

**January 22, 2013
Medway Planning and Economic Development Board
76 Oakland Street
Senior Center
Medway, MA 02053**

BOARD MEMBERS PRESENT: Andy Rodenhiser, Bob Tucker, Karyl Spiller-Walsh, Tom Gay, and Chan Rogers.

ABSENT WITHOUT NOTICE:

ALSO PRESENT: Susy Affleck-Childs, Planning and Economic Town Coordinator
Dave Pellegri, Consultant Tetra Tech Rizzo
Gino Carlucci, Consultant PGC Associates
Amy Sutherland, Meeting Recording Secretary

The Chairman opened the meeting at 7:05 pm.

There were no citizen comments.

Construction Report Tetra Tech Rizzo:

Applegate Farm:

Susy Affleck-Childs informed the Board that there was an inquiry at the Board of Selectmen's meeting about traffic concerns near Coffee and Ellis Streets. There was a letter dated January 17, 2013 sent to developer Ralph Costello in relation to the installation of stop signs. **(See Attached)** Those stop signs are now in place.

Charles River Village Definitive Plan – Public Hearing Continuation

The Chairman opened the continued public hearing for Charles River Village Definitive Plan

Engineer Faist began the presentation by explaining that there was a meeting with Dave Pellegri, Susy Affleck-Childs and DPW Director Tom Holder relative to the water and sewer lines. This was a productive meeting.

Paul Yorkis explained that from the prior public hearing, there were three areas which needed further discussion: roadway, trees and landscaping.

Roadway:

Mr. Yorkis referred to the meeting with DPS and Dave Pellegri. There was a decision made that the roadway from Neelon to the cul-de-sac as well as new subdivision road is to be built to the same standard in specifications as was done with Williamsburg except for one provision that base coat be two different bases. This will all be documented.

Trees:

Mr. Yorkis provided photographs of the trees on the east side of Neelon Lane. These were provided to give the Board a better understanding of the site. Mr. Yorkis wanted it on the record that at no point did he go onto private property to take the photographs. The utility pole on the east corner was shown. The next set of photos showed the pruning of the trees for the utility lines. The pruning has been going on for a number of years. One photo showed the tree with substantial loss of bark which indicates poor health. The definitive plan shows that the pole will be moved to the east. There is currently no plan for mitigation since if you look at the site this would be difficult. Mr. Yorkis further explained that this is not an easy situation with the location of the trees, utility lines and road. We are continuing to look at this and there is no solution at this time.

Landscape Plan:

David Faist presented a copy of a revised landscape plan. There was added information related to the rain garden. The landscape changes were noted by Engineer Faist. The layout changes were covered. The proposal is for four houses on northern side. This is 85 feet from the neighbor. There will be more of a buffer. There will be reduced driveway areas. The drainage will need to be updated.

The applicant has been notified about the number of units that could be built if the developer was to make a payment in lieu of constructing 2 affordable housing units. Written confirmation was provided to the applicant in an email from Susy Affleck-Childs dated January 15, 2013 (**See Attached**).

The number of market rate units would be 11. The applicant is considering paying money into the Affordable Housing Trust Fund. The applicant will be eliminating the two affordable units. The decreased units will also decrease the drainage issues and allow for flexibility in the site design. There is language about how the payment of this can be made and options for it to be made all at once. Making this change will necessitate a change in the special permit. The applicant will put forth a proposal.

The applicant is also proposing fencing behind the Kramer property. There will also be larger evergreen trees in the proposed areas. There will only be four houses in this area instead of five.

Dave Faist will finalize the plan and will provide it to Tetra Tech for comments.

Mr. Yorkis noted that during the meeting with DPS, the issue of on-going ownership and responsibility for water and sewer lines was discussed. It was communicated that the applicant is NOT interested in having this be the responsibility of the future condo association. Mr. Yorkis felt this was a departure from policy. There will be further discussions. If this is to be changed, it would also need a change to the special permit.

The Chairman responds that the decision reflects what the policy is.

Member Tucker wants to make sure the appropriate easements are shown.

Mr. Yorkis indicated that the easements are already on the plans.

Resident at 9 Neelon Lane wanted to know if there were any provisions for barriers between his property and the development. He would like to request some.

