

**March 31, 2009
Special Meeting
Medway Planning & Economic Development Board Meeting
Sanford Hall – 155 Village Street**

PRESENT: Karyl Spiller-Walsh
Chan Rogers
Andy Rodenhiser
John Williams, Associate Member

ABSENT WITH NOTICE: Tom Gay
Bob Tucker

ALSO PRESENT: Susy Affleck-Childs, Planning Board Assistant
Barbara Saint Andre, Petrini & Associates, Town Counsel

Chairman Rodenhiser called the meeting to order at 6:30 pm

Citizen Comments - None

Discussion – Country View Estates and Broad Acres Estates - Request for Bond Release

Ted Cannon, attorney representing Greg Whelan
Greg Whelan

Ted Cannon – You have my letter under the statute. The road work and utilities are done according to the rules and regs, so we are asking for the bond to be released. Greg Whelan would anticipate some funds would remain in the expense account, but other than that, the funds should be returned to us.

Andy Rodenhiser – You had assured me that before you would request the bond that the work would be all completed.

Greg Whelan – That was before I found out that it was illegal for you to keep the bond.

Ted Cannon – All road deeds have been signed except one. Greg Whelan and his wife have done a very good job.

Andy Rodenhiser – Which one has not?

Ted Cannon – Diane Borgatti.

Barbara Saint Andre – She did speak to me. She had some reservations.

Ted Cannon – As far as the mortgagee sign-offs . . .

Greg Whelan – We are diligently working to try to get that done.

Andy Rodenhiser – Is there a matrix?

Greg Whelan – None of the lenders have signed off. I don't see why we need those.

Ted Cannon – So the road can be transferred over by a deed to the town vs. a taking. We would turn over all the deeds to the roads. Once the town has those, those folks would be all set.

Barbara Saint Andre – Who were they made out to? We thought you would give us one Master deed.

Ted Cannon – Diane Borgatti hasn't deeded her interest.

Greg Whelan – She thinks she is losing property.

Karyl Spiller-Walsh – In what way would you have property loss?

Barbara Saint Andre – We would argue that if you have a street, you can't use it for anything. Everybody has an easement over it. It can't be used for anything else. That would be my point of view. I think a public way is an asset.

Karyl Spiller-Walsh – In what way wouldn't it be an asset?

Greg Whelan – Every bank lent on those properties thinking it would be a public way. So why would they be upset if it became one? I don't understand.

Ted Cannon – She acquired the lot as shown on the plan. She is concerned she would be left with less land. She was deeded the lot as shown on the plan.

Greg Whelan – I don't understand.

Andy Rodenhiser – Why not just have a survey done to show her that there will be enough?

Barbara Saint Andre – One other issue is the easements for drainage and sewer. Another thing, the way the deeds are set up, they have a running description of metes and bounds. I am not sure that it is necessary. I am not going to verify each. Is it OK if we work on that?

Greg Whelan – All of these easements revert to the plan.

Barbara Saint Andre – The easements were not reserved when the lots were deeded out. Put aside the Streifers. There is some drainage easement and a sewer easement. From my point of view, I am more concerned about the sewer aspect of it. Have you had any opportunity to speak to them? Are there any objections?

Greg Whelan – We have not spoken to any of those people. My wife has been working on that. She got the 24 deeds done other than Diane Borgatti, and now she is looking at 12-14 for the easements. We have not set those up.

Greg Whelan – I don't have a problem with continuing to do that. I understand from Ted Cannon, that whenever their office is involved in accepting a road, the other towns do a taking.

Ted Cannon – The practice in some towns is that they do a taking. It is a form of title insurance. Be that as it may, that is what we are looking for. That would resolve all these issues and make the problem go away.

Karyl Spiller-Walsh – What is the expense to the town to do this?

Barbara Saint Andre – It is not difficult; basically, it would involve another step. First you would have to get town meeting authorization, and have the Board of Selectmen change their position. You list all the owners, and notify all the owners and mortgagees. We went through this with the sewer project. Then the issue is whether there are any damages. I don't believe there would be any when a town takes a street. The only issue is whether there would be with any of the easements.

Karyl Spiller-Walsh – It is a huge legal expense?

Barbara Saint Andre – Yes. You have to do the titles, draw up the instruments, send out notices, etc.

Karyl Spiller-Walsh – The economic burden becomes the Town's as opposed to the applicant doing the leg work.

Andy Rodenhiser – What is the Board of Selectmen's position?

Barbara Saint Andre – We had one meeting with them on this. The town has not historically done eminent domain. Their initial response is that they do not want to go down that road.

Ted Cannon – I can understand their position going forward, but this is an older subdivision approval. But back when this was approved you didn't require these things.

Andy Rodenhiser – The Streifer issue and the pedestrian access issue both seem untenable for the town and for you.

Greg Whelan – Neither one of those people will talk to me. I don't expect he (Ken McKay) will cooperate either (re: the pedestrian easement on his property).

Andy Rodenhiser – At some point in time you had control over those parcels, and those got conveyed without the benefit of specific easements.

Greg Whelan – That is not true.

Ted Cannon – There is not a recorded easement document. They took the property subject to the definitive plan.

