbara – the filing fees are paid into the general fund –

Andy – to get a refund on those would involve an appropriation of town meeting

Karyl – if they reapply at some point, could those filing fees apply to the future

Andrew- I would like to encourage that

John – if it can't be done without town meeting, if they apply again – if onileva applies again with a different applicant they would get credit for

Andy – we have already expended probably half

Susy – no,

John – some unused portion

Andy – put a time frame on it . . .take a look at the amount of time that has been put into it . .

Bob– this would only be applicable to this parcel for property and not to any other

Barbara – as far as the application fee – it is paid to the town to cover the administrative costs of the hearing – susy, overhead – you don't have that oney – since they are withdrawing part way through process – you are saying you would give them a credit on a new application fee –

YES

Barbara – I am not sure you can take a vote tonight

Chan – we can make a motion – general posture to give a credit, amount and details would come later

John – that is fine

Bob– I don't think a motion is necessary

Andy – I want to report that I did meet with Avelinnos, and on advice of town counsel – we did have a discussion on the future of the site in case a withdrawal was t open – it was their express desire to try to develop the site in some fashion that would – likely gas station type use – to pursue some type of zoning change so this could be done – I expect the family will be asking for some type of zoning change to – to look at a scale – for d rive thru and a pump configuration that would work – have it be an allowed use by special permit for gas and drive thru – that was the nature of the conversation

John – I would also like to pout osmetnhing on the rcord – id di have a conersatktion with a member of htea v elino familyh on January 25 – said inthat coneatoin that my personal opinion – that use was not allowed – that was my inporetation -

Andy – any comments form theh public

Andy – letter dated Feb 13 from CME associates – to withdraw without prejeduce applications relating to the site –

Andy – any other comments or qeutions

Karyl – referering back to DRC conceptual conversations – there was a time when we were req4eusing about theh pssibility of flipping the gasoline canopy if it was allowed and the retail building so that the corner unit is the retail store – we wondered if that was some kind of idea

John avellino – based on what I have heard – these petroleum guys wont have it – unless they were allowed to do that, they probably would not be interested in the site

Andy – I would suggest that you work with a realtor and the DRC to try to come up

John – I think the scale issue can be worked on but I think the placement issues would be a real issue for any petrleu

Chan – I take issue with the PB deferring to the DRC – this is a PB perogitive, not DRC

Andy – any other comments?

Motion to accept their request to withdraw without prcudec e- Karyl, Bob-

All YEZS

Chan – I feel issues like that shouldbe

CVS Pharmacy Site Plan Modifcaiton - Public Hearing

Motion to accept request to withdraw – Karen Johnson . . .

Fred Sibley – Daniels Wood

Informal discussion –

Andy – anything that is discussed has no bearing or traction until

Fred – I have brought

This is a preliminary plan for completing what had been described in the original decision from Nov 4, 2003

Fred – the waivers that were approved . . . dead end; roadway construction, drainage system – I had agreed to only build two lots – this plan reflects – item 4d – rural character for driveway

Essentially it is completing the roadway as initially proposed with one lot that meets code - lot 2B

Fred – the plan was signed with an understanding that the road would be extended further – I would expect that intent to be honored

Karyl – so you are planning on constructing the cul de sac ?

Fred – yes

Karyl – what about water/drainage?

Fred – the hope is that the whole construction would still retain the character

Fred – what we propose to do is extend the roadway as a driveway – retain the trees in the center – we would extend the driveway around the circle and back out with woods in the middle

Karyl – drainage??

Kevin DeSimone – yes, we will build the drainage

Fred - the steepest part has already been constructed

Andy – a stone wall was built at 5 Daniels road – I expect the

Todd – it is more of an issue for me than it is for him.

Karyl – there needs to be stormwater management considerations in the application

Bob – I would agree

Chan – are you saying that nothing has to be done as far as future

Todd allen – as far as above, I don't think anything fred is proposing will be effected by anything there – as far as what was discussed nothing will be effected by what Fred is doing . .

