

**Medway Planning & Economic Development Board Meeting  
Tuesday, May 26, 2009  
Medway Town Hall, 155 Village Street**

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

ABSENT WITH NOTICE: Bob Tucker

ALSO PRESENT: Susy Affleck-Childs, Planning Board Assistant  
Krista Perry, Milford Daily News

The meeting was called to order at 7:03 pm by Chairman Andy Rodenhiser

Krista Perry, reporter from the Milford Daily News was introduced.

**Meeting Minutes**

It was agreed to hold over minutes until the next meeting.

Susy Affleck-Childs distributed the revised updated Master Plan. Jim Wieler will

**Reports**

Chan Rogers - **Route 109** has a crucial meeting with the TIP Committee this week to get it on the 2010 TIP – where we already have two earmarks for design and one for construction, it is pretty significant, but we need to get on the TIP – we were able to move it ahead –

Andy Rodenhiser – Do you need anything from us for that? Are any representatives going to be there?

Chan Rogers – State Representative Carolyn Dykema will be there. We have contacted State Representatives James Vallee and State Senator Karen Spilka. We don't expect all of them to attend.

Chan Rogers – TIP Committee – MAPC committee – to clear the way to go to the state

Karyl Spiller-Walsh - DRC – at the last meeting we discussed buffers, infill housing design standards, what we thought we might need – we discussed the Thayer House project – also signs – Classic Tile Sign – Murphy Insurance Agency

Karyl Spiller-Walsh – I would think the DRC would like to meet with the new building inspector.

**Public Hearing – 7:15 p.m. – Daniels Village ARCPUD**

Andy Rodenhiser – We have received a letter from Jim Williamson of Barberry Homes, requesting a continuation of the public hearing. The letter is dated today. They ask to be continued to June 23 or July 14.

Chan Rogers – There doesn't seem to be any urgency on their part. They seem to be indifferent.

Susy Affleck-Childs – They have not paid the plan review fee as invoiced.

Andy Rodenhiser – The fact that they haven't paid any money has handicapped us in moving forward. I suggest that we continue to June 9<sup>th</sup>.

A motion was made by Chan Rogers that the Public Hearing be continued to June 9<sup>th</sup> with the caveat that fees be paid. Tom Gay seconded the motion which was approved unanimously.

The public hearing was continued to June 9, 2009 at 8:00 p.m.

Susy Affleck-Childs – You have been provided the minutes from the public hearings for the first go around on this development.

John Williams – There is reference in the testimony re: what is done for typical ARCPUDS. Do we have the resources to find out what is normally provided in an ARCPUD? What is normal, what is provided, what is typical?

Andy Rodenhiser – In lieu of them providing a community center, what is the impact?

Andy Rodenhiser – We need to ask Missy Dziczek to provide us with some consultants that are in that business.

Karyl Spiller-Walsh – Let's remember, Jim Williamson was a member of an over 55 development group. He said that any development of over 100 units supported a community center, and anything less than that was not viable.

Andy Rodenhiser – I am not willing to take his word. I would like to have some third party verification of what he says.

### **Wingate Farm Subdivision**

Karyl Spiller-Walsh – I will recuse myself from this discussion as it pertains to my property.

Gene Walsh – We are requesting an extension of our completion deadline. Our road is 80% done, but finishing it is a few bucks, so it is tenuous.

Susy Affleck-Childs – We must be consistent in how we handle these subdivisions. We need to do this as a modification.

Chan Rogers – Is one year enough time?

Susy Affleck-Childs – You could vote to waive the regulation that extensions are only good for one year. Their next step is to file an application for a modification, and then we have a public hearing.

Chan Rogers – We should consider a two year window.

Andy Rodenhiser – We can do that during the public hearing.

Susy Affleck-Childs – By proceeding this way, you can look at the subdivision, both the decision and the plan and see how construction is proceeding.

Karyl Spiller-Walsh – It is an opportunity to do any modifications that we identify.

Andy Rodenhiser – No extension request was filed before the decision lapsed?

Susy Affleck-Childs - Correct

Chan Rogers – I don't have any subdivisions before you, and I am amazed we have this requirement. I don't feel that we should push hard. The developers are not going to put money into the projects if there isn't a market anymore. Why are we so adamant that they have to finish?

Andy Rodenhiser – What do you suggest we change it to?

Chan Rogers – That issue shouldn't be so rigorous so they have to come in every two years.

Chan Rogers – I am appalled by the problem! You are all so rigorous about this like you are out to get them.

Andy Rodenhiser – With Pine Meadow there was a dispute that needed to be worked out. Having to come back here to get an extension provided the incentive to get things worked out and all parties have done so.

Chan Rogers – I have been on here 5 years now. A limit of two years – this is the third of similar problems.

Tom Gay – The rules are the rules, and the decision is the decision. There is a responsibility on the owner's part to keep up with those dates. Bob Tucker has said it is not our responsibility to chase you down to keep your schedule. If we want to go looking at changing the rules, that is a bigger discussion. We have to be consistent in how we apply the rules to everyone.

Andy Rodenhiser – There is another subdivision off of Fisher Street that wasn't built. If they came in now we could now require them to meet the new standards.

Susy Affleck-Childs – That would be particularly true if no construction was even started.

Chan Rogers – I just want to be more judicious on how we apply the rules. Massachusetts has the most expensive housing in the country. Planning Boards contribute to that problem.

Karyl Spiller-Walsh – Medway’s subdivision rules and regs have changed for the greener and the better because of the small subdivisions. The width of the small subdivision roads has been reduced as a result of looking at what is really appropriate – the surfaces have changed – the use of swales and low impact drainage, the shape of detention ponds have changed, all that has much less impact on the development – the use of buffering and the encouragement of leaving of trees and leaving existing conditions are things that were not considered before. The common practice was to nuke. A lot of good ideas have come out of these smaller developments.

Andy Rodenhiser – Almost everything you stated is not in the state subdivision control law.

Chan Rogers – You are taking my statement out of context. I have appeared at the state house on land use reform. You are taking it personally.

Tom Gay – The rules are handed to me, as they exist, I have to administer those rules fairly across the spectrum of people who come across and to work diligently to adapt the rules to what the town wants within the context of the law. That is not personal. It is reading the rules and implementing them. I grew up in this town. I don’t like what has happened. I have experience too.

Chan Rogers – You are missing the whole point. I think our discussion of having a one year limit should be flexible.

Andy Rodenhiser – Susy Affleck-Childs suggested that applicant can come in and request a waiver from the one year extension.

Karyl Spiller-Walsh – Is it possible if you request a one year extension that you can come back and ask for another one

Susy Affleck-Childs – Yes. WE will have Tetra Tech Rizzo go out and do an inspection and provide a report. That expense will be borne by the applicant/developer/owner.

We can tentatively schedule a public hearing on June 23<sup>rd</sup>, but we need them to file an application and pay fees.

## **Master Plan Committee**

Jim Wieler  
Allison Slack  
Dan Hooper

Jim Wieler – 99 pages later and 18 months – 6<sup>th</sup> review draft – I have a couple of very minor edits to this that I can talk you through. You guys essentially need to accept it, and we can crank in a few last changes, and then it will be ready for affirmation on June 15<sup>th</sup> at Town Meeting.

John Williams – I have not been able to read the new text as of yet. There was a part in here in the introduction and the survey results and how they indicated strong feelings that Medway residents were in favor of.

Jim Wieler – As I recall, at the first meeting you asked whether we had paid enough attention to the survey, and did we allow those results to guide us in developing our recommendations. Look at the table of contents. We explicitly call out survey issues in each section. I recall there was some confusion in what we had for economic development goals and the text and we removed the multiuse wording in the text for the Oak Grove area. We didn't absolutely want to specify that it would be mixed use.

John Williams – I was looking for more ingrained connection between survey results and goals vs. ideas which were carried through by the momentum of people who had been involved as town fathers. Did the ideas come purely from the survey?

Jim Wieler – In our second meeting, we discussed how the survey guided this. But what also guides us is our experience and what we know can and can't be done.

Andy Rodenhiser – In reading the Oak Grove section, it leaves it open as to what can happen there. In each of these areas, we will have a specialized task force to work on it.

Jim Wieler – And we did back out some of the more specific recommendations from the UMASS study to make it a little more generic in the Master Plan.

Jim Wieler – There are a couple of changes in the content.

One is the cover. Dan Hooper is working on something with the DRC.

Dan Hooper distributed a draft cover to show positions of photographs.

Jim Wieler – Under contributors, I will refine Gino Carlucci to include his firm name, PGC Associates.

Figure II – Zoning map is being updated by Gino Carlucci.

Jim Wieler – We received some more comments back from Jim Wickis on various pages – clean up edits, etc.

Karyl Spiller-Walsh – Did you have any idea on binding?

Jim Wieler – I don't know what we are going to do.

Jim Wieler – The introduction is going out in the FINCOM booklet for the 2009 Annual Town Meeting. It will reference the location of the Master Plan on line.

Print up at least 100 to hand out at Town Meeting and have 100 more or so to have handy.

Susy Affleck-Childs – What are your thoughts on implementation monitoring? Who?

Jim Wieler – I envision an Excel spreadsheet – how are you doing? Yearly check in.

Andy Rodenhiser – For example the board of health – here is the document and here are the items for you to work on.

Dan Hooper – What is the issue that leads you to think we need another committee to do this? Two to three years from now some of these items will just go away.

Jim Wieler – The reason the 1999 plan worked is because some of the people involved in writing it got involved right away on the Planning Board.

Andy Rodenhiser – When I talked with some of the boards back at the beginning of this update process (ConCom, Parks) they didn't have much of a clue about the activities they were supposed to work on during the past 10 years.

Chan Rogers – Have a guide and update it. But I have a question here on your build out analysis. Do you really think that will happen?

Jim Wieler – We took a look at building permits and averages.

Chan Rogers – I am startled by some of the data re: Milford on page 39. You don't have a number for Holliston. What about the Hopping Brook Industrial Park in Holliston?

Tom Gay – Perhaps a communication plan might be more in order.

Allison Slack – The census comes in next year. Perhaps we should consider delaying the next update to be able to include future census data (wait until 2020).

Andy Rodenhiser – What questions would you have asked on the survey.

Jim Wieler – In the minutes of our last there are some notes on what we would do differently. Frame the questions a little bit better. If we do an online survey, make sure it is the same as the written version. Start earlier on preparing the survey.

Susy Affleck-Childs – Annual survey tied to the annual census – to get feedback on various topics each year.

Chan Rogers – Some helpful data is what percent the school system is of each town's budget. I feel the downturn of the economy is forcing the towns to look at the percent of schools to the budget, and regionalization jumps up.

Jim Wieler – That is very difficult. Each town does it their way – add back in insurance, facilities maintenance, etc.

A motion was made by Karyl Spiller-Walsh and seconded by Chan Rogers to accept the new master plan. All Yes. APPROVED!!

Andy Rodenhiser - With much gratitude for your efforts.

Chan Rogers – I am very impressed you have been able to do this with your own talent and volunteers. Even 40 years ago (in Hingham) it was commonplace to have a consultant come in and pay \$40,000-\$100,000. All the more reason it is much more meaningful to having a master plan. But it is not something you are going to try to rigorously follow.

Jim Wieler – The committee was wonderful – a great group of folks – stuck to the task – it was a good experience. You have that people on committee who are going to be asking what is going on.

Andy Rodenhiser – Thank you for the leadership and commitment made to the town.

### **Restaurant 45 – Request for Extension of Site Plan Completion**

Paul Yorkis – The main issue is the moving of the utility poles. The person I speak with at Verizon thinks it will be this year. The longer the project goes, the more expensive it becomes.

Andy Rodenhiser – Should we talk to our legislators about some type of relief for the municipalities from this sort of hostage taking? Could we just not agree to approve street opening permits for Verizon?

Paul Yorkis – Verizon owns the poles and there is no incentive for them to move a pole, no cost benefit to do so. In fact it costs them to move a pole. They have become a much leaner corporation in terms of their engineering and field staff and their bottom line is ROI for shareholders. We are caught as a community.

Andy Rodenhiser – Isn't it true there has been a taking, and isn't it now in the public street?

Paul Yorkis – One, we are not in compliance with ADA because the sidewalks are not conforming. Two, because poles are where they are, kids cannot walk to the high school, and kids are being bussed; it is having a fiscal impact. And three – for this town, wearing my SWAP hat, I attended a Walkable Communities Workshop. They are delaying Medway becoming a more walkable community. Unfortunately I don't think there is anybody I know in Verizon who cares about the issue.

Tom Gay – All these numbered routes, state, national – they haven't fared any better than the town owned roads. Cottage Street has been dug up too.

John Williams – Pole permits are done in some towns. PUC rate issues.

Andy Rodenhiser – Maybe we should get a rate reduction for all of Medway because of our additional expense.

Paul Yorkis – There are some very good people who work at Verizon who are very frustrated that the company has not been able to respond. Unfortunately, if there is an accident on Summer Street where someone is critically injured, then Verizon will pay attention.

Susy Affleck-Childs – You extended this deadline before. In April 2008. You approved extending it to July 1, 2009.

Tom Gay – Are there any other issues?

Paul Yorkis – An old pedestal for the signal box needs to be removed. It still has electricity coming out of it. That is the state’s contractor’s responsibility. Once done, then they can complete the curbing.

Andy Rodenhiser – Can’t do paving and final landscaping until the road is done.

A motion was made by Karyl Spiller-Walsh and seconded by Chan Rogers to extend the completion deadline for the Restaurant 45 site plan to July 1, 2010. All Yes. APPROVED.

Susy Affleck-Childs – How are things going tenant-wise?

Paul Yorkis – We have signed a lease for some space, but I cannot divulge that information.

A motion to adjourn was made by Karyl Spiller-Walsh, seconded by Tom Gay, and approved unanimously.

The meeting was adjourned at 9:15 pm.

Respectfully submitted,

Susan E. Affleck-Childs  
Planning Board Assistant