Barbara Saint Andre – There is a problem. When you convey without an express easement being conveyed, an implied easement is not clear title. You are much better off to have an easement on

record. That is what we were looking for. Those are not on record. There is the potential to argue that there are implied easements. It is preferable to have clear title. I keep saying I am more concerned about the easements vs. the streets as the streets are pretty well defined. You have these easements everywhere. If you take the streets and don't have the drainage easements, a new owner can challenge. I am more concerned about that than the roads.

Barbara Saint Andre – They (the Streifers) have indicated they are willing to give the town an easement.

Andy Rodenhiser – With a higher standard of maintenance.

Andy Rodenhiser – Who does that?

Barbara Saint Andre – I had hoped they would get the easement from the lot owners. You want to get mortgage sign off for clear title. If the bank never forecloses, it is not an issue, but not having the deed is an issue.

Karyl Spiller-Walsh – I remember having some discussion with Dave Damico.

Greg Whelan – She (Irene Streifer) has it in her mind that the hole needs to be maintained. She will never go away.

Andy Rodenhiser – That is why we don't want to take this on.

Ted Cannon – RE: claims for damages, they can't say they weren't aware. Their deeds do reference the easements on the definitive subdivision plan.

Karyl Spiller-Walsh – I have a concern about the lack of coherent understanding for what it takes to maintain a detention pond.

Greg Whelan – She has it in her head it has to be maintained at a higher level.

Greg Whelan – The taking is what I want because that makes it go away.

Andy Rodenhiser – If the BOS were to reverse what they have told us, what is the risk?

Barbara Saint Andre – The cost and the risk of claiming damages.

Andy Rodenhiser – Is that a risk?

Barbara Saint Andre – It is a risk for the town, absolutely.

Ted Cannon – Once you have signed off on this, the bond has to be released.

Ted Cannon – Greg Whelan is willing to have some money kept in the expense account.

Andy Rodenhiser – I don't think we are inclined to give it up. Barbara, what are the issues?

Barbara Saint Andre – There are easements in both subdivisions that are at issue.

Chan Rogers – The plans were recorded?

Ted Cannon – There was not a separate easement document recorded. The deeds referenced the plans.

Andy Rodenhiser – Ken McKay claims that his plan does not show any pedestrian.

Greg Whelan – That was because the pedestrian easement was put on record for that property before Ken McKay ever owned this property.

Andy Rodenhiser – That is news to me. Why have you held off on that? Give us the documentation.

Greg Whelan – Maybe I didn't know this back then, but I know this for a fact. I can do that, absolutely.

Ted Cannon – We will turn over that information.

Andy Rodenhiser – How about just a list of who has consented?

Ted Cannon – We can assemble that for you.

Andy Rodenhiser – The one that remains a problem is the Streifers.

Greg Whelan – I need the money.

Andy Rodenhiser – It is not the citizens of Medway's responsibility to pay Town Counsel for the mess.

Ted Cannon – Greg Whelan will put a list together and turn it over to you. He cannot put it all together to package up and just give the road over to the town.

Andy Rodenhiser – To find out that they haven't even spoken to the folks about the easements is troubling.

Greg Whelan – The main thing is that this issue has nothing to do with the bond.

Andy Rodenhiser – I understand that you believe that.

Ted Cannon – The statute is clear. Construction of the improvements is completed. The bond is required to be released. We will leave some funds in the expense account. We will prevail. We will seek costs, and we would urge the board to consider the request. There are two separate statutes on bond release and road acceptance. We will seek remedies.

Andy Rodenhiser – If the town bears some type of cost maybe we can seek

Karyl Spiller-Walsh – I see the bond as a concern. There is a dollar amount to be expended. Can the bond amount be used to pursue the legal clean up for what they haven't been able to produce?

Barbara Saint Andre – There are two separate pots. One is for the bond, and one is for the expenses.

Karyl Spiller-Walsh – Is there a ball park figure for the legal expenses?

Barbara Saint Andre – I don't want to do that.

Chan Rogers – What consequences

Ted Cannon – It is really in the town's best interest to get the road.

Chan Rogers – The homeowners who bought there expected the road to be public.

Greg Whelan – They all sue me personally. It doesn't matter.

Greg Whelan – It would behoove me to take care of these easements.

Barbara Saint Andre – The easements are the highest priority.

Greg Whelan – I will do what I have to do.

Ted Cannon - Thanks.

Andy Rodenhiser – Can we rescind our approval of this subdivision?

Barbara Saint Andre – You can't do that now unless you got the ascent of all the owners and mortgagees.

Andy Rodenhiser – Well, then we just don't accept it.

Barbara Saint Andre - One option is to not accept these streets. Can we seek redress from him? I think we will need to have an executive session to discuss threatened litigation.

Master Plan Public Hearing

Jim Wieler

Dave Kaeli

Rob Pomponio

Mark Cerel

Jim Wickis

Ron Wilson

Bill Wright

Andy Rodenhiser – Nice work, all you guys. Great document!

Jim Wieler – I think we are expecting a few more members of our committee. I am chairman and here is the committee. What I thought I would do is to go through this quickly and go through the 7 sections and talk about the goals we have established and some of the findings. Allison Slack cannot be here tonight. I believe you have a brief from her. Then I would like to open this up for discussion. It is a sizeable document. We started in December of 2007 – put out a survey, pretty good response to both the mail-in and online versions. There was a coalescing of the written comments to form our goals throughout this process – in each of the sections you will find some background info re: what we have done since the 1999 Master Plan and the issues that came out of the survey and then our goals.