Bob– you need to address stormwater runoff – I would also suggest you look very carefully at how you treat it – if you are going to put any water on lot 2b-2

Fred – given my understanding of the additional water – I would consider a drainage easement

Fred – todd has right of first refusal on the lot

Chan – which lot would be for sale?

Fred – lot 2b-

Paul – talk to fire chief about emergency access turnaround –

Fred – my concessions are tied to this agreement – I could have cut a road through between Daniels and Oak Street – part of tradeoff was preservation of this land too

Susy – why have that 60 foot wide area off the cul de sac area as part of lot 2B-2

Fred – access for wood, . . if this is

Karyl - it should be conversation . .

PH - Scenic Road Public Hearing - Winthrop Street

9:00 pm –

Tree Warden Phil Smith

Rob Truax and Jim Williamson

This is the application for the scenic road filing – one existing 20 inch pine tree that falls within the right of way – this tree would require a replacement value of 22 three inch trees or payment of a fee

Rob – we would like the board to consider the fact that the site itself and the amount of landscaping that is proposed be considered – if you look at the plan we have proposed – we are planting over 400 trees on the site – almost 3 times what is required per subdivision rules and regs – if you want us to plant some more – we think we have done a pretty extensive job – we would ask for some consideration on that

Rob – all those trees on the photo are coming down – it is only one that is in the right of way – the road is going right through there

Chan - what species are the trees you are planting?

Rob – see the ARCPUD landscaping plan

Phil – the landsacing pland does not call for a white pines

Chan – are you satisfied he is replicinatng what he has cut?

Phil – yes – that tree is probably 50 years old

Karyl – in lieu of full replacement – perhaps we could have one tree that could be a bigger specimen tree beyond the call of what you have already put in there – something Bigger –

Rob – how big?

Karyl – 6 inch caliper at least in lieu of 22 trees – one that is bigger, near the entrance – does that sound interswtign to the board

John – the condition of the rest of the trees along Winthrop may be in need of some pruning to make them healthier – and might be to the advatrnage of the appallicant and town – take the money value and apply it to maitnenctr and pruning on other trees on withthrop street – grooming and trimming

Butchy – there ae some mature oak trees on the opposite side of the road that despeirately need to be pruned and if we took 3 or 4 of them and had them pruned, that would be beneficial to the town and to the developer – I think the town would get more out of that than they would out of a larger tree put in the entranceway to the development –

Kalryl – that sounds good to me

Andy – win for residents

Jim – we will agree to prune 5-6 trees –

Andy – write up something with butchy –

Chan – what do you mean – pruning or selective cutting?

Rob – pruning .

Butchy – there are a couple of big oaks across the street – they need some structural pruingi to help maitinat them and keep them healthy – I would be very happy with this . .

Andy – get that recommendation back to us and incorpoaroiate it into the decision -

Continue this public hearing in conjunction with the ARCPUD special permit

Rob and butchy will get together . .

Daniels Village ARCPUD –

Jim Williamson – a few loose ends

Jim – we had a traffic study – there were two items that needed to be addressed – safety of relocated entrance on the north side and the intersection of Loveing and Winthrop street – here is the formal response to VHB’s comments from 10-26-06 . . . there is now over 500 feet at sight distance – they also suggest some possible improvements at Winthrop and Lovering – recommend signage and some pruning to improve visibility up there – you have that for the record

Paul – we took

Lighting plan we have given to the DRC – here is our lighting plan – candlelight power

Bob – how many lumens do you emit?

Rob – all of them!!!

Paul – are you submitting a lighting plan?

Rob – yes . . .

Jim – I have done some work on the affordable housing thing – we were contemplating doing off site for 8 units- we have a consultant – MCO housing services out of Harvard – they checked with DHCD, unless all 8 units are in the same complex, there would have to be 8 separate lotteries – unless we went to one mill or condo project – 8 separate sites would need to be – I think we will try to continue to talk with DHCD – Natick Mall housing project is trying to do affordable off-site and get them all in one place (Barberry’s Natick project) –

Bob – are we required to do it according to DHCD?

Susy – yes, if we want it to count toward the 40B 10%

Jim – if we can identify an off-site place where we can get 8 places we will pursue that – if this was a 3 year build out . . . and we could do it over a 3 year process . . .

Jim – we have had many meetings with the DRC – we are down to just one thing which is the 4 units out front – we met with them last Monday – we were going to try to dress up the front 4 units and get it done by Wednesday and get that info out to the DRC – I understand that certain members are not happy so the DRC letter has not completed its letter – Henry the architect is here

Jim – handout –

Henry Arnaudo – HPA design – we have spent some time with the DRC – what we are stuck on is the first four units on Winthrop Street – we filed something last Wednesday

- had some conversations with Karyl – here is a further revised version – what we have now is not symmetrical – 4 different units now – different massing, portico treatments – all still rear entry, garage in back, - cape unit, 2 story gable, 2 story shed roof portico; last unit is 2 story with salt box style to create an entry – being pushed gets better results – I do commend you for pushing us along . .

Karyl – the beginning of this project we had talked about what styles of architecture they might come up with – new england – varied roof lines – big house with small house look – whatever building you decide to have out front on Winthrop street that is visible – it was going to be very important to the town – I should think it would be important to the applicant – model home, sales office – that is where you would make your best statement – oddly enough in the material that was sent in last week – we saw some triplexes with some interesting end units – they had come a long way - except the 4 units in the front hadn't been addressed – we asked them to work on it – we pulled up minutes from DRC meeting and suggestions we would like to see expanded upon – surface materials – stone – and last week we thought that we got something new and we just

Karyl – look at two center units only they are flipped – nothing has really changed – making it extend beyond the box – make them different –

Karyl – in the site plan, there is not a finite footprint of each house – it seems to be like we are pulling teeth – we are not getting anything very dynamite

henry – that is really insensitive, we worked on this for 10 hours

John – honestly Karyl, issues differences in proportion and extending on different lines – gable lines are significant – broke the line on the windows on the dormers with the fascia of the roof and separated into two pieces – they added some more gables – the biggest part I like is the proportion of the gable ends is more pleasing on the new version –

andy – maybe some get different surfaces

henry – if we do vinyl – we will probably use AZIC or fiberboards – we haven't talked about

Karyl - stone on these 4 units

jim – we have been in front of the DRC many times – we have not spared any expenses – every time you change the roof line and make a different dormer it makes it expensive

henry – this may suffer from too many variations – we have 2 bedrooms with master on first floor – there are only so many ways to skin the cat – look at closely, not arbitrarily – we hurry up to refile because we want to try to close the hearing – we rushed last week –but we are getting subjective feedback which could change – the program – upstairs bedroom and loft and bathroom – you can only go so far – these are 18 feet apart – I have to answer them in the context of the site – there is a finite amount of dimension here

rob – you aren't really even going to see them that well from the street –

Karyl – I will say it is some improvement

jim – we don't want to put stone on these in front because we aren't going to put stone in the back – we are going to do a good project here – 118, to 86 to 80 – huge landscaping plan – the DRC is advisory, they want to give us some direction and not design individual units – we have listened hard to their suggestions – Henry has taken notes and comes back with revisions – we are going to be in the ground in June

Chan –

Karyl – the issues that we had about losing the box – this newest version from tonight is more like two versions ago.

Andy – I see more details, more defined rakes

Karyl – still same consideration of the box, the box – nothing has changed

Andy – the streetscape is going to be greenery

Henry – the units can be staggered back and forth

Rob – I have been involved in the 7-8 over 55 project has been done – the floor plans are all pretty much the same – people are not selling these for big money – there are two projects in Holliston – Balancing Rock

Karyl – I hate it – it is repetitive –

Karyl – we think you have done a marvelous job with the styles and layouts on the inside units – we are asking you to step up to the plate on these 4 front units

Henry – if I were to move into this development- I would pick one of these four – the other ones are the same – these have classic lines – traditional in nature and face the street – maybe we have gone too far in

Karyl – have you heard what we said about the box?

