

Medway Planning & Economic Development Board Meeting
Tuesday, August 25, 2009
Medway Town Hall, 155 Village Street

PRESENT: Andy Rodenhiser, Bob Tucker, Tom Gay, Chan Rogers, Karyl Spiller-Walsh,
John Williams

ALSO PRESENT: Susy Affleck-Childs, Planning & Economic Development Coordinator
Gino Carlucci, PGC Associates

The meeting was called to order at 7:10 pm by Chairman Andy Rodenhiser.

CITIZEN COMMENTS – None

Discussion RE: Pine Meadows Subdivision Status

Tony Tam, Pine Meadow Development LLC – We have 4 partners in this project. I have had my financing set up since December – the other ones are finalizing their plans – we are going to be paying for the final part of the road. We will be putting funds into the bond account in early September. We have commitments and appraisals all done. We will be finishing the road. The final asphalt coat will not be put down until we put in some of the foundations. We don't want to ruin the roadway. That is my update.

Andy Rodenhiser – Do you have lots presold?

Tony Tam – No. We are the ones that finished a house on Independence Lane. We took a \$300,000 hit on that house. We are coming out of the recession now. Banks are getting more comfortable to lend again.

Andy Rodenhiser – I was talking with a guy at Middlesex Bank. They are not doing any loans unless there is a P and S agreement in place.

Tony Tam – We deal with 23 financial institutions. They lend to us because we owe them too much money.

Susy Affleck-Childs – The adjacent property owner, Nick Turi, is very concerned about the lack of progress and the continuing problems he faces due to the halt in construction. He wants to know that something will be done soon.

Tony Tam – We understand. We will do this. I will make this our first priority to be done by the end of September.

Other Reports

Andy Rodenhiser – I had a conversation with Fred Sibley last week about his subdivision (Daniels Wood II). He wants to come back before us again, and Paul Yorkis had been tapping on my shoulder about coming back as his representative. Time limitations - Fred has an idea that he

wants Paul to present. I know we have looked at this thing. Apparently there is some wording in the decision that is restrictive in terms, such that he can't sell it or build anything until he constructs the road, so it has put him into a kind of situation.

Gino Carlucci – It sounds vaguely familiar.

Tom Gay – If you open that can of worms . . .

Andy Rodenhiser – He wants to make a presentation on what their concern is. He is familiar with a friend in Littleton where they will do estate zoning. It provides an option whereby a property owner can construct two houses with a driveway.

Bob Tucker – Don't we have one of those in Medway?

Susy Affleck-Childs – WE don't specifically authorize or not permit common driveways

Andy Rodenhiser – This might be an alternative to full-blown subdivisions. Are you okay with us scheduling time, or are you opposed to this?

Tom Gay – I think the time is fine.

Karyl Spiller-Walsh – I think if we had some time to go over rules and regs, and then have our discussion with them.

Bob Tucker – Please provide a copy of the decision ahead of time, and what part they are concerned about, so we can study it ahead of time. But I don't want to send them a false hope. I would like all of us to do our homework and our due diligence.

Andy Rodenhiser – If we made a mistake, and we can change a sentence or two we should consider that. Apparently there is language something like the road has to be built before it is transferred.

Karyl Spiller-Walsh – I think we should all know the history.

Andy Rodenhiser – Hear what they are asking and whether it is practical and fair.

Zoning Articles

Susy Affleck-Childs – At the last meeting, you talked about options for Commercial I and whether you want to allow gas stations

Gino Carlucci – By not allowing this use, if the use changed, or they added or completed tear down – it would have to go. They would have to go to the ZBA for any changes in the site.

Chan Rogers – We already have 4 gas stations. Having more would usurp space for higher and better uses.

Tom Gay – I understand what you are saying about 4 gas stations in a particular area, but we are offering the chance for a gas station in Commercial V.

Tom Gay – We have multiple banks, restaurants, etc and we aren't limiting them.

Chan Rogers – Multiple gas stations are objectionable to me.

Karyl Spiller-Walsh – And me.

Tom Gay – I don't agree with taking it out completely. We have been trying to bring some consistency

Chan Rogers – Having a string of gas stations is not what this town needs

Tom Gay – But we have more than one commercial district. That one allows for gas station by special permit

Karyl Spiller-Walsh – Can we go back to the discussion? We are trying to level and make similar the commercial districts – to make them consistent. Tom Gay is saying that commercial I and V are equal?

Tom Gay – I would say we want to bring some consistency to certain type of businesses.

Karyl Spiller-Walsh – The whole point of Commercial V, by the nature of where it is and scale, it is different in use and scale than Commercial I

Andy Rodenhiser – What I am getting from Tom Gay is the consistency of how we define and apply the constructs for what we do is what he is referring to.

Karyl Spiller-Walsh – I don't agree with that.

Andy Rodenhiser - I personally am concerned about the density of gas stations along Commercial I.

Karyl Spiller-Walsh – Which is not a huge length.

Andy Rodenhiser – But I don't want to prevent commerce from happening, and certainly picking up fuel is an important function of any person – we all need gas stations.

Chan Rogers – they will only be needed another 25 years.

Bob Tucker – If we make them non-conforming conditions that may make things very difficult for future fuel type changes/technologies. I don't want to drive these people out. If they can't modify their facility by being non-conforming, that could pose a real problem in the future. I don't think it is a great area for building fuel stations.