The introduction talks about the strong signals we got. Fiscal management in town, because of the action of the Board of Selectmen, the new charter and the Department of Revenue we have turned that corner pretty well in hand. The other thing that came through was drinking water quality and quantity. Traffic and pedestrian safety was another thing that was a major issue. One thing, our public service folks got very high marks in terms of citizen satisfaction. – very important and very satisfied – police and fire fighters – One of the things that we have found, learned, is that we need more integrated planning and budgeting across all boards. We need to specifically target areas for economic development. We need to act to improve water quality and quantity. As we grow that will be a major limitation. Continued protection of open space is very important. We have some traffic safety and affordable housing issues we have addressed in some detail –

Land Use Section

Jim Wieler - If you have glanced through you can see that we need to make our maps and graphics more readable – it is hard in printed version – lot of very interesting information about how we have grown. – We don't have enough commercial development. 88% of our revenue is from residential tax base. The goals in terms of land use – encourage open space protection. We have done a number of good things in the past with the Community Preservation Committee recommendations. One of the big bugaboos – 95% of our land mass is zoned as residential. When people wander and look, what they see is really potential house lots. that land not really protected - we need to pursue open space. The second goal is to encourage economic development, to redevelop areas of town that we can develop commercially in a dense fashion, and rezone areas that may be good for commercial and industrial grown. Third goal is to protect water resources and work with ConCom, Water/Sewer and Board of Selectmen to make sure the well sites are well protected.

To support those goals, there is a whole host of specific action items – that may be another discussion.

Open Space Section

Jim Wickis - In 1999 the Master Plan identified open space as important for the town. Accomplishments since that time included passage of the Community Preservation Act, setting up a Community Preservation Committee, acquisition of 22 acres of open space (Adams St, 2B Oak St, and Winthrop St) and zoning bylaws were passed. The current situation in town – slightly less than 5% of Medway is protected open space. That is the second lowest % of all adjacent towns. In the survey, citizens rated open space as important, but were less than satisfied

with the current status. Passive recreational facilities are important but not sufficient. Protected open space – important but not satisfied, and efforts to protect – important but not satisfied.

Another item is about quality and quantity of drinking water. Open space does provide for better recharge than developed land.

The Town has some open space parcels and relatively poor access to them. That needs to be corrected.

The heart of the issue is that about 36% of Medway's land is undeveloped. What is going to happen to that land? Our recommendation – some should be devoted to protected open space; in addition, land development for residential use seems to put a burden on town.

Medway is more desirable if it has a balance of residential, commercial and open space.

John Williams - I liked the passage on page 20, and the balance. This helps make the argument for future purchases of open space.

Mark Cerel – That is an example of open space paying for itself.

Jim Wickis – I would recommend the acquisition of land parcels with high open space values, such as high ecological values, and also encourage land donations and conservation restrictions to be given to the town or to a land trust. Develop the Medway link trail. Educate citizens regarding open space values, and develop mechanisms for stewardships.

Economic Development Section

Bill Wright - The big part of it is a balancing act. We would like to see the benefits of more economic development, yet we want to maintain the rural character. The economic development section goes hand in hand with the land use section. In our section we talked about our accomplishments over the last 10 years, ranging from rezoning 20 acres, the sewer project running to the industrial park that will stimulate further development, and then, in conjunction with the 43D approvals, the state recognition of Medway as one of the more desirable towns for technology development. We have been ranked in the top 5 the past 2 years.

A couple of things – as far as going forward and current conditions, if you look at page 32, regarding goals and objectives, the first thing being mentioned on the survey is what do you like least - the most frequent response is high taxes. That ties back to page 30, table 8, which compares Medway to surrounding towns regarding the percent of revenue derived from the residential tax base. There is some positive momentum started

The goals and objectives were then trying to accomplish those main points from the survey. How do we do the balancing act? Rural character, yet maximize land for economic development to defray residential tax dollars.

John Williams – I struggled with this section and the goals, especially 2 and 3. When you look at the survey results there seems to be some contradictions. What support is there in the survey

results to support the smart growth initiatives? Is there any other survey data that would suggest that this is a good goal for Medway?

Bill Wright – I am a little confused. Progress had been started in the area. That area does abut the industrial park and is close to Route 495. That fits with the premise of trying to keep economic development in groups together. We saw that as being consistent.

John Williams – More direct, I have trouble correlating the survey data with the actual idea that we should take Oak Grove and turn it into high density residential. It doesn't jive with the survey results.

Jim Wieler – When we discussed the Oak Grove study, we left that open. That was the UMass study. It wasn't anything specific we recommend. Not everything you see in here will be directly from the survey. What we can and cannot do is by statute. In terms of the online survey, we asked about priorities. People responded that redesigning the Medway shopping center was a high priority. There are very few places where we can develop commercial and industrial. Some of this comes from what we know.

Mark Cerel – Either you increase revenues or reduce expenditures.

John Williams – I would be more comfortable with the goal from 1999 that Oak Grove should be mixed use.

Mark Cerel – I don't believe we would disagree.

John Williams – Smart growth is a very controversial subject. Folks in Easton voted down a change that would allow for it – We in Medway haven't had the discussion. I think that is yet to be decided.