Mr. Yorkis explained that none is proposed. There was some lengthy discussions regarding this and it went to Court and there was an agreement reached. We must comply with the agreement and we still have to comply with the conditions for the special permit. The development is going to be less dense, not more dense. There have been two new owners on this property since the time the special permit public hearing was going on.

Susy communicated that the Special Permit decision referenced that there shall be landscape buffers for various parcels, but 9 Neelon was not specifically included.

Resident at 9 Neelon responds that she is excited about the development and wants to work with the developer and if there is any way to talk and come to get to know each other, they welcome this. They are present to be supportive of the development.

Mrs. Susan DiIulio 7 Massasoit St. wanted a copy of the new layout plan.

The Chairman responded that it will be posted on the website.

The resident at 9 Neelon asked to see the location of his house in relation to the new plan.

The discussion moved to the detention basins. There are no changes proposed to the rain gardens. An illustration was provided.

There were small shrubs added in the slope areas. Until this is built it must be stabilized. There will be grass planted and it will be mowed.

Member Tucker is concerned about the appropriate height of the trees once they grow to full height.

A member of the Tennis Club spoke and wanted to let the applicant know that they are 115 members and a lot of tennis that goes on, and if there is anything we can do together to absorb the sound and work together we would be happy to work with you.

Mr. Yorkis responded that when project was originally envisioned, the Tennis Club was considered an asset since it provides immediate recreation for tennis enthusiast. This is not a detrimental activity.

Member Spiller-Walsh communicated that the presentation regarding the rain garden was superb. This is beautiful and appropriate for a rain garden with stormwater in the middle.

Mr. Yorkis informed the Board that there was a meeting with DPS Director, Mr. Holder. The rain gardens do not present a problem in regards to plowing.

Susy Affleck-Childs communicated that the town will be doing the plowing around the rain garden only. The rest of the road will be private.

Mrs. DiIulio wanted to know if rain gardens are conducive to working with ledge.

David Faist indicated that test pits were dug and the tests not indicate ledge.

Mrs. DiIulio noted that there is ledge in the area.

The Chairman communicated that if there is ledge, a contractor will have to be hired and a preblast survey will need to be done. You would need to be notified.

The boundary line is depicted by the stone wall.

The Design Review Committee will discuss Charles River Village Definitive Plan their meeting which will take place next Monday January 28, 2013 at 7:15 pm at the library.

The Chairman reminds the applicant to provide a mitigation plan re: possible tree damage on Neelon Lane and informed the applicant that it does not need to be from an arborist.

Abutter Ken Bancewicz brought up that there is a real concern in regards to the existing intersection and Village St. There was discussion at one point about widening this street. This is a difficult site. One cannot make a right turn into Neelon Lane if someone is trying to come out. The danger is on the right hand turn. He would like to see a right to Village St. without encroachment.

Mr. Yorkis responded that the issue is the layout of the statutory private way. The applicant has no authority to take land from anyone. Mr. Bankewicz has repeatedly noted that he would work with applicant, but the special permit was voted on and a decision was rendered and the intersection has not changed.

Mr. Bankewicz responds that this is an accepted street, and there is a strip of land. The intersection is the town's problem, and the town needs to look at this.

It was suggested that Dave Pellegrini speak with Tom Holder about this concern. Dave will report back to the board.

Mr. Bankewicz has another concern which is the no parking signs. They should not be there and should not be placed within 25 ft. of the intersection. He feels people should be able to park on the roadway.

Mr. Yorkis communicated that the town safety officer wanted the signs there.

Mr. Bankewicz wants the sign removed and this will impede his parking and does not want to see them there.

Resident Sanderson: 9 Neelon Lane responded asking if the town has considered technology, and having a light come on when traffic is approaching. This is what they do in Europe.

Susy Affleck-Childs asks the Board if there needs to be any discussion about the layout or the rearrangement of the houses.

Member Spiller-Walsh communicated that what has been done to date is a huge improvement, but the applicant has still not addressed the vistas of the open space. The road is still a problem. She did not like it then and does not like it now. The concept plan with the acreage of open space allows for the ability to cluster the housing. This is a better plan than what was presented from two weeks ago. She still has questions about drainage and stormwater.

Mr. Yorkis responds that if you go to the open space land and visit the site, there are no vistas, but instead tops of trees.

