

May 6, 2008  
Special PB meeting

PRESENT: Andy Rodenhiser, Bob Tucker, Karyl Spiller-Walsh, Chan Rogers,

ALSO PRESENT: Susy Affleck-Childs, Gino Carlucci

The meeting was called to order at 7:04 p.m.

**CITIZEN COMMENTS** – None

**PUBLIC HEARING CONTINUATION – PROPOSED AMENDMENTS TO  
MEDWAY ZONING BYLAW**

Andy – continuation from last week

Bob – are we going to go over each one?

**Article 21** –

Susy - No comments at the public hearing

Andy – any further discussion that anyone would like to bring up on this?

Bob – motion to recommend approval of this article to town meeting – seconded by karyl  
– all yes - (tom not here)

**Article 22**

Bob – This is where we had some suggested possible edits

5/5/08 - Handout on possible edits to Article 22

Discussion . . .

Bob – I am not convinced yet – I firmly believe we need setbacks – are the ones we have written in the article the best, I can't answer . . .

Karyl – the intent isn't to eradicate setbacks – but to adjust and make flexible setbacks on a particular site where in some mitigation we might want to take and allow for more. What we would like to see in some sites where there are interesting open spaces a much larger setback and also to allow for a building to be much closer to the main traveled road

Bob – I am not convinced that approaching it this way, it is putting a bandaid on setbacks – I am not convinced the setbacks are wrong – could they be customized, probably? But we have spent some time on an overlay district for this area proposed – I think maybe we

would be better off to address setbacks within the overlay approach, rather than just trying to do it here

Karyl – gino's map would eradicate all setbacks

Bob – that would be a better way to address

Karyl – get thru this town meeting with something in hand until the fall

Andy – there is a special town meeting in June

Chan – I am not interested in making substantial changes at this late date – I see no harm in approving what we had intended and then looking at something more later – I think this is too much of a change . . . I don't think we should present anything too complicated at town meeting – it will lose the audience so to speak – I don't think anything will happen between now and when the next town meeting is

Gino – I think that it is probably true that not much will happen between now and June – I think deferring it to next year . . . I think there is a good chance of something happening before then – as drafted for Article 24, the most likely application would be the one site next to Medway Coop that might get the variation and the rest could be addressed with the overlay

Tom arrives at 7:22 pm

Susy – I think this may be approaching too much in terms of a change . . .

Gino – it probably is not too bad of an idea . . . this may be too much of a change on the floor – it might not be bad to defer it to the June town meeting – I think at least as it applies to Article 24, I wouldn't push it to a year from now.

Karyl – that is my concern

Bob – the original reason we brought up this article in the first place was not setbacks – it was tied to uses with the original reason and purpose of the article

Karyl – article 24 is multilayered – with the allowance for assisted living

Andy – I am not willing to make the amendments

Gino – as these amendments are written they would only apply to special permit uses . . . maybe you want to think about having some flexibility on all the uses, and not just the special permit uses

Tom – I made some notes on my copy – shouldn't this be the goal of the whole district and not just the limited uses . . . I think it is a mistake to set out a whole bunch of rules for

just one occupancy – I think it is a 2 step process – I am agreeing with gino and bob – the 2 articles kind of clean up a mess

Andy – then we can further adjust

Bob – and with some thought and not a knee jerk reaction

Tom – the problem I have about elimaitnig setbacks without knowing more, what if route 109 corridor changes but also Dave D’Amico has a study going on to look at all of route 109

Tom – black swamp garage (2-4 Main Street) - . . . I don’t want to get too close to eh street

Andy – chan had stated it was too substantial of a change to make at this late hour

Andy – what I think I am hearing is that you guys think we may be overengineering the article by making the further amendments

Karyl – I foresee that we will be shortchanged if something comes in for the probably site next to the bank – that site has different characteristics and uniqueness - Article 24 – I think it will be difficult if we don’t have some flexilbity – I would recommend either doing these further amendments, or take out the assisted living from the layer of article 24 . . .

Andy – on article 22 – what do we want to do – is there a motion to modify or amend?

Karyl – I would move to amend article 22 with the proposed text dated may 5 – there is no second, the motion dies.

Andy – I would like to retain the text and take this up at our next meeting and take it up for special town meeting . . .

Can we do this for a june 16<sup>th</sup> town meeting?

Susy – I think that might be tight?

Bob – let’s wait . .

Andy – in fairness to the question that was posed I believe we thought we could work on this for a june ntown meeting – does anyone want to reconsider this ? none

Moiton to accept article 22 as it stands, tom, chan – all yes . . . none opposed . . .

Bob – I have

Karyl – I am sorry about the time restraints – I can't imagine getting jammed with this puppy when it comes in and not being able to do it right.

Chan – karyl alluded to a suggestion to eliminate assisted living in article 24

Andy – we will discuss when we get to article 24

### **ARTICLE 23**

Motion to recommend approval – bob, karyl –

No discussion

All yes

### **ARTICLE 24 – New Commercial I**

Email note from Dan Hooper dated 4/29 – attach to the minutes

Andy – how can we get people to give us ideas before

Andy – relative to article 24, I think we have 2 distinct issues – setbacks with karyl having one perspective and the rest of the board not so

Karyl – I am not saying no setbacks

Andy – the other issue is the assisted living

Susy – and a decision on the parking standards

Andy – any comments on the assisted living

Chan – it should remain in the article as we originally wrote it in anticipation of potential use

Andy – any other comments in support of chan

Tom – I don't see any reason to exclude it now – we are looking with the overlay to allow all kinds of living facilities – I don't see it as contradictory

Karyl – again, I think if it is handled well for that site with a lot of special permitting and site plan review it could be successful – something we could want – could I see an assisted living facility somewhere else in town, you bet!! How appropriate is it in that spot? In that district?

Andy – is it compatible with gino's concept of different types of housing

Karyl – not really – I see smaller housing over retail as the focus of the overlay district

Bob – I would comment that article 24 was cleaning up a number of issues with old commercial II references and taking care of some housekeeping and from that standpoint it should go forward

Andy – I like the analogy that Tom gave, that it is a cleanup of something in the past and being the basis for what could be given some thoughtful participation on a new way to handle setbacks in the district . . . with an overlay district, it would only allow us to address setbacks if they came in with a proposal under the overlay . . . maybe we should make it easier for setbacks with the underlying zoning . . .

Andy – does anyone want to put forth

Karyl – I move adding this change to Article 24 – from 5-5- draft - -

Tom – I am not comfortable taking the setbacks out – I am comfortable with a range of setbacks with percentages . . . we are in the same position as article 22 – there have been some other good ideas put forth for other changes -

motion fails for lack of a second

Andy – let's look for a fall town meeting

parking stuff . . . 2. g) (2) – change to 300

Bob move to accept article 24 with the adjustment on parking one space for 300 gross sq. ft so that we are consistent with CVI – and – seconded by Tom Gay

do nothing to text on useable definition

motion approved – 4 yes, Karyl abstain

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Article 25 –

No comments

Bob – motion to approve as written – Chan –

Discussion – none

All yes –

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ARTICLE 26 –

Andy – are there any

Gino – I drafted a rewrite that maybe makes it clearer – Handout from Gino – what I was suggesting here – to add a definition of Equivalaent Affordalbe Housing Unit Value and then to measure –

Another change I would suggest here in the formula to determine the purchase price – I would suggest capping it at 4 . . . depends on size of houses in the development . . .

The reason I thought about this definitioin – then that kind of puts the money into units –

Bob – if we thought the earlier suggestion was too complex . . this is too much to try to explain – I guess at this point I am wondering . . . maybe we should tweak – I am a little more disappointed that we didn’t get more input from local builders –

Andy – we did have paul and he does represent a number of them

Bob – there is a lot of good suggestions here – we could probably word engineer – I wonder if we want to go forward with this at this time?

Chan – I am luke warm about the whole thing to begin with

Tom- if there is not a comfort level with what we have got, I am fine with letting it go

Karyl – I totally agree with him – far from comfort level on the proposed changes – the values and the appraisal elements is so subjective I can’t see how that

Chan – where is Paul Yorkis on this?

Andy – this proposed change is a result of Paul’s comments

Tom – I don’t think this is so far off that we couldn’t get it ready for the fall –

Karyl – I recommend pulling at this time . . .

Motion to pull at this time – bob, karyl – all yes . . .

Incorporate gino’s comments into a revised draft

Bob – I cannot urge builders enough to take a look

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**ARTICLE 27 –**

Motion by karyl , tom – all yes

**Article 28**

Motion by bob tucker, seconded by karyl –

Discussion

all yes

**Article 29**

**Bob =- motion to recomemdn approval – karyl –**

**No discussion**

**All yes**

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**ARTICLE 18**

Andy – Susy and ZI met with the assessors last night – the Williams are the predomenta property owner – one of the things we got back from the state was a sense about the 43D designation – they frowned on donut holes in the configuration - we thought it was better – we went thru all the parcels and ownership – we recommend we pull a portion of the article 18 on the bottle cap lots – we want to make sure we have the permission of all the owners – there are 1018 parcels up there that over the years have been tied to property cards – batches would get bought and sold – the property cards need to reflect – it is very difficult to trace ownership of some of the parcesl – 30 are completely unknown – it is not as clear as we thought it was – we are going to need to spend some time – some of the assessors who are done have agreed to work with us thru the summer to create a special map that ties property cards back to the 1925 plan – a definitive document we can hand off to an appraiser, etc.

Karyl – what would the problem be with going ahead

Andy – the credibility of this board should remain high – concerned that it won't be approved by the state – part of the reason to do this is to get a grant – I think we can do a little more legwork on our end to eliminate some of the risk –

Recommend to – bob,karyhl – approve but eliminate item a)

**ARTICLE**

Finalize street acceptance Monday night

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Andy - perhaps we should communicate with the owners on these streets as to why we are not recommending certain streets -

Karyl – is this really a town of medway problem?

Bob – I wouldn't want to accept

Andy – get an explanation for the problems with concom . . . on ishamel coffee estates

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Close the public hearing – motion by bob, chan- all yes . . .

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Discussion on handouts –

Easel with the 3 maps

Handouts on the 3 maps -

**OTHER BUSINESS**

Chan – asked about June 10<sup>th</sup> – I won't be here . .

Motion to adjourn – karyl, chan – all yes

8:40 p.m.