Mark Cerel – Depending on where smart growth is. If you are going to have a smart growth district in your downtown – I would rather see you make a deal with a developer – out in that area – you alluded to a dense housing

Mark Cerel – I was shocked at how little of our affordable housing is really affordable vs. Housing authority projects.

Andy Rodenhiser – The UMass study was looking at housing as a buffer between single family residential and commercial/industrial development.

Mark Cerel – That was an academic exercise. A bunch of years ago Professor Herr looked at the Medfield State Hospital Site. They looked at creating a village. It may or may not look at reality.

Andy Rodenhiser – We have a post office over here (Medway village). This is its own kind of little village here. We have the plaza area with neighborhood around it.

Mark Cerel – Up to 1960, Medway was just a collection of villages, which actually is an interesting model. They were supported by neighborhoods. With commercial development, in

many respects, it is better than what we have now. Even up where the police station is there was a commuter line. There were little stores in that area, little mixed commercial areas that were supported by the surrounding neighborhoods, and a train line.

Jim Wieler – We don't want to make a judgment about the Oak Grove area and the housing component.

Housing Section

Jim Wieler – I am here for Alison Slack tonight. The basics are that most of the housing in Medway is out of reach for lower and middle income people. How do we address that? I think the survey indicated that people would like to see some affordable housing, but they don't want to have to pay for it, but have developers pay for it with mixed use. That is kind of tough in today's environment. She does make the case in the affordable housing section. There is a connection between affordability and economic development. That is one thing we can do as we look at Oak Grove and at the Commercial I area. Where do kids in their 20s live? It would be nice if there was a broad range of ages in our community. In the section, we talk about how we can focus our affordable needs and look at friendly 40B projects, if we are clever and do show good effort that we can get some decent results. We make the point in the Master Plan; affordable with smaller v. big A – subsidized vs. workforce - The Affordable Housing Committee is working on a housing production plan. That is a work in progress. That will evolve and come forth.

Andy Rodenhiser – This almost seems like integrated planning. This all seems like stuff we can share with other boards.

Jim Wieler – So, going on to the specific goals. One is for the Medway Affordable Housing Committee to specifically identify the housing needs, and to establish the organizational infrastructure for the Affordable Housing Trust Fund and the committee. We need to identify locations, types and of housing stock that would be needed. The Planning Board needs to help with making zoning changes that would be needed. We need to explore creative development opportunities

Mary O'Leary – 85% of the houses in Medway are owner occupied. We need apartments in Medway. That is why any of that integrated commercial and housing is important. They (40B rental developments) can count 100% toward the 10% goal. The Community Preservation program is 3 pronged. It seemed that the results of the Master Plan are very focused on open space. We need to attach some affordable housing. We do have a project coming online, but it almost feels like you are spinning your wheels. Everybody says, let the builders do it. The zoning changes have been good, but we do need, even in fair market value, there just are not enough apartments in town.

John Williams - I love goal #2. And to your comment about more apartments, I look at the survey data. We have to get a better job of getting out that message. The second lowest score is the availability of variable types of housing. The Master Plan is supposed to be a guide. At what point does the societal need for affordable housing outweigh what people say is not as important?

Jim Wieler - I think we are in the minority in terms of going out and doing a survey. By no means does this have to be a popularity contest. There are things we know as a community that we need to do – that are very unpopular – hard work – there is another one – people don't really know where the Charles River is – education things. We take the survey as guidance, and there are other things we know we need to do.

Andy Rodenhiser – You kind of get to a point in town where the state has created laws with exemptions for people to build things. We know we need certain things. they force it on us – by virtue of a 40B, and you lose all say in terms of what you want to do – making deals for friendly 40B – but we also need through legislative efforts, where we can make choice, to make a commitment to it, we are demonstrating our will to address these things.

Mark Cerel – Friendly 40Bs; you need to be careful about letting the developers do it. It is still always about profit. There was one in Woburn that ranged as high as 500 units.

Jim Wieler – Apartments where they count 100%.

Mark Cerel – Scale is important.

Andy Rodenhiser - And not creating a traffic nightmare.

Mary O'Leary – The recent 40Bs in Medway have never come through to fruition. If they do go forward, they are not going to be 40B. It is kind of a frustrating committee to be on.

Andy Rodenhiser – Thanks for your service.

Doug Heely, 8 Mann Street – Thanks to all. It seems like the Route 109 strip mall is pretty key. Are the owners of the mall on board?

Andy Rodenhiser – Gino Carlucci and I have met with them several times and their attorney. They are not convinced of the community's desire and the political will to change things. We have made some changes to their benefit. We are at a point now where we can say we have demonstrated our commitment to you. What are you prepared to do now? One of the classes I took a few weeks ago at the conference was about creating a business improvement district. Get the owners to create a district, and then go to a landlord and say this is what we want this to look like. We have talked with them about making parking restrictions a little easier during construction. We have met with a whole large group of 30 people or so from various groups to guide that development along. Take Holliston Street to Pond Street and make a major improvement.

Doug Heely – If you were to go forward with something like that is there a direct relationship to offset with more open space? It seems like the Smart Growth concept doesn't work if we lose open space.

Mark Cerel – Smart Growth is really focusing on an already developed area.

Doug Heely – Keep the density here. What stops it?

Mark Cerel – Buying it to preserve it.

Jim Wieler – This is a very long process. We are talking about providing options for the land owners, whether it is our bylaws or state program.