Member Spiller-Walsh notes that she has a problem with the stormwater dispersal on what will become the Town's open space. She has issues with this. What is there now is for a two inch storm. This is not good enough.

David Faist responds that this is only for roof drains and an infiltration trench. This will not increase volume.

There were no further questions from the Board or the public.

The action items for the next meeting would include:

- Language relative to money to the Trust
- Letter about mitigation of trees
- Feedback from the Design Review Committee

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to continue the public hearing for Charles River Village to a special meeting to be held February 19, 2013 at 7:15 pm at Sanford Hall.

Robert Doherty, Nestlebrook Lane:

The Board is in receipt of an email dated January 17, 2013 from Bob Doherty regarding Nestlebrook Lane. (See Attached)

Mr. Doherty would like the bond released to pay GLM for the completion of the as built plan. The as-built plan has not been submitted.

The Board is not comfortable releasing the bond without as-built plans.

On a motion made by Bob Tucker and seconded by Karyl Spiller Walsh, the Board voted to deny the bond release for Nestlebrook Subdivision.

Meeting Minutes:

January 8, 2013:

On a motion made by Tom Gay and seconded by Karyl Spiller-Walsh, the Board voted unanimously to accept the minutes from January 8, 2013 with noted revisions on page 6.

Correspondence:

The Chairman would like the consultants to spell out the subjective things that the applicant needs to do. This would include language which is to advise the applicant. This would hopefully assist the applicant and shorten the process. This is a subjective piece and the function is to give guidance to speed the process along. It was recommended to indicate which items are advisory versus regulatory if needed. Expanding on the regulatory piece was suggested.

Associate Member:

The Board is in receipt of a memo dated January 8, 2013 from Matthew Hayes regarding his interest in serving as the Board's Associate Member. (See Attached) Mr. Hayes has previously served on the Board and is a professional engineer.

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to recommend appointment of Matthew Hayes as an associate member for the Planning Board.

Proposed Village Residential District Zoning

The Board is in receipt of a document entitled Village Residential District dated January 21, 2013. (See Attached)

The Board reviewed the document and was in agreement that the section regarding the lot shape factor needs to be eliminated. This will be revised and provided to the Board for further review. The Board would also to make sure there is input from John Emidy. The Board agrees with the section regarding the minimum setback for safety.

This will mostly apply for renovation and will allow people to not have to get a variance.

Consultant Carlucci will adjust the setback portion and will discuss this with John Emidy.

The concept behind this change is to make two family dwellings by right. The boundaries will need to be expanded. The Board would also like to see some language about Commercial III and IV to provide special permit options for two and three family dwellings. The purpose of this would be to encourage renovation of existing properties. The mixed use becomes more viable. Consultant Carlucci will continue to work on the Village Residential District and will provide another map for the Board to view.

Other Items:

Susy reported that the Town Administrator would like to have a zoning bylaw amendment to put a moratorium on medical marijuana dispensaries.

Susy would like the Board to review the documents distributed on parking regulations. This will be discussed at a later date.

Future Meetings:

The next Planning and Economic Development meeting will be January 29, 2013 at 7:00 pm

Adjourn:

On a motion made by Karyl Spiller-Walsh and seconded by Chan Rogers, the Board voted unanimously to adjourn the meeting at 10:33 pm.

Respectfully Submitted,



Amy Sutherland
Meeting Recording Secretary

Edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



TOWN OF MEDWAY
Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Cranston (Chan) Rogers, P.E.
Karyl Spiller-Walsh

January 17, 2013

Mr. Ralph Costello
Unique Homes
503 Main Street
Medfield, MA 02052

RE: Applegate Farm Subdivision

Dear Mr. Costello,

I am writing to follow-up on a concern raised during the January 7, 2013 meeting of the Medway Board of Selectmen regarding the lack of stop signs on either end of Applegate Road at Coffee and Ellis Streets. Apparently vehicles are not stopping at the subdivision's two egress points, Applegate/Coffee and Applegate/Ellis, because there are no stop signs in place. I expect this situation could be the result of construction traffic and the inappropriate use of the road as a cut through. The Board of Selectmen is very concerned because this has become a hazardous situation.

As you know, the Applegate Definitive Subdivision Plan shows the installation of a stop sign and a painted stop line at each of the two noted intersections.

