

July 16, 2013
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

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

ABSENT WITH NOTICE: Matthew Hayes

ALSO PRESENT: Susy Affleck-Childs, Planning and Economic Development
Coordinator
Dave Pellegri, Tetra Tech

Chairman Rodenhiser opened the meeting at 7:00 pm.

Citizen Comments - There were no citizen comments

NOTE – Zachary Comeau, the new reporter for the *Milford Daily News* was present.

PEDB Meeting Minutes:

July 9, 2013:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to accept the minutes from the July 9, 2013 meeting as drafted.

Member Tucker noted that the Board should see and review the minutes from the joint meeting held with the Medway Energy Committee in June.

Susy Affleck-Childs concurred and said she had received those from the Energy Committee and would circulate them to the Board.

REPORTS

Susy Affleck-Childs reported that the application for the Cumberland Farms special permit and site plan had been filed last week. She has set August 13 for the public hearing. Also, the Starbucks public hearing will take place 7/23. She met with Karen Johnson from Charter Realty and Dave Pellegri of Tetra Tech last week to review the revised plans.

Tri Valley Commons Site Plan – Public Hearing Continuation

Chairman Rodenhiser opened the continuation of the public hearing for the Tri Valley Commons Site Plan at 72 Main Street.

Joe Antonellis, attorney for developer Roger Calarese, was present. He indicated that after careful consideration, the applicant has decided to withdraw the application for site plan approval. They have had significant conversations regarding the amount of work left to do. Plus they are concerned about the time needed for the subsequent site plan modifications that would have to occur for Dunkin Donuts, Gould's Plaza, and Dr. Cooper. Joe stated that they also expected there would be an appeal of the PEDB's decision and that could delay things considerably. That could be problematic for the tenants they have been working with. He said it is their intention to continue to work to develop something for the site; they hope to come back but no promises. They are going to evaluate some special permit and mixed use options. Joe noted that he hoped the Town would use Tetra Tech for consultant review services if they were to return.

Susy Affleck-Childs distributed the letter received on July 15, 2013 from Mr. Antonellis. **(See Attached.)** The letter requests the PEDB's approval of their request to withdraw without prejudice.

Mr. Antonellis further noted that they considered asking for a 60-90 day continuation, but they decided they didn't want to leave this application in abeyance for that long. He noted the complications arising from the traffic analysis were more involved than anticipated. Joe also stated his appreciation to the Board.

Chairman Rodenhiser the PEDB members if they were receptive to keeping the hearing open through a long continuation.

Member Tucker responded that he felt it would be better to close it now.

Susy Affleck-Childs noted that new PEDB member Matt Hayes could fully participate in the public hearing and vote if a new application is filed in the future.

Chairman Rodenhiser noted that with this withdrawal, the "second" light signal for the Route 109 construction project would probably go back to its original location near the Shell gas station.

Member Spiller-Walsh indicated that the Design Review Committee would welcome Tri Valley Commons to come back and discuss some options with it, acknowledging that the site is a difficult one. Karyl commended Mr. Antonellis for a very gracious letter. She noted that all had learned a lot about the site through this process.

On a motion made by Tom Gay and seconded by Bob Tucker, the Medway Planning and Economic Development Board voted unanimously to approve the request of Calarese Properties to withdraw without prejudice their application for site plan approval for Tri Valley Commons at 72 Main Street.

Chairman Rodenhiser noted that there was the matter of outstanding plan review fees that needed to be paid.

Mr. Antonellis indicated he had already spoken with Susy Affleck-Childs about that and had indicated that it would be taken care of.

Susy Affleck-Childs stated that she would file a notice with the Town Clerk on 7/17/2013 regarding the board's vote.

The Board moved to a **General Discussion** about processing of applications, running the public hearings and working with applicants to achieve a smoother process.

Member Tucker said that for our next project, the Board should develop a subject review calendar so it is clearly understood what will be addressed at each public hearing. If an applicant isn't prepared for that topic, the hearing should be continued.

Chairman Rodenhiser asked if this was the time to amend the zoning bylaw so that special use permits and site plan review is consolidated with the PEDB instead of the present 2 step process with the ZBA and the PEDB.

A question was raised whether the applicant could seek a rescission of the ZBA special use permit which authorized the shopping center and drive-thru use.

It was noted that there should be a way to address multiple site plan modifications or for multiple owners to come together to submit something jointly. Perhaps there could be an umbrella development plan for an area.

Susy Affleck-Childs expressed concern that applicants may take the wrong message from the Board's willingness to participate in pre-application discussions. Do they think it is going to be an easy road?

Chairman Rodenhiser noted that the Site Plan Rules and Regulations, the Zoning Bylaw, and the Design Guidelines are all readily available to an applicant and their team.

Member Gay suggested we develop a series of IF/THEN flow charts that would depict the variety of key decisions points in the review process.

Susy Affleck-Childs suggested that she work with Tetra Tech to develop a somewhat standardized list of information that should be included in a traffic analysis and report. Members noted their frustration that the applicant's traffic engineer had not provided Saturday traffic counts with the first submittal.

Member Spiller-Walsh noted that the DRC would like more support from the PEDB when the DRC asks applicants for certain items (elevations from 4 sides, for example).

Member Gay expressed his concern that the Board needs to be careful about asking for too much information.

Chairman Rodenhiser noted to Karyl Spiller-Walsh that there are occasions when she is asking for more information but the rest of the board is satisfied with what has been presented. He indicated that at some point, members have to acknowledge that what they advocating for is not going to have an impact or persuade other members.

Member Spiller-Walsh indicated again that the DRC needs to receive information requested from applicants in a timely fashion so that the DRC can make its findings and provide its recommendations to the PEDB.

Chairman Rodenhiser also noted how pleased he was with the last DRC review letter on Tri Valley Commons because it clearly linked comments to the Site Plan Rules and Regulations and the Medway Design Guidelines. He indicated that the DRC's review letters are often too general.

Bob Parella of 28 Broad Acres Farm Road and as a member of the Board of the Charles River Bank (*owner of the property where the Tri Valley Commons center was proposed*) stated that there is a whole disconnect among the various groups involved – PEDB, Route 109 Committee, applicant, Goulds, the DRC. There were too many loose ends. He expressed his outrage that the DRC distributed an email to the general public after a DRC meeting when the applicant had discussed their plans for the retaining wall. He said the Bank will have to go to Plan B.

CLARIFICATION NOTE – The DRC did not distribute an email to the general public as Mr. Parella has stated. We understand an email was sent around by a citizen who attends DRC meetings.

Susy Affleck-Childs reflected that Joe Antonellis had mentioned a mixed use project for the site. She indicated that the idea of mixed uses (including residential) is not presently a by right or special permit option in the Commercial I zoning district.

On a motion made by Karyl Spiller-Walsh and seconded by Bob Tucker, the Board voted unanimously to adjourn the meeting,

The meeting was adjourned at 8:15 pm.

Respectfully Submitted,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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TO: MR. ANDY RODENHIESER, CHAIRMAN, THE PLANNING AND ECONOMIC
DEVELOPMENT BOARD OF THE TOWN OF MEDWAY

FROM: CALARESE PROPERTIES, INC.

RE: TRI VALLEY COMMONS: Request to Withdraw without Prejudice, the Application for Site Plan
Approval for the development known as Tri Valley Commons, 72 Main Street, Assessors' Parcel 40-51

DATE: July 15, 2013

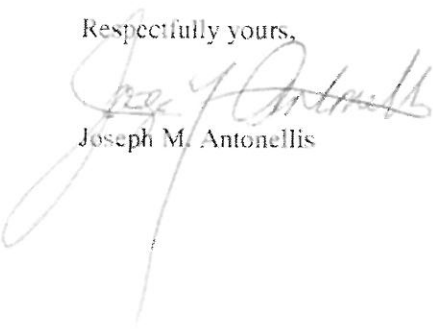
Dear Chairman Rodenhieser and Members of the Board;

At this time I have been instructed by my client to request that the Planning Board accept the Applicant's petition to withdraw the Application for Site Plan Approval. The request is being made without prejudice to the Applicant's right to file another application at a later date.

My client has asked me to thank the members of the Board (past and present) for their help, patience and professionalism during the extended application process. My client would also like to thank Ms. Affleck-Childs for her help and guidance.

As you can imagine, the decision to withdraw has not been an easy one to make; however at the present time it is the correct decision for the Applicant.

Respectfully yours,


Joseph M. Antonellis