Mark Cerel – It is engrained in the American land law that people have a right to do what they want, the property subject to reasonable regulation. If you go too far, it becomes a taking, and compensation has to be paid.

Andy Rodenhiser – It is critical to maintain our Community Preservation Committee. That money can accrue into a fund with some state match to build a war chest for when the parcels become available.

Jim Wieler – Or conversely you provide some incentive for a developer.

Dan Hooper – Have you seen the concept plan for the whole strip? There is in concept accommodations for small mini parks as breaks.

Historic, Natural and Cultural Resources

Rob Pomponio – Medway, as it was set out historically, was centered around industries. We moved from agricultural to industrial, and now we move to commuting. We are seeing the remnants of that without having one focusable town center. The redevelopment of Route 109 gives us a chance to refocus the heart of our town. It puts forth a vision that encourages people to walk or bike, be involved in town instead of having to get in the car and drive to a mall. We should work towards that vision. We can get there. We need to get the word out around the town. If I think of what makes me proud of the town, it is the people; and I want to be proud to live here. The buildings – we have a unique opportunity.

Rob Pomponio – That rural character came up time and time again within the surveys, and write-ins. People really do value that. That is why people have moved here or stayed. If you go through the section, Jim had me very heavily condense the history of Medway. We can be very proud of our history and the industries that helped build the town. From the 1999 Master Plan there were goals that were achieved. Stellar examples: the preservation of vital records, National Register Historic Districts, Medway Village Historic District, 250 historic buildings, the Thayer Home Place Preservation Project that has been ongoing for a number of years, historic open space, Evergreen Cemetery which is significant for Revolutionary and Civil War. If we look forward we would like to preserve our historic assets and our natural resources, the quality of our water, having open space protect our watershed, and making sure there is clean safe water to drink access to open spaces and our conservation land. Through efforts of the ConCom, the Community Preservation Committee and Open Space Committee, we are making some very positive gains and being proactive in preserving a lot of these resources. We also talk about preserving or being more energy efficient. We tried to set forth a vision of this as we talk about our public facilities - green standards and look at energy efficiency – our 4th goal is to protect natural resources – protect community spirit – we have done a lot to go forth to preserve our historic resources –

Andy Rodenhiser – Through this recent National Register District, and even with Rabbit Hill, are those areas eligible for grants?

Rob Pomponio – Mass Preservation and federal grants.

Andy Rodenhiser – What can we do? Gino Carlucci does a lot of consulting for us. Can we make his services available to the Historic Commissions?

Rob Pomponio – I would love that. Having someone that is adept at preparing proposal would be helpful.

Andy Rodenhiser – I look at some of our districts, people may not be able to maintain their homes

Rob Pomponio – For people who are tuning in at home, they can check the Mass Historic web site, and search it and look at what those incentives are, especially if they are in the Rabbit Hill or Village District.

Andy Rodenhiser – Maybe you guys can get together after the meeting. Get this info out on a wider format. Preserve things.

Rob Pomponio – We can make all those avenues available via web links on the web page. Boards and committees, we can have that posted.

Public Facilities

Jim Wieler - There are a couple of different portions – Dan Hooper, Ron Wilson, and Diane Borgatti worked on this. In the survey, we talked more about public facilities. Big concerns about water. We went through and talked about the wells, and the attributes of the wells, and where we currently are with the wells. With our new well coming on line in about 2 weeks.

Andy Rodenhiser – Is there any effort on the Water Department's part to make a more proactive effort to the residents regarding why no irrigation is allowed?

Ron Wilson – The reason is this area is in a watershed.

Andy Rodenhiser – Is there an effort to educate?

Mark Cerel – As part of the conditions on the DEP's midterm renewal of the town's water withdrawal permit, it is in there.

Ron Wilson – And now the selectmen has taken that over. I have been told that that is their responsibility.

Jim Wieler - Bottom line, with our planned wells, we think we might be getting close to water demand at build out. We are bumping up against our permitted use, and we are within 10% of our allocation. We need to concentrate on water conservation, preserve the aquifer, and look at inflow and infiltration violations.

Andy Rodenhiser – Is that a new plan?

Ron Wilson – No. We have had engineers in, and had plans several times. We were following it up until recently. We can't hire anybody anymore. All the hiring is in the hands of the selectmen.

Chan Rogers – What I think may happen, too is that the selectmen will be responsible for appointing a board of water and sewer commissioners, and have people who are technically qualified to carry things out – I heard today that I am automatically elected because there is no competition.

Mark Cerel – In the same way that there needs to be a plan for upgrading roads and sidewalks you need to have a plan in place to camera certain lengths of sewer and do repairs. The issue is stuff leaking in, not out. We need to keep water from going into the pipes.

Ron Wilson – Up until this past year, we had a contractor come in every 2 years and check, and we hired people to repair leakage.

Jim Wieler – Our day to day flow is .72 million gallons a day. With the addition of the sewer for the 495 business park, we are within 10% of our maximum for sewage treatment. The Master Water Plan is underway. That contractor gave me comments.

Goals #3 - water conservation measure

Goal #4 – increase effective capacity

Andy Rodenhiser – When I had attended a meeting at the Water and Sewer Board, I was told the reason we have watering restrictions in place is that we have to demonstrate to the Department of Environmental Protection that we are doing something. If you don't have a formal conservation program in place, the Department of Environmental Protection wants you to have other restrictions. Is that correct?