Please remedy this hazardous situation immediately by installing stop signs and painted stop lines at each intersection and notify Dave Pellegrini at Tetra Tech when the work is complete.

Thank you for your immediate attention to this matter.

Best regards,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

cc: Dave Pellegrini, Tetra Tech
Suzanne K. Kennedy, Town Administrator

Charles River Village

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Tuesday, January 15, 2013 1:36 PM
To: Paul Yorkis
Cc: 'Andy Rodenhiser'; Andy Rodenhiser; 'Gino Carlucci'
Subject: Charles River Village - Affordable Housing - REVISED

Hi Paul,

At the January 8, 2013 PEDB meeting, you asked for a determination on the number of dwelling units that would be allowed at Charles River Village if the developer secured the PEDB's approval of a modification to the CRV special permit to meet his affordable housing obligations by making a payment in lieu of construction. In a previous communication to you, we estimated that payment amount to be \$322,200.

Gino Carlucci and I have reviewed and discussed this matter.

The Open Space Residential Development (OSRD) yield formula as applied to CRV provides for a maximum possible 11 dwelling units.

Per the AH provisions of the Medway Zoning Bylaw, 2 of those 11 dwelling units would have to be affordable. As specified in the CRV special permit dated 3-30-2011, the PEDB authorized the developer to construct an additional 2 market rate units as a density bonus to offset the cost/loss of having to construct 2 affordable dwelling units on site. That made for a total of 13 authorized dwelling units on the CRV site – 11 market rate and 2 affordable. The special permit/concept plan specified that the two affordable dwelling units were to be provided on-site – Units 6 and 12.

However, the AH provisions of the Medway Zoning Bylaw also provide that NO density bonus is permitted when a developer makes a payment in lieu of to fulfill the affordable housing requirements.

Accordingly, if a payment in lieu of option is proposed by the developer and if that alternative method of fulfilling his affordable housing responsibility is approved by the PEDB as an amendment/modification to the CRV special permit, the developer could reasonably anticipate being authorized to construct 11 market rate dwelling units on the CRV site.

Please contact me if you have any questions.

Susy Affleck-Childs

Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
155 Village Street
Medway, MA 02053

508-533-3291

saffleckchilds@townofmedway.org

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The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination,

Susan Affleck-Childs

From: Bob Doherty [rdoherty@vosity.com]
Sent: Thursday, January 17, 2013 10:04 AM
To: Susan Affleck-Childs
Subject: RE: Nestlebrook Lane

Yes, sorry I forgot.

Here is a detailed summary of why I need to meet with the planning board.

Back in 1990, I completed the building of a 3-lot subdivision with a private way. The subdivision is titled "the 24 Hill Street sub-division", the private way is Nestlebrook Lane.

I own the property at 4 Nestlebrook Lane. I am currently selling the property and have a closing date scheduled for January 25, 2013. The buyers attorney is trying to obtain a plot plan for the property. None exists.

In investigating why, I checked and found out that there was money set aside in a joint account with the Town of Medway to pay for the finished "as-built" plan, which was never done. I have contacted GLM engineering about why and how to get it completed ASAP and then to generate a plot plan for the property.

I need to meet with the board to discuss the release of the funds to pay GLM for the completed as built plan.

Kind Regards,
Bob

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Thursday, January 17, 2013 9:24 AM
To: Bob Doherty
Subject: RE: Nestlebrook Lane

You are welcome.

Please send me an email ASAP with your request to meet with the Board to discuss your situation and request for bond release.

Susy

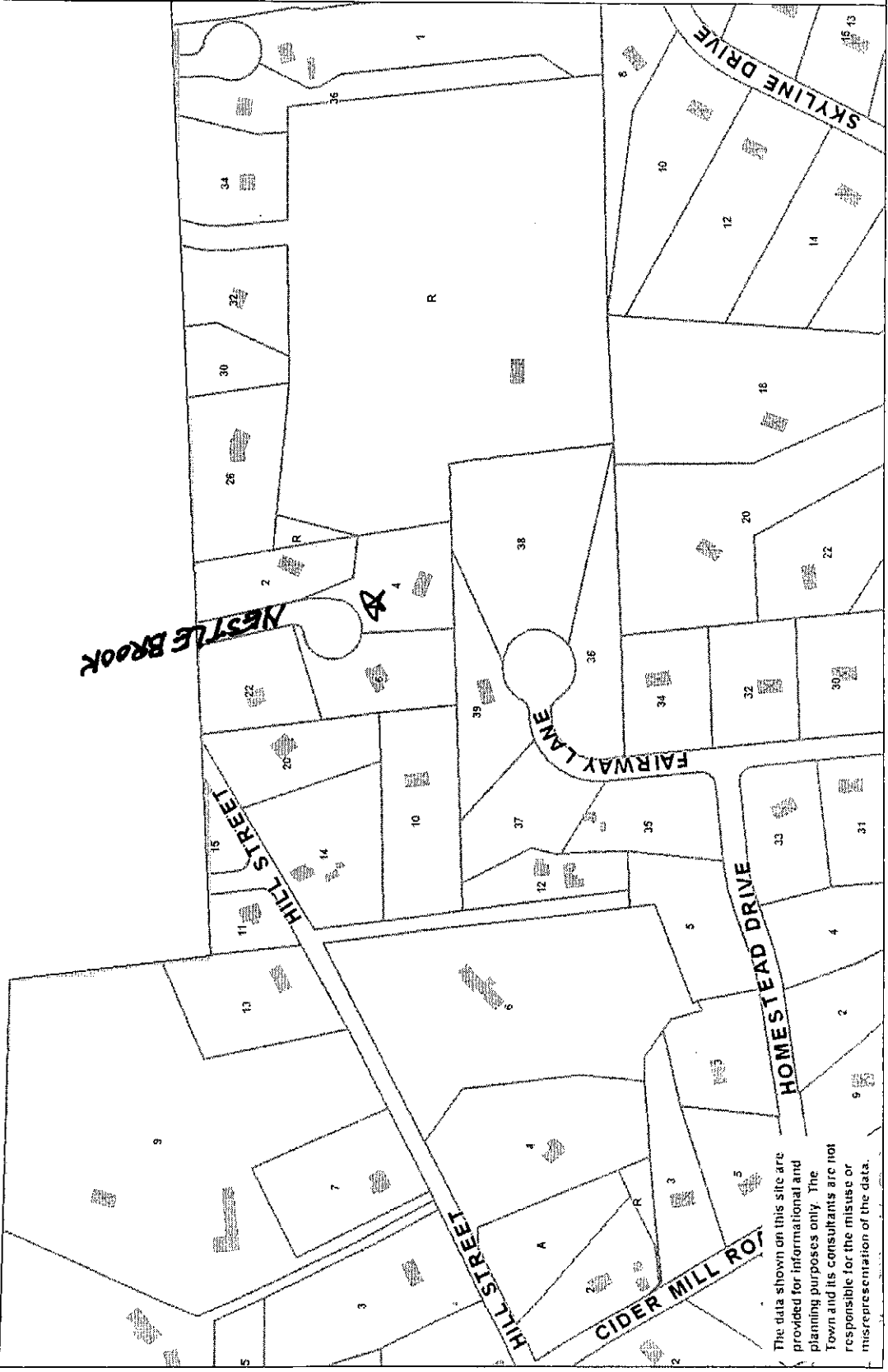
Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
155 Village Street
Medway, MA 02053

508-533-3291



- Abutting Towns
- Parcels
- Buildings
- Streets
- Town Boundary
- MA Highways
- Interstate
- US Highway
- State Highway
- Community Health Centers
- Hospitals
- Ice Rinks
- Police Stations
- Public Libraries
- Schools
- Fire Stations

HOLLISTON



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 5/17/2013 at 10:51 AM

Town of Medway, MA GIS

January 8, 2013

Mr. Andy Rodenhiser
Chairman
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

RECEIVED
JAN 14, 2013

TOWN OF MEDWAY
PLANNING BOARD

Dear Mr. ~~Chairman~~ ^{ANDY}

I am writing to express my interest in joining the Medway Planning and Economic Development Board as an Associate Member. I understand that this is an appointed position with a limited voting role. I am also considering running for a seat on the Board at the upcoming Town Election, if an opening on the Board becomes available.

As you are aware, I previously served over five years as a Member of the Board, being first elected in 2002. I would very much like to return, and put my skills as a professional engineer, toward helping to guide Medway through its 300th year and beyond.

I can be reached by telephone at 508-272-5158 (cell), at my home at 508-533-9795, or by email at hayes7000@msn.com. Thank you and I look forward to hearing from you.

Sincerely



Matthew J. Hayes, P.E.

**Draft Village Residential District
1-21-2013**

XXXX. VILLAGE RESIDENTIAL DISTRICT

1. Purpose – To preserve and enhance Medway’s traditional villages in areas that are almost fully developed, and were predominately developed prior to the adoption of the Zoning Bylaw. This district is also intended to bring the majority of the properties within the district into conformity with the provision of this section, help meet housing needs, and to promote pedestrian scale and amenities.
2. Buildings, structures and premises may be used for lawful residential, municipal, religious, educational or nonprofit recreational purposes, and for uses customarily accessory thereto, and for Home Based Businesses subject to the provisions of SECTION V. USE REGULATIONS, Sub-Section AA. Home Based Businesses.

3. Single-Family Dwelling

Any single-family detached dwelling hereafter erected or expanded in this district shall meet the following dimensional requirements:

Area- 10,000 square feet

Frontage – 75 feet

Lot Shape Factor – This shall not exceed by more than 15% the average lot shape factor of the lots that abut the side lines of the subject lot plus those that are directly across the street as determined by lines drawn perpendicular to the frontage of the subject lot.

Setbacks – Front, side and rear setbacks shall be determined by calculating the average of the corresponding setbacks of the lots that abut the side lines of the subject lot plus those that are directly across the street as determined by lines drawn perpendicular to the frontage of the subject lot. Provided, however, that no side setback shall be less than that which exists on the lot abutting that side lot line.

4. Two-Family Dwellings

(a) Any two-family dwelling erected or converted from a single family dwelling in this district shall meet the following dimensional requirements:

Area- 15,000 square feet

Frontage – 100 feet

Lot Shape Factor – This shall not exceed by more than 15% the average lot shape factor of the lots that abut the side lines of the subject lot plus those that are directly across the street as determined by all lines drawn perpendicular to the frontage of the subject lot.

Setbacks – Front, side and rear setbacks shall be determined by calculating the average of the corresponding setbacks of the lots that abut the side lines of the subject lot plus those that are directly across the street as determined by all lines drawn perpendicular to the frontage of the subject lot. Provided, however, that no side setback shall be less than that which exists on the lot abutting that side lot line.

draft

(b) The exterior design of a two-family dwelling shall provide or maintain the character of a single-family dwelling.

(c) There shall be a maximum of 3 bedrooms per unit.

(d) Before a building permit can be issued for erection or conversion of a two-family dwelling, the proposed two-family dwelling must be subject to **[administrative?]** site plan review to ensure that the following issues are adequately addressed:

- (1) Adequate screening/buffering with landscaping and/or fencing is provided for abutting residences;
- (2) A single curb cut shall be shared by both units;
- (3) There shall be provided on each lot an off-street parking area or areas, indoor or outdoor, of sufficient size to allow two parking spaces for each dwelling unit. No parking area shall be located nearer than 10 ft. to the line of an adjoining lot.
- (4) That the footprint of the house and associated driveways, parking areas, patios, etc. do not render impermeable more than 60% (? , 50%?) of the lot unless appropriate mitigation measures are provided.
- (5) That the proposed design is compatible with the context of the neighborhood, with input provided by the Design Review Committee

5. Multi Family (3-5 units)

- (a) Construction or conversion of residences with more than 2 units up to a maximum of 5 units shall be subject to a special permit by the Planning Board? ZBA?.
- (b) Minimum lot area shall be 15,000 square feet plus 7500 square feet for each unit above 2 [i.e. 22,500 for 3 units, 30,000 for 4 and 37,500 for 5]
- (c) The special permit shall also be subject to Site Plan Review and Approval (See Section III C.) by the Planning Board.

6. Accessory Family Dwelling Units may be authorized by special permit from the Zoning Board of Appeals subject to the provisions of Sub-Section L, Accessory Family Dwelling Units.

7. No building in this district shall exceed a height of 40 feet or 2 ½ stories.

8. *Infill Lots and Dwelling Units* – use same text as in AR II district