Rob – you cant build L shaped –

Bob – I like the styles he has shown here – I would hope that what they show out front would be consistent with the rest of the complex – when you had in the tree snadnlanscaping, I think you have a reasonable product – I wont say oustanidng or substandard for the locale in which it is located . . .

John – you know the weight of the recommendation that I palce in the DRC -0 but I feel this is very nice –

Chan – I think the board has to come to grips with whether we are getting Karyl's opinion or the DRC – I have a great heartburn with detail meddling with aesthetics – architecture is an art – I don't think these are objectionable – I have difficulty with the board knowing where it is going to come out – we have to find out where we are going here – that is my two cents

Karyl – it is our job – we are not talking about some epitomy in archiekllectural classicism – we are trying ot improve every project we can that comes into the otnw of medway – especially what we have to see – every incremental step is important – this isn't just my opiniioni – bu mine plus the opinion of others on the DRC – especially since there wasn't gong to be a ocmmentikhy bulding – have they gone far enough? Maybe not – they have done a great job inside, and rob on the site and the landacape architect – if the architecgture is not going to go any further, maybe this is as far as I can go – it seemed like thre was more arguing than working on details – yes, it is an imporovmeent

Karyl – I find it offensive that you feel my attitude means that I don't want the best of Medway Planning Board

John – bravo to the DRC and Henry for where you have gotten this . . I value the DRC's opinion

Chan – I do too

Jim – we have changed so much with the site . .

Andy – preserved a ot of the features of the land

John – Karyl suggested this and the applicant gave us so much more

Jim – you have to trust us at some point –

Henry – the floor plans are not set in stone – has anyone set a criteria for how far apart these will be – we aren't done yet . . .

Henry – commend you for the work you did on McDonalds – that is the only 4 sided –

Henry – our project doesn't end here - I work with many developers, the issue is how much pre-permit dollars do you put in before you decide what to do . . .

Rob – with this type of project, you have to do a really nice job

Andy – what the drc does for us allows us to not have to spend an inordinate amount of ltime on design issues – somewhere in the middle –

Jim – the project is better than when we started – buildings, everyting – there is a point

Susy – the DRC meets next week – ask them to give their letter of recommendation . . .

Andy – please relay

Chan – I don't think Karyl's perspective is necessarily that of the DRC

Karyl – I get called a liar tonight

Andy – Gino, do you see anything that needs attention

Gino – I did not

Rob – there are several waivers that I am requesting – I would like to go through them with you tonight – very quickly – handout dated 2-13-07

7.7.2 (p) 0 detention pond #5P to be closer than 30 feet to the lot/parcel line

Rob – I need to know whether this is an issue – tell me if you want me to work out a different solution

Karyl – it needs to work so it doesn't impact the additional lot for the vernaglis

Rob – I have to do something – I can hide it underground with culvert or something –

Paul – it is tight in there

Bob – he has to come up with a workable solution and he has to sell it to us

Rob – culvert would not need a waiver -

7.7.4 b – use plastic drain pipe in lieu of reinforced concrete pipe

OK

7.7.4.d) – re independent drainage system for foundation perimeter drains along the proposed roadway

Rob – I talked to Bob Speroni – there doesn't seem to be a need to do this if all the foundations are above the water table

Rob – Paul makes a comment about the roof drains

Paul –

Rob – all units have full basements –

Chan - the

Rob – I can provide you with that info – spring high water –

Rob – I have a lot of underground utilities – to add another independent system would be very complicated

Paul – provide the cellar elevations

7.8.2.b) – centerline radius is supposed to be at least 150 feet –

Bob – I would be concerned about fire equipment access

Rob – we have a letter from the fire chief that the site is OK – he saw the plan with these radii and he is OK

7.9.2 (d) – 30 feet curb radius – OK

7.9.5 a – ask for a centerline – 1.5% slope is on road A –

7.9.6 e – smaller cul de sac – asking for 90 ft vs. 100 ft – minimize pavement, etc.

HAVE ROB DRAFT UP A MORE FORMAL WAIVER REQUEST

7.9.7 g) – width to 22 feet

7.10.2 – curbing – request use of vertical concrete curb vs. sloped granite edging

Chan – I don't like it

Rob – use it in Holliston – route 16 – 1750 Washington Street across the street – subdiviosn – we did it back in the 80's -

Chan – another reason for the slope is to help with the snowplowing –

Rob – if we do go back to the vertical and sloped granite combo – we would use vertical – all roundings and common driveways off of roads, where any off street parking, and sloped everywhere else

Paul – label the differences

7.13.2 – asking for 5 ft sidewalks vs. 6 feet – OK

Paul – did you give us floor plans –

Andy – an early discussion going on how to handle the bonds –

Andy – look at a phasing plan

Rob – look at the requiriemetns for bonding under the subdivisionrules and regs

Jim – I will have to sort this out with our contractor

Andy – phasing ties to the bonding –

Rob – we will come up with a phasing plan

Paul – you will add some more detail on common driveways -

Rob – do I need to show all the bulding dimensions on the site plans?

No – just the setbacks and the floor plans

Rob – crosswalks across Winthrop street

Paul – you will need handicap ramps then

Paul – we still need perc tests for the infiltration basins

Rob – will get that for you

Paul – the design points fo the drainage need to be at theproerty line - a few other items form the letter – logitiucal sessions –

Rob – I didn’t see anything that I wasn’t able to address

Paul – retaining wall –

Rob – interlockikng wall – you wont ever see it . . .

Rob – on the bylaw, there has to be two types of housing – condominis ans subdivion – I think that is crazy – one of my thoughts – is it a possibility to simply the subdivision process – could I create lots around the 4 in the fron t-

Think about the how to do the subdivision?? Lets each think about how to do oit . . .

Susy – mitigation . . . discussion – for sidewalk construction on Winthrop street –

Payment in lieu of sidewalk construction –

John – can we look at the connecting street – Clover – is there anything that is needed along there?

Andy – a lot of kids will use lowering street to cut through to get to the fields and hill street neighborhoods . .

Jim – what are you asking for – build sidewalk elsewhere – look at some options . .

Rob – looks like it is over 1,000 feet of sidewalk –

41.08 – wb mason – general fund – oK –

VHB applegate – plan review – ok – all yes - 1035.78

PH conitnaution – March 13 at 7:15 pm – both hearings – motion – bob, Karyl – all yes

Announcements

GATRA –

Otion to extend on river bend to march 16 – all yes

*****8888

Met with water and sewer on Monday night to discuss the possibility to participate in the RFP for consulting services – they flat out did not want to participate – I also spoke with them about the well project and the zoning and the proposed changes to the zoning – how was their taking proceeding – they are moving along well – it seems like the timing will be very good so we can consider proposing the zoning change for town meeting – Lally property . . . I commend them for moving it along as aggressively as they can – 200 foot circumference no construction and then a wider circle to limit types of uses –

Swenson granite –

Susy – how to handle the drainage review

Paul – it would be like .1cfs on the roof runoff –

Rob – it is less than what their current building is putting out – they probably spill out now onto the grass -

John – there is a swale/vegetated ditch that runs along there –

Bonding Master Update Report –

Andy – asked Dave to take a look at what work remains to be done –

Andy – we as a board need to know where our role is – what is our jurisdiction . . . – legal function -

Bob – the town hasn't done a lot of these kind of things –

Andy – new financial efforts – treasurer, town counsel

River bend deadline extension –

Cptc – workshop – resend it to everybody

Bonding handout - . . . next steps - . . .

Motion to adjourn – 11:20 pm