Ron Wilson – They are trying to control it by controlling the amount of water that the Water Department pumps. They calculate that you can pump 65 gallons per person per day. If you go over that you are in trouble.

Mark Cerel – There are two state regulatory mechanisms: old grandfathered wells, and those that came on line after water resource legislation. Those get permits which are good for 10 years. Mid-cycle, DEP decided to bring in all the communities and review their permits and impose additional restrictions. And that is what has come about. Medway was one of the first communities which had to accept what the Department of Environmental Protection is mandating. Medway accepted those conditions to get their withdrawal permit.

Andy Rodenhiser – We need to communicate to our citizens why we cannot water our lawns.

Ron Wilson – We sent that out in a letter that we have to put out on the condition of the water system.

Andy Rodenhiser – People think we are out of water.

Mark Cerel – The legal framework in this state is pro-developer. You can't use not having enough water as a justification to deny a market rate or 40B development. That is another reason why you need to guide development.

Mark Cerel – You can't just put a moratorium into effect.

Ron Wilson – There is enough water available in the town for the town to reach maximum build out. It is whether the state will allow you to put in the wells, take out the water and do the treatment.

Ron Wilson – The new well we are starting up will pump close to 500 gallons a minute. The state will only license us for 350 gallons. That is the limit.

Jim Wieler – On schools, they are doing a Master Plan for the schools. With all four enrollment projections, it looks like it is slowing down. So what do we do? Use the schools and open them up for more community use. Look at existing school facilities and assess the town's need across other boards. Can we put some town offices in a school? For goals and objectives for schools section is green focus, energy management systems.

Dan Hooper – We are directly addressing survey responses to concerns about the cost to run the town - The schools are the biggest energy users by the town. The biggest component of town spending could be tied to energy use. There is a mandate to lower energy costs.

Jim Wieler – It could save \$280,000 a year.

Dan Hooper – We should also take a look at life cycle costs with new buildings. That frame of mind relating to energy costs didn't play a role in the design of the older schools.

Ron Wilson – There is very poor control of the heat in that school.

Dan Hooper – My kids have gone to Burke School. Windows are open in the winter.

John Williams - Do you know if the facilities management has reached out to NSTAR?

Andy Rodenhiser – That is underway now.

Jim Wieler – Jim McLean brought the whole thing forward to the school committee. Also need to improve computer technology and access within the schools. Wireless – you can have mobile centers of learning and classroom sharing. Investigate regional opportunities to look at facilities and fields. That is one of the goals. Also look at things we can do to use other facilities in other towns.

Dan Hooper – Town buildings and facilities. Specific to the facilities that exist now, we are fairly well situated. A large portion of our town buildings have been built in the last 20 years. The main concern is the town hall. It is the oldest, and the one in most need of attention, technology, space, parking, heating. As far as the rest of the buildings, even the fire department,

even as the second oldest, it is pretty good. But the town barn is probably in the most urgent need.

Mark Cerel – That would be an issue in and of itself. Look historically where these facilities were sited. The barn is where the dump used to be. It was much later that we realized there was an aquifer underneath. Now you have a Department of Public Works facility that is within the protection zone of your wells, and that raises all kinds of implication with the Department of Environmental Protection and the Environmental Protection Agency. It puts the town at risk. Relocate it somewhere. You have to upgrade it and get it out.

Ron Wilson – Anything you spill at that location, it takes about a year to get to the Oakland Street well.

Andy Rodenhiser – Contingent liability of the dump. Has anyone looked at that?

Mark Cerel – It has been a dirty little secret for years!

Andy Rodenhiser – Is anyone looking at it?

Ron Wilson – The Water Department brought it up to the Board of Selectmen about 15 years ago, and within a year we picked up soap at the well.

Mark Cerel – The Department of Environmental Protection does a survey of landfills that haven't been closed.

Andy Rodenhiser – Is that under a brown fields thing in the Master Plan anywhere?

Dan Hooper – The town dump is an excellent issue. The facilities in most dire need are town hall and barn; goal 2 is a maintenance plan for town buildings; emphasis on energy management for all town buildings; need for a permanent location for a youth center – hasn't gained much ground – some peripheral discussion in conjunction with 2B Oak Street potential – I think this is going to be in a number of different sections that will be pursued further

Jan Fish – If we are looking for a youth center, what we have heard is that we should be looking at the schools.

Rob Pomponio - From the 1999 Master Plan to today, the only thing that prevents us from doing many of these things is recruiting enough volunteers within the community to come forward and make it happen. People have to get involved. My plea is if this is something that concerns you, please come forward.

Andy Rodenhiser – There is a group looking for volunteers to help bring a boys or girls club here to Medway to use underutilized facilities.

Jan Fish– Could you put that on the cover of the Master Plan?

Dan Hooper – The primary purpose of the facilities is for education. If the facilities are not meeting the needs for education, let's start there first, and then fill in for other needs.

Mark Cerel – It might be something to look at from an inter-municipal perspective – large indoor fields/spaces such as inflatables where the cost of construction is not huge – so that if you pull together from several towns, it might work.

Mark Cerel – I would like to go back to this building here. Let's cut to the chase here. Let's move on. We should explore whether to look at this building. When Medfield was looking at salvaging their town hall, the driving force was that a lot of unused space was available in the building. They brought in an engineering and architectural firm to evaluate the building to see if there was usable space. The determination was made to rehab the building and get twice the space they had. Could we put a third floor in here? We need a feasibility study to evaluate – Perhaps the Community Preservation Committee could fund such a study.

Dan Hooper – We have another municipal facility behind us here - a flat roof, tin building – there is a structure, in terms of square footage and land mass is way underutilized. Maybe there could be more of a consolidated a town hall functionality. We are consolidated to the max. Maybe some of them could be relocated behind here

Transportation Section

Dave Kaeli –A couple of things to start off. The first thing was to review where we were in 1999. Major items – the Holliston and Main Street intersection was upgraded with new light and signal. We went back and looked at traffic accident data from the Police Department. That change made it a much safer intersection, and many accidents are down. We can go through the whole Route 109 corridor and see where the hot spots are. Good data. That has helped us to look back. What else came out of the 1999 plan was the need for Public Transportation to the trains, and transportation for seniors. There have been significant improvements there with the GATRA shuttle. The other thing that was highlighted back then was the absence of a sidewalk Master Plan. In 2002 a Master Plan was written but never endorsed or implemented.

Andy Rodenhiser – Who has that?

Dave Kaeli – Dave D'Amico wrote it.

Dave Kaeli – In terms of current conditions, traffic and pedestrian safety is based on the Department of Public Works' ability to clear, repair and maintain. That takes money. The budget for the Department of Public Works (Public Services) is sacrificed for various reasons. Dave D'Amico is extremely frustrated. At every point it is almost futile to have a Master Plan for roads and sidewalks, but this is what we are recommending. So what further recommendations can we do?

We need to improve traffic safety on Route 109. Major issue is the number of curb cuts at Medway Plaza. CI redevelopment plans will address this. There are problems with the location of some cross walks where they are now, as you look at the line of sight, and some of the turning lanes into such locations as Dunkin Donuts. Cross walks are not in the best locations. You could do things to repair that by changing the grade of the road. – Complete study – look at curb cuts, look at volumes – We need to increase the sidewalks and trails in Medway. – We identify specific locations where there should be some, and we need to be able to link subdivisions.

Some progress has been made. – This needs to be continued. Open Space Committee is going to be working hard on a comprehensive trail system for the town. – The Community Preservation Committee is behind that – We need better signage for our crosswalks. We need bike lanes. We also have to figure out how to connect to neighboring (adjacent) towns-

Public transportation - GATRA service works well. We can also look at Metro West Regional Transit Authority that goes up to Natick. That would be a simply to connect. Consider shuttle service from Medway to Bellingham. Work with SWAP for a Logan park and ride. – Discussion re West Medway fire station –

I just want to say, it was nice we had the info on accidents. The police were very helpful to provide that, and they had the information technology to generate that info.

Chan Rogers – The police do have very good traffic accident records. The Route 109 Committee has turned this data over to the state. Right now, it is being put on the TIP for all the way through. TIP is Transportation Improvement Project. It is the official list of projects throughout the state to be undertaken. The critical accident situation is to fix the Franklin, Milford, Main Street intersection. But Shaw Street is caving into the Charles River. 4 trees. There goes Dave's budget for the intersection.

Dave Kaeli – I wasn't sure how to write that into a plan as it is not guaranteed it is going to happen.

Chan Rogers – To use the dirty word, federal earmark, for Route 109, hopefully, we will be able to get something done in the next 2 years.

Dave Kaeli – I wasn't sure how to incorporate that hope for that. I guess the first step has happened.

Charlie Myers – I want to thank you guys for all your work. I read the report. It is a great document. I would like to see if we could add some other things in there. I would like to see a task assigned to review zoning regulations and building code so we can accommodate hybrid vehicles and fuel cells, and become a town that is anticipating fuel cells and hydrogen infrastructure. What do we allow for in our building codes and zoning to provide for this? We could create a special form for the building inspector regarding alternative fuels.

Andy Rodenhiser – I think they have an action item on this.

Charlie Myers – It is not complete enough. There is no assigned task that says review building code, or look at zoning.

Mark Cerel – Building code is a state issue. The town cannot influence that.

Andy Rodenhiser – During Site Plan review we could look at this.

Charlie Myers – A fuel cell system that is in a refrigerated trailer makes no noise. So we have restrictions on deliveries on certain hours on the morning. If that vendor was using a different vehicle they could deliver at any time.

Jim Wieler – These are great points. Where would we stuff it?

Rob Pomponio – Page 5 of Appendix A.

Charlie Myers – I am suggesting you be more specific with details.

Charlie Myers – Another area was an annual reporting mechanism, so if the town is taking energy reduction activity, by department, I would like to see some annual accounting ability along those lines.

Charlie Myers – If we go to the building inspector, there is some educational technology steps that should be taken there so that the town workers have the ability to review (the new technology). Keep their education levels. Does the police and fire department get the appropriate training for this? I think there are some additional tasks that should go in on that. We do we have to provide training for emergency responders.

Andy Rodenhiser – Do those training programs exist?

Charlie Myers – Yes, but from a variety of locations to pick them up. We should get into the Green Communities program. Anybody using a town vehicle should be looking at hybrid vehicles. The more language we put it, the more we can get rebates from the state.

Gino Carlucci – On the building code, there is about to be an optional supplement to the building code that addresses additional energy component. That may be coming available shortly. And secondly, there is land use reform legislation. There is a sort of an opt-in option that requires something very similar to a Master Plan with an energy component. It would behoove us to beef that up.

Charlie Myers – I recently attended a ZBA hearing and proposed that they go with a fuel cell technology. They didn't have the language in our zoning bylaw that would allow all that. The ZBA could have done something if there was language.

Mark Cerel – if you have a wireless overlay district, you can impose those kinds of conditions for granting a special permit.

Jim Wieler - I want to thank Charlie Myers for being the first to post the 1999 Master Plan on his web site (medwaytoday.com).

Charlie Myers – What is long and short term? There are some technology things we need to address, putting a wireless system into the schools and the town so that all are connected. Is there a network goal to attain the highest level of technology available?

Andy Rodenhiser – As far as a next step, what are your thoughts?

Jim Wieler – Susy Affleck-Childs has been collecting comments. I have received comments from FinCom and Dave D'Amico and Mark Cerel just gave it a serious editorial read. I will parse these sections back out to the individual section leaders.

Jim Wieler – I am thinking about hiring a technical writer to format it, so it is ready for print.

Andy Rodenhiser – You mentioned the map detail as being an issue. If we have it in electronic format, make it more readable. I expect Tom Gay would be willing to help out.

Jim Wieler - The online document will be in color.

Dave Hooper – We need to look the font size, especially on the legends.

Andy Rodenhiser – It has to be more readable. Also once it is all formatted and edited, put in internal references to other sections.

Jim Wieler – I saw a couple of members of the Board of Selectmen. We need to get in front of them too.

Jim Wieler - Any comments? If so, please get them to Susy Affleck-Childs, and she will forward them along to us. A marked up hard copy is fine.

Andy Rodenhiser – I would like Gino Carlucci to look at the version and identify things we might need to add for goals that would be good for grants.

Susy Affleck-Childs – I would hope we could get the various boards to buy in.

Karyl Spiller-Walsh – We have a Design Review Committee meeting Monday night. Do you have any thoughts for a cover? Would you appreciate some help on that?

Jim Wieler – Yes.

Rob Pomponio – What we hoped to present was a unified vision of where we could go. You can see a lot of interconnectivity between a lot of the goals. As a town we can approach it as one thing – broader perspectives –

Andy Rodenhiser –all threads that kind of weave together –

Susy Affleck-Childs – I would ask that you be as specific and clear as possible in the table of recommendations so people who read this in the future understand more what is desired.

Jim Wieler – We have had a great committee.

Andy Rodenhiser- you guys have been motoring and working hard –

Chan Rogers – I was involved on the Hingham Planning Board in 1964 when we did a plan. We are getting a bargain. The town is paying very little and you are far more comprehensive. I look at the survey as a guide. You have done a tremendous amount to capture the survey direction. You are to be commended tremendously for your professional input.

Dave Kaeli - One thing about the survey – it was written by people who have thoughts about what is important – so it may not always have been completely objective - it was limited by the scope of the questions asked.

Andy Rodenhiser – all meetings were posted, open to the public and minutes posted

Karyl Spiller-Walsh – I appreciate your excellent presentation – very clarifying –

Thanks to all . . .

Other Business

Susy Affleck-Childs – Here is a letter from Mark Louro at VHB re: Speroni Acre. I would suggest that we have Mark Louro here and invite the neighbors, and the builder. Do it all on one night. Have Mark Louro explain what the problems are.

A motion Karyl Spiller-Walsh moved that the minutes from March 17, 2009 be approved. Chan Rogers seconded the motion. The motion passed unanimously.

Perhaps an early meeting on April 14, 2009, let's say, open early at 6:00 pm.

Karyl Spiller-Walsh – Could somebody contact Ms. Borgatti about the easement stuff to maybe hear some voicing of her concerns? I can do that. I am wondering why she is hesitant.

Andy Rodenhiser – That is between her and Greg Whelan.

Chan Rogers – I think she is blocking the whole street from being accepted.

Andy Rodenhiser – Karyl, if you want to reach out to her, go ahead.

Karyl Spiller-Walsh – I am sure they have some basis for their concern. I will do that.

Andy Rodenhiser – And report back to us at the next meeting.

Karyl Spiller-Walsh – Regarding the Speroni Acres stuff, we need to know what the scale of excess is, if he could indicate whether it is really excessive. Is it just dribbling over the top?

Andy Rodenhiser – At the CPTC meeting in Worcester last week, I picked up a packet of info on lighting standards – I will give it to Bob Tucker.

Gino Carlucci – We talked a little bit about the Commercial I District. I have been working diligently looking at the development potential of each parcel for the PDF grant, comparing what is there and some alternatives.

Andy Rodenhiser – Are you going to look at setback recommendations especially with Route 109. Let's have some type of visual reference.

Gino Carlucci – I have individual parcels shown with an existing building and with a new building.

Andy Rodenhiser – I was called by someone who had some concerns about the adult uses proposal. I suggested he drop off the info to Susy Affleck-Childs.

Susy Affleck-Childs – He did call but he has not dropped off any information.

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

The meeting was adjourned at 9:45 pm.

Respectfully submitted,

Susan E. Affleck-Childs
Planning Board Assistant