Andy Rodenhiser – if you go into Nobscott in Framingham at Edgehill and Edmunds, there are 2 stations that are shuttered. The town gets no benefit from that either. They become dead lots because of old contaminants.

Tom Gay – Fuel companies do have deep pockets. There are very few independents like Norm Green and the guy across the street (Energy). That is my concern. You make the others nonconforming, that creates a problem. We can debate it.

Andy Rodenhiser – Susy, if we have this as a special permit, could we use this to decide?

Susy Affleck-Childs – Only if the text in the bylaw provides for that to be a factor in the decision making.

Chan Rogers – Do you want the center of town to be multiple gas stations? I am saying we have a nice site but they want to put a big gas station in there. What will it be like? – Humongous – usurping the entire area. I don't feel that we need it. Any gas station at that location is what I don't want.

Andy Rodenhiser – No plan has come forth. It was just an idea that was floated to Susy that they were considering it. For the public at home, there is no plan that has been brought down to this board.

Tom Gay - Commercial V has the Planning Board approving gas stations with conditions and standards. Commercial I has the Zoning Board of Appeals making the decision with no specific standards.

Tom Gay – The better control in my mind and fairer is to make it alike – the conditions could be tighter because we are dealing with different size lots. The way it is administered should be the same.

Andy Rodenhiser – 15,000 square foot lot with setbacks.

Tom Gay – You can talk about any business, other than just a few. Most are not consistent with the vision for Commercial I. What we would like, and what the reality is, may align or not – providing the opportunities and the way they are administered is important to me

Andy Rodenhiser – Gino, could you look at those existing conditions where they are and where they may be proposed, and maybe do a compare and contrast for Commercial V to see where it is applicable and not and to see how a potential bylaw might work.

Gino Carlucci – Sure, I have a lot of that info already.

Andy Rodenhiser – I am trying to imagine a new building and canopy in Commercial I.

Karyl Spiller-Walsh – Personally, the reason we didn't go forward with the greater number of pumps goes back to original concept of Commercial V – that the scale was a very big issue. We distinctly saw a big difference in the level of commercialism in Commercial V.

Tom Gay – People came down here to the public hearing to talk about it – the part that intrigued me was that people were unaware a gas station could go anywhere there, but they definitely were concerned about scale.

Karyl Spiller-Walsh – We made them allowable because we could control the scale.

Tom Gay – Make it ours, not the Zoning Board of Appeals.

Andy Rodenhiser – Put in language to allow us to consider intensity of that use in the district. It would give us some flexibility.

Chan Rogers – There is a tendency to overbuild these gas stations. Both in Bellingham – you never see more than 3 cars in these locations. They seem to overbuild thinking people will come. A two lane road cannot adequately feed a large gas station.

Gino Carlucci – Those pumps there are extremely slow.

Chan Rogers – Why haven't they done something before?

Tom Gay – Because there was a 50 foot strip along there that was zoned residential to prevent commercial use from going all the way to Pond Street.

Andy Rodenhiser – We learned you cannot egress from commercial/industrial land thru residentially zoned land. That little strip was a construct that prevented access from Pond Street. That is crazy in today's traffic. We are far better off having an access opportunity on Pond Street.

Karyl Spiller-Walsh – Does that mean making Commercial I and Commercial V consistent?

Andy Rodenhiser – I thought we agreed Tom Gay did not want make Commercial 1 and Commercial V similar.

Tom Gay – Administration of the areas is where consistency should be. Consider same kinds of rules.

Chan Rogers – My pet peeve is that temporary Ceramic Tile sign that has been up for a long time.

Chan Rogers – Almost across the street – Medway Block has about 15 little signs

Andy Rodenhiser – Those are product banners

Tom Gay – There are tons of those things that are out there especially in liquor stores

Tom Gay - if any clamp down is going to come, it needs to be preceded by some notice that enforcement is going to come. If he commits to doing that, he needs to provide

Bob Tucker – And he needs to be consistent.

Chan Rogers – The Planning Board is still the steward of the bylaw.

Andy Rodenhiser – I want to have Gino Carlucci prepare some type of analysis, and maybe even suggested language.

Gino Carlucci – Yes I can do that.

Chan Rogers – it has been designated that there will be a fall town meeting. Are there any limitations? Whereas in the past, we have had lots of zoning articles, we should make use of the November meetings so we don't gang them up all in the spring.

Andy Rodenhiser – They don't like it when we have so many zoning articles.

Susy Affleck-Childs – I would like to ask you to consider the issue of home occupations – The bylaw provides very little guidance. I would like to bring you a draft of some ideas. I will show John Emidy and Gino Carlucci.

Discussion on Subdivision Rules and Regs.

Andy Rodenhiser – The purple sheet is kind of a time line that Susy and I have laid out. We will try to stick to that. If we get tied up, we can adjust.

Discuss on Subdivision Rules and Regs.

Other Business

No minutes from July

A motion was made by Bob Tucker to draft a letter of support for CPA continuation – SB 90, seconded by Karyl Spiller-Walsh. The motion was approved unanimously.

A motion to adjourn was made by Karyl Spiller-Walsh, seconded by Chan Rogers.

The meeting was adjourned at 9:38 pm.

Respectfully submitted,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator