

**Tuesday, March 24, 2015**  
**Planning and Economic Development Board Meeting**  
**155 Village Street - Medway, MA 02053**

<b>Members</b>	<b>Andy Rodenhiser</b>	<b>Bob Tucker</b>	<b>Karyl Spiller-Walsh</b>	<b>Tom Gay</b>	<b>Matt Hayes</b>	<b>Rich Di Iulio</b>
<b>Attendance</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

**ALSO PRESENT:**

Planning Consultant Gino Carlucci, PGC Associates  
 Planning and Economic Development Coordinator, Susy Affleck-Childs  
 Recording Secretary, Amy Sutherland

The Chairman opened the meeting at 7:00 pm.

There were no Public Comments.

**Other Business:**

The Board was made aware that the Design Review Committee voted to not have a consultant for the Tri Valley Commons site plan project. The Design Review Committee had a productive meeting with the applicant on 3/23/15 and feels a consultant is not necessary.

**Zoning Bylaw Amendments – Public Hearing Continuation**

The Board is in receipt of the following: **(See Attached)**

- Public Hearing Notice
- Flyer re: public hearing

**Business Transition Zone – See Attached items.**

- Warrant Article – Proposed Business Transition Zone
- Business Transition Zone – Proposed Map
- Warrant Article – Proposed Multifamily Residential Zoning
- Email from Judi and Fran Notturmo – 3/24/15
- Email from Mark Smith – 3/24/2015
- Email from Richard Berry – 3/24/15
- Revised Draft Business Transition Zone dated 3-24-15

The Board members reviewed the revised draft warrant article dated March 24, 2015 of the article for the establishment of the Business Transition Zone.

**Item 3 G:**

Susy Affleck-Childs indicated that she had a conversation with Mr. Yorkis to follow up on the recommendation he provided at the 3-17-15 public hearing to have the maximum building height higher than 30 ft. This may be needed to shield mechanical equipment. 36 ft. was suggested.

The Board is comfortable with 36 ft. for maximum building height.

**Item 4C:**

This section is in relation to Building and Site Design. The Board discussed the wording “exhibit qualities of New England residential architectural styles to the maximum extent practical which shall be determined through the site plan review and approval process.”

It was suggested by member Spiller-Walsh to add language to refer to the Design Review Guidelines and the 2009 Master plan.

The Chairman is not comfortable with the language “New England residential architectural styles.”

There was another recommendation to add language about “abutting residential architectural styles”...

Member Hayes is comfortable with how it is written and wants to allow for some flexibility.

The Chairman prefers referring to “abutting neighborhood architecture and not saying New England style.

Judi Notturmo of 33 Summer Street stated that when she thinks about New England she thinks about the Murphy Insurance building (133 Milford Street). The Fasolino built houses recently constructed nearby (Summer Valley Lane) are really contemporary.

Member Tucker would like to see it tied into the style of the area.

Design Review Committee Chairman Matt Buckley responded that maybe we could create a section in the Design Review Guidelines for this zoning district and write language for it.

Susy responded that when the new Design Guidelines are approved in August the language will be there.

It was communicated that the Board of Selectmen will re-open the warrant (April 6 meeting) at which point the language for this article can be revised.

Susy does not agree with including language about the master plan as it is addressed in the purpose section of the zoning bylaw. She does agree with putting in a reference to the Design Guidelines.

Susy also noted that Paul Yorkis had suggested a higher percentage of lot coverage.

Member Tucker thinks a 30% lot coverage is fine when we look at constraints and buffers.

Consultant Carlucci noted that 30% is consistent with other districts, but with 40% it would allow designers more creativity.

The Board is comfortable with 40%.

The Chairman read an email communication from Stephanie Mercandetti about how this article meets the goals from the 2009 Master Plan. (**See Attached**).

It was agreed that Susy would work to further refine the language for the Building and Site Design section. Tom Gay will work on revising the Purpose section. Both will be discussed at the next public hearing.

### **Multifamily Housing District:**

The following was entered into the record: (**See Attached**)

- Multifamily Residential Overlay District warrant article – 3/2/15
- Multifamily Residential Overlay District Proposed Map
- Letter from Medway Affordable Housing Trust – 2/19/15
- Letter from Medway Affordable Housing Trust – 3/10/15
- Email from Laura Shufelt, Mass Housing Partnership - 3/11/15
- Confidential Email from Barbara Saint Andre, Town Counsel – 3/12/15 (not included)
- List of existing multifamily housing locations in Medway dated 2/5/15

On Item 5 (3), the requirement about bedroom count was eliminated due to concerns about Fair Housing as recommended by the Mass Housing Partnership.

The discussion next moved to density and how future development can be buffered from the adjacent residential neighborhoods. There needs to be prescriptive language in the Design Guidelines.

Consultant Carlucci responded that since this is a Special Permit, there are controls in place. The rules and regulations for multi-family will need to be developed.

Gino is going to create a map showing the eligible properties.

Member Hayes suggested that there be a future effective date in place to allow time to create the multifamily rules and regulations.

Susy will ask Town Counsel if this is possible.

The Chairman read an email dated 3-24-15 from Stephanie Mercandetti about how this article meets the goals from the 2009 Master Plan. (**See Attached**).

DRC Chairman Buckley wanted to know what would be needed to qualify.

Consultant Carlucci responded that the 50' frontage requirement would need to be met. The parking is the biggest constraint. The Board has the right to include in a decision any conditions, safeguards and limitations necessary to mitigate a project's impact. Member Gay showed on the overhead, two distinct areas which should be taken out of the overlay district map.

Resident Jim Wieler of Adams Street commented that if the goal is to increase multifamily housing, why not consider housing near the Cassidy land where there is a higher density.

The Chairman responded that this area could be its own special zoning district.

Community Housing Coordinator Doug Havens provided the Board with a memo which provided a perception of density. His belief is that density can be affected by design. The example shown for 6 Cutler Street has a building on .65 acres, and has 6,480 sf of usable space. The configuration of units would yield 17 units/acre.

The Chairman wanted to know the minimum time frame for this project to move forward.

Doug Havens responded that this should be ready second quarter of 2016 to go out for an RFP.

### **General Information about Recodification:**

The Board is in receipt of the following: **(See Attached)**

- Warrant Article – Proposed Zoning Bylaw Recodification
- Proposed Zoning Bylaw Recodification – 2/25/15 (Not attached)
- Memo from Susy Affleck-Childs dated March 4, 2015 to the Board of Selectmen regarding Zoning Bylaw Enforcement Fines.

The memo is in relation to how the enforcement provisions of the proposed recodified zoning bylaw compares to the existing. This has a breakdown of enforcement violations and penalties.

### **Public Hearing Continuation:**

**On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted to continue the Zoning Amendment Public Hearing to April 1, 2015 at 7:00 pm.**

### **Follow-Up from 3-16-15 PEDB/DRC Meeting:**

The Board is in receipt of the following: **(See Attached)**

- Email from Jim Wieler dated March 19, 2015.

Mr. Wieler was present. He had facilitated a joint meeting with the Design Review Committee and the Planning and Economic Development Board held on 3/16/15. He explained that this meeting was beneficial. He provided an overview of the findings and his recommendations.

The findings included: communication barriers among the DRC, PEDB and applicants. This was further explained that some of the members are more verbal and tend to dominate discussions



which makes it intimidating to the other members and applicant. All members need to do a better job at listening with fewer interruptions. It is important to get the opinion of all the members and not just the most vocal.

The trust between the two boards needs to be re-established and maintained. The process needs to be defined jointly to look at roles, responsibilities and deliverables.

Susy explained that she met Monday morning, March 23<sup>rd</sup>, with Matt Buckley and Julie Fallon about ideas on how to improve communications between the DRC and PEDB. Susy will be attending the DRC meeting and will have a standing place on the DRC agenda to discuss any projects in the pipeline. She will also share PEDB meeting minutes with the DRC. It was also suggested that members of the PEDB periodically attend a DRC meeting.

Jim suggested that the roles within the Boards/Committees should be changed periodically, for example, the liaison positions.

Susy explained that there has been some difficulty with members being able to separate their personal perspective from their position as liaison. This has hampered the communication between both groups.

A plan for organization and community outreach is needed to inform businesses and applicants of the roles and responsibilities of the PEDB and DRC. This would include creating a document for both organizations to take ownership of. One idea is divide the DRC's recommendations into various categories for DRC members to explain to the PEDB during public hearings instead of that responsibility resting with just one person.

It was also recommended to have a packet for the applicants about the site plan and a hand out for persons coming to town. Stephanie Mercandetti will be doing more of this stewarding with the applicants. Susy mentioned the site plan handout prepared for the MBC meeting in January.

There is a need for DRC to be recognized as being able to work with various boards and not only PEDB. It was suggested that the DRC do their own outreach and also attend Medway Business Council meetings.

The PEDB website could also be reorganized so that there are subsections with information about site plan and another on special permits.

Member Spiller-Walsh suggested the inclusion of photographic images on the website.

Mr. Wieler suggested that we may need to be more prescriptive with the Business Council so they know what is expected. Jim reported that the Business Council thought it was great that the PEDB and DRC were going through this exercise. It is a great time to reestablish relationships with them.

There will need to be another joint meeting to discuss the process. Having an annual meeting with both boards would also improve team building. Susy acknowledged that the boards used to do this, but had gotten away from doing so the past few years.

Susy explained that DRC Vice Chairman Julie Fallon provided a bulleted list re Tri Valley Commons from the DRC's 3/23 meeting. This was helpful and will be going to the applicant so they will know what is not settled.

Susy followed up by reminding members that we need to be careful what we say to people and how we communicate it. The way we deliver our message can have consequences which affect the perception of the public and others. We are public officials and have to do better.

Mr. Wieler responded that the members are representing the Town and need to treat people with courtesy, respect and professionalism.

Susy thanked Mr. Wieler for facilitating this meeting and welcomes his help in the future.

### **PEDB Minutes:**

#### **February 24, 2015:**

**On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to accept the minutes from February 24, 2015.**

#### **February 28, 2015:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from February 28, 2015.**

#### **March 10, 2015:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from March 10, 2015.**

### **Design Review Guidelines Work Group (selection of members to serve)**

The Board is in receipt of a draft of list of tasks dated 3-20-15 for updating the Design Review Guidelines. (See Attached)

**On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to appoint Matt Hayes and Tom Gay to serve on the Design Review Guidelines Update Work Group.**

The group will also be comprised of two members of the DRC, Susy Affleck-Childs, Stephanie Mercandetti, Dan Hooper and hopefully, resident and architect Craig Olsen.

### **Proposed Public Hearing Schedule for Tri Valley Commons:**

The Board was in receipt of the proposed draft public hearing schedule. (See Attached)

The public hearing will begin on April 14, 2015. The Design Review Committee will meet with again with the applicant on April 6, 2015. There is a bullet list of various items for TVC to work on which was created from the Design Review Committee meeting last night (3/23/15). The task will be to work exclusively on building elevations. The DRC will be ready to put together an issues/concerns memo in time for public hearing on April 14, 2015.

There is packet of supplemental information on the Tri Valley Commons application for the Board members. Susy thinks that the applicant will need more waivers than what is being requested. The schedule is for the applicant to revise the plans after the conclusion of the third public hearing.

Member Gay informed Susy that he will not be able to attend the May 12, 2015 meeting. The Mullin's Rule will be needed.

This schedule of public hearing dates will be provided to the applicant.

Member Hayes asked if the former special permit from the Zoning Board of Appeals is still in effect for this project when Roger Calarese was the applicant. Consultant Carlucci responded that the permit would have expired if the two years has expired. The Board does not believe the applicant filed the decision with the Registry of Deeds. The Board would like to have Susy check with Counsel about whether the ZBA's special permit from spring 2013 needs to be rescinded.

### **Timber Crest Estates – Proposed 40B development**

The Board is in receipt of the following: (See Attached)

- Development synopsis and concept plan.

The Board was made aware that a project named Timber Crest Estates is being planned as a 40B development which would consist of 192 housing units, including 76 single family homes and 116 condominiums (56 duplex buildings and 4 detached single-family units) on property commonly referred to as the Wickett property. The developer has filed with MassHousing for a project eligibility letter.


Community and Economic Development Director Stephanie Mercandetti is contacting the various boards, committees and departments and gathering comments to submit to MassHousing. This would be a 40 B project which would need to be heard by the Zoning Board of Appeals. The Board agreed to work on developing comments for Stephanie at their April 1, 2015 meeting.

### **ADJOURN**

**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 9:30 pm.

Respectfully Submitted,

  
Amy Sutherland  
Recording Secretary

Reviewed and edited by,

  
Susan E. Affleck-Childs  
Planning and Economic Development Coordinator



**March 24, 2015**

**Medway Planning & Economic Development Board**

**Zoning Bylaw Amendments**  
**Public Hearing Continuation**

- Warrant article – Proposed Zoning Bylaw Recodification
- Proposed Zoning Bylaw Recodification – 2/25/15
- Warrant article – Proposed Business Transition Zone
- Business Transition Zone – Proposed Map
- Warrant article – Proposed Multifamily Residential Zoning
- Multifamily Residential Overlay District – Proposed Map
- Letter from Medway Affordable Housing Trust - 2/19/15
- Letter from Medway Affordable Housing Trust - 3/10/15
- Email from Laura Shufelt, Mass Housing Partnership – 3/11/15
- Email from Barbara Saint Andre, Town Counsel – 3/12/15

**REVISED DRAFT – 2-26-2015**

**ARTICLE : (Establishment of a Business Transition Zone)**

To see if the Town of Medway will amend the Medway Zoning Bylaw by adding a new Sub-Section CC. Business Transition to SECTION V. USE REGULATIONS as follows:

**CC. Business Transition District**

1. Purpose: The purpose of this section is to further the goal of the Medway Master Plan to increase the land available for economic development, and to provide opportunities for small-scale and minimally intensive business uses adjacent to residential neighborhoods in a manner that retains a residential character.
2. Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations enumerated herein.
  - a) Municipal use
  - b) Offices for business, professional or medical use
  - c) Personal care services such as but not limited to barber shops, hair salons, and nail salons
  - d) Consumer services such as but not limited to, optician, dry cleaner, florist, laundry, photocopying/printing, bakery, photography studio, design galleries and studios, tailor, and other similar businesses and services
3. Dimensional Regulations - Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations:
  - a) Minimum lot size: 12,000 sq. ft.
  - b) Maximum lot coverage, including accessory building: 30%
  - c) Minimum continuous frontage: 100 ft.
  - d) Minimum front yard setback from street line for any building or structure hereafter erected: 10 ft.
  - e) Minimum side yard setback: 15 ft.
  - f) Minimum rear yard setback: 20 ft.
  - g) Maximum building height: 2 stories, not to exceed 30 ft.
4. Special Regulations
  - a) Parking – To the maximum extent possible, parking shall be located to the rear and/or side of the building. Motor vehicle parking located between the building and street is permitted only if no other reasonable alternative is available due to site limitations. Parking of vehicles may not be located within the setback area from an abutting residence.



b. Buffers

- 1) A site's existing vegetated buffers to abutting residences shall be maintained and/or enhanced to shield abutters from adverse impacts such as headlights and noise.
- 2) The side or rear setback area of parcels which abut a residence shall be substantially landscaped so as to provide a suitable visual and sound buffer between the business and residential uses.
- 3) Additional buffering measures including fencing may be required.
- 4) Specific buffering measures shall be determined through the site plan review and approval process in accordance with the *Site Plan Rules and Regulations*.

- c. Building and Site Design - Building renovations, new construction and site improvements shall be designed to reflect the residential character of the neighborhood to the maximum extent practical.

And to amend the Medway Zoning Map by rezoning the following parcels from Agricultural Residential II District zoning to Business Transition District zoning as shown on a map on file with the Town Clerk:

- 1.38 acre parcel at 32 Summer Street (Berry's Greenhouse) - Medway Assessor's parcel 56-041
- .09 acre parcel at 37 Summer Street (Alexander) - Medway Assessor's parcel 56-017
- .67 acre parcel at 35 Summer Street (Alexander) - Medway Assessor's parcel 56-018
- .42 acre parcel at 33 Summer Street (Notturmo) - Medway Assessor's parcel 56-019
- .34 acre parcel at 31 Summer Street (PMAM Group LLC) - Medway Assessor's parcel 56-020
- 1.25 acre parcel at 38 Milford Street (Buchmiller & Mahaney) - Medway Assessor's parcel 46-048

And to amend SECTION IV. DISTRICTS by adding Business Transition to the list of Medway zoning districts.

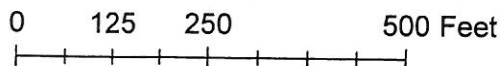
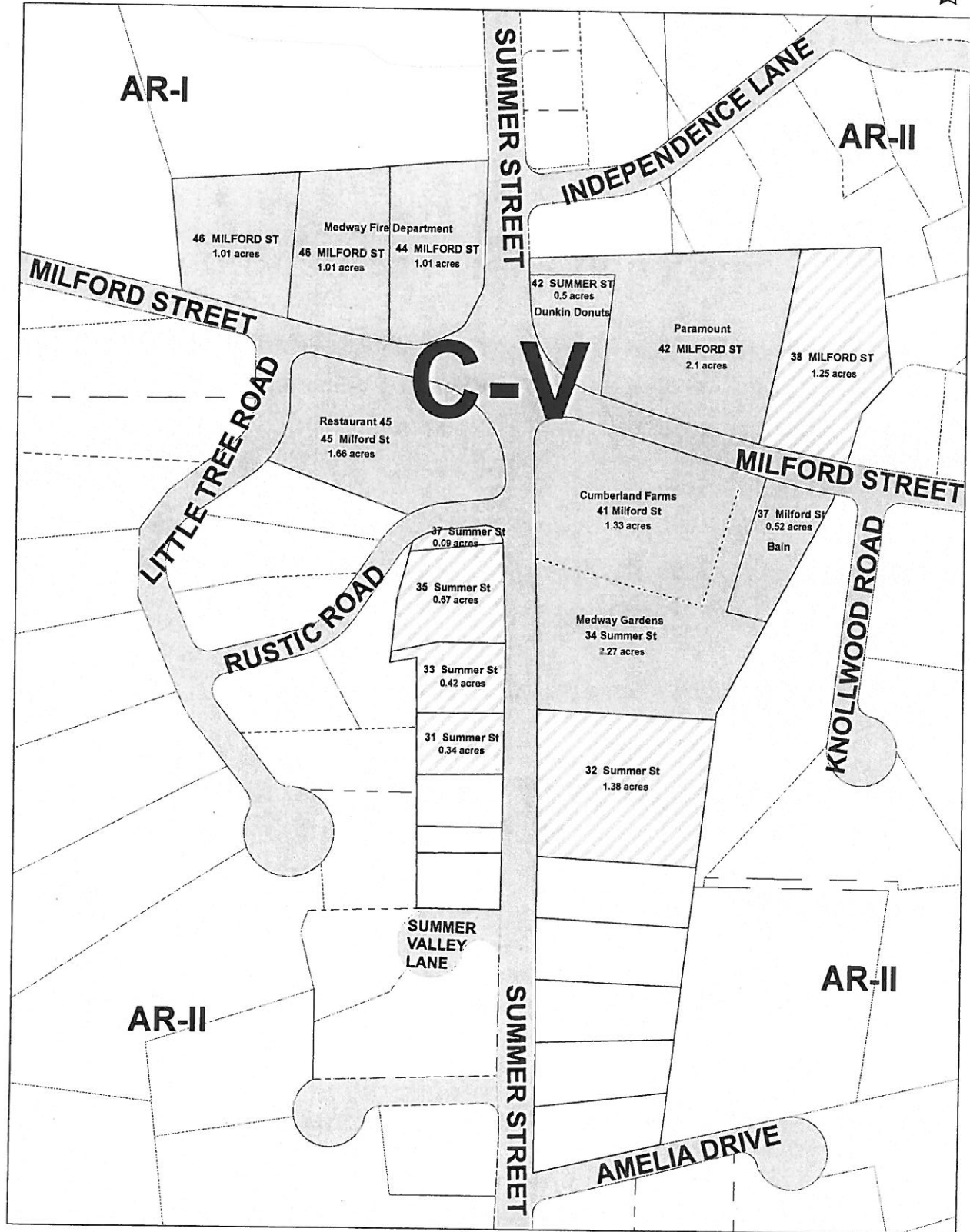
And to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD**

# Proposed Business Transition Zone



-  Business Transition Zone
-  Existing Commercial-V Zoning District



**Susan Affleck-Childs**

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**From:** ownyourownlife@comcast.net  
**Sent:** Tuesday, March 24, 2015 6:05 AM  
**To:** Susan Affleck-Childs  
**Subject:** Re: Business Transitional Zoning District - Public Hearing 3/24/15  
**Attachments:** Business Transitional Zoning District - Public Hearing 3/24/15

Hi Sue,

I am writing to this to the board so that it is on record that my husband and myself are in favor of the new Medway Zoning Bylaw to create a new Business Transitional Zone to include our property 33 Summer street, Medway Ma.

Sincerely,

Fran,Judi Notturmo

## Susan Affleck-Childs

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**From:** Mark Smith <jla.smith45@gmail.com>  
**Sent:** Tuesday, March 24, 2015 12:05 PM  
**To:** Susan Affleck-Childs  
**Subject:** rezoning

Hi Susy, for on the record purposes.

As I am hopeful for the rezoning of this part of Summer st I firmly believe that the potential rezoning of these parcels does not hurt the property values or change existing traffic flow on summer st.

I respect the fact that some neighbors do not want this but I firmly believe it doesn't change a thing in relationship to traffic or quality of life. Thousands of cars drive by every day. It's a busy street and it has evolved into an area that would be great for mixed use development done on a thoughtful and well planned basis.

We have been here 12 years and people were not happy about our expansion back in 2007 but as it turned out we did a nice job while taking the neighborhood into consideration with the hours that we keep and the customer base that we try to attract. If we were to be involved in developing any of these properties it would be something that long term people would be fine with in my opinion.

I realize the fact that some neighbors are unhappy that this keeps coming back and I have not been pushing it any way, shape or form but ultimately someday I believe it will happen.

Regards,

Mark

## Susan Affleck-Childs

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**From:** richard berry <rberry2000@yahoo.com>  
**Sent:** Tuesday, March 24, 2015 3:34 PM  
**To:** Susan Affleck-Childs; Susan Affleck-Childs  
**Subject:** Rezoning

To: Town of Medway Planning & Economic Development Board  
I am aware of the proposed rezoning and would request that the Board act favorably.  
Thank You

**Richard Berry**  
**President/Owner**  
**Berry's Greenhouses, Inc**  
**508-294-6590**  
**32 Summer st.**  
**Medway Ma. 02053**

## REVISED DRAFT – 3-24-15

### ARTICLE : (Establishment of a Business Transition Zone)

To see if the Town of Medway will amend the Medway Zoning Bylaw by adding a new Sub-Section CC. Business Transition to SECTION V. USE REGULATIONS as follows:

#### CC. Business Transition District

1. Purpose: The purpose of this section is to further the goal of the Medway Master Plan to increase the land available for economic development, and to provide opportunities for small-scale and minimally intensive business uses adjacent to residential neighborhoods in a manner that retains a residential community character.
2. Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations enumerated herein.
  - a) Municipal use
  - b) Offices for business, professional or medical use
  - c) Personal care services such as but not limited to barber shops, hair salons, and nail salons
  - d) Consumer services such as but not limited to, optician, dry cleaner, florist, laundry, photocopying/printing, bakery, photography studio, design galleries and studios, tailor, and other similar businesses and services
3. Dimensional Regulations - Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations:
  - a) Minimum lot size: 12,000 sq. ft.
  - b) Maximum lot coverage, including accessory building: 30%
  - c) Minimum continuous frontage: 100 ft.
  - d) Minimum front yard setback from street line for any building or structure hereafter erected: 10 ft.
  - e) Minimum side yard setback: 15 ft.
  - f) Minimum rear yard setback: 20 ft.
  - g) Maximum building height: ~~2 stories, not to exceed 30 ft.~~ 36 ft.
4. Special Regulations
  - a) Parking – To the maximum extent possible, parking shall be located to the rear and/or side of the building. Motor vehicle parking located between the building and street is permitted only if no other reasonable alternative is available due to site limitations. Parking of vehicles may not be located within the setback area from an abutting residence.



b. Buffers

- 1) A site's existing vegetated buffers to abutting residences shall be maintained and/or enhanced to shield abutters from adverse impacts such as headlights and noise.
- 2) The side or rear setback area of parcels which abut a residence shall be substantially landscaped so as to provide a suitable visual and sound buffer between the business and residential uses.
- 3) Additional buffering measures including fencing may be required.
- 4) Specific buffering measures shall be determined through the site plan review and approval process in accordance with the *Site Plan Rules and Regulations*.

- c. Building and Site Design - Building renovations, new construction and site improvements shall be designed to reflect the residential character of the neighborhood-exhibit qualities of New England residential architectural styles to the maximum extent practical which shall be determined through the site plan review and approval process-

And to amend the Medway Zoning Map by rezoning the following parcels from Agricultural Residential II District zoning to Business Transition District zoning as shown on a map on file with the Town Clerk:

- 1.38 acre parcel at 32 Summer Street (Berry's Greenhouse) - Medway Assessor's parcel 56-041
- .09 acre parcel at 37 Summer Street (Alexander) - Medway Assessor's parcel 56-017
- .67 acre parcel at 35 Summer Street (Alexander) - Medway Assessor's parcel 56-018
- .42 acre parcel at 33 Summer Street (Notturmo) - Medway Assessor's parcel 56-019
- .34 acre parcel at 31 Summer Street (PMAM Group LLC) - Medway Assessor's parcel 56-020
- 1.25 acre parcel at 38 Milford Street (Buchmiller & Mahaney) - Medway Assessor's parcel 46-048

And to amend SECTION IV. DISTRICTS by adding Business Transition to the list of Medway zoning districts.

And to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD**

**REVISED DRAFT – 3-2-2015**

ARTICLE : To amend the Medway Zoning Bylaw by adding a new Sub-Section DD. Multifamily Housing to SECTION V. USE REGULATIONS as follows:

**DD. Multifamily Housing**

1. Purpose: The purpose of this sub-section is to further the goals of the Medway Master Plan and the Medway Housing Production Plan to encourage the provision of a diversity of housing types, to promote pedestrian oriented development, and to increase the number of affordable housing units by establishing a special permit option to allow for the development of Multifamily Dwellings or Apartment Houses, and Multifamily Developments within the capacities of existing Town utilities and services.
2. Applicability:
  - a) The Planning and Economic Development Board may grant a Multifamily Housing special permit for a Multifamily Dwelling or Apartment House, and/or a Multifamily Development on a tract of land within the AR-I, AR-II, Commercial III or Commercial IV zoning districts whether on one parcel or a set of contiguous parcels, with a minimum of fifty feet of frontage on an existing street located within the Multifamily Housing Overlay District as shown on a map on file with the Medway Town Clerk. The street shall, in the opinion of the Planning and Economic Development Board, have sufficient capacity to accommodate the projected additional traffic flow from the development.
  - b) Tracts of land within residential subdivisions approved and constructed under the Subdivision Control Law since September 29, 1952 or granted a special permit under the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section T (Open Space Residential Development) or Sub-Section U (Adult Retirement Community Overlay District) shall not be eligible for a special permit under this Sub-Section.
  - c) Multifamily Dwellings or Apartment Houses and Multifamily Developments within the Adaptive Use Overlay District must comply with the Medway Zoning bylaw, SECTION V. USE REGULATIONS, Sub-Section W. Adaptive Use Overlay District, Paragraph 5. Adaptive Use Special Permit Site Development Standards.
  - d) These provisions apply to the following:
    - 1) The alteration/rehabilitation and conversion/adaptive reuse of existing buildings
    - 2) Construction of new buildings or additions to existing buildings.
3. Dimensional Regulations
  - a) The minimum dimensional requirements for area and setbacks shall be the same as for the underlying zoning district in which the parcel is located. However, the Planning and Economic Development Board may adjust these dimensional requirements by a four-fifths vote if, in its opinion, such adjustment will result in a

more desirable design of the development or provide enhanced buffering for adjacent residential properties.

- b) Legally pre-existing nonconforming buildings shall be eligible for a Multifamily Housing special permit provided there is no increase in any dimensional nonconformity or the creation of a new nonconformity, and the applicant can demonstrate compliance with the parking and open space requirements of this section.
- c) Maximum building height: 2.5 stories or 40'

4. Density Regulations - The density of a Multifamily Dwelling or Apartment House, and a Multifamily Development shall not exceed twelve dwelling units per acre or portions thereof, except that the Planning and Economic Development Board may grant a density bonus for one or more of the following:

- a) + one unit when the project involves the rehabilitation/adaptive reuse of an existing structure at least seventy-five years of age and is completed in a manner that preserves and/or enhances the exterior architectural features of the building;
- b) + one unit for each three thousand sq. ft. of existing interior finished space that is substantially rehabilitated in accordance with the Board's *Multifamily Housing Rules and Regulations*.
- c) + two units when twenty-five percent of the dwelling units are designated as affordable independent of the provisions of the Medway Zoning Bylaw, SECTION V. Use Regulations, Sub-Section X. Affordable Housing.

In no case shall total density, including bonus units, exceed twenty dwelling units per acres.

5. Special Regulations

- a) Affordable Housing Requirement: Projects approved pursuant to this Sub-Section shall comply with:
  - 1) the Town's Affordable Housing requirements as specified in the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section X. Affordable Housing;
  - 2) the Massachusetts Department of Housing and Community Development (DHCD)'s Local Initiative Program (LIP) Guidelines, July 1996, as may be amended; and
  - 3) the requirement that the average bedroom count of a Multifamily Dwelling or Apartment House or a Multifamily Development shall not exceed two per unit.
- b) Open Space: There shall be an open space or yard area equal to at least fifteen percent of the parcel(s) total area. This area shall be unpaved and may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area shall not be built upon but may include a play area.

- c) Parking: At least one and one-half off-street parking spaces shall be provided for each dwelling unit plus one additional visitor parking space for every two dwelling units.
  - d) There shall be Town water and sewer available in the street on which the Multifamily Dwelling or Apartment House or Multifamily Development has its frontage and said water and sewer lines shall have sufficient capacity to accommodate the project.
  - e) A Multifamily Dwelling or Apartment House shall not contain more than twelve dwelling units.
  - f) Any Multifamily Development shall not exceed forty dwelling units.
6. Rules and Regulations: The Planning and Economic Development Board shall adopt *Multifamily Housing Rules and Regulations* which shall include application submittal requirements, public hearing and review procedures, and site development and design standards including but not limited to landscaping, buffering, lighting, building style, pedestrian access, off-street parking, utilities, and waste disposal.
7. Development Limitation: The maximum number of Multifamily Dwelling units authorized pursuant to this sub-section shall not exceed five percent of the number of detached single-family dwellings located in the Town of Medway, as determined by the Board of Assessors.
8. Special Permit Procedures:
- a) The special permit application, public hearing, and decision procedures shall be in accordance with this Sub-Section, the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations*, and the Medway Zoning Bylaw, SECTION V. Use Regulations, Sub-Section C. Site Plan Review and Approval.
  - b) Application Requirements. The Applicant shall submit a Multifamily Housing special permit application together with the size, form, number, and contents of the required plans and any supplemental information as required in the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations*.
  - c) The special permit review of Multifamily Dwelling or Apartment Houses, and Multifamily Developments shall incorporate site plan review pursuant to the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section C. Site Plan Review and Approval.
9. Decision: The Planning and Economic Development Board may grant a Multifamily Housing special permit with any conditions, safeguards, and limitations necessary to mitigate the project's impact on the surrounding area and to ensure compliance with this Sub-Section and the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section C. Site Plan Review and Approval, upon finding that the Multifamily Dwelling or Apartment House, or the Multifamily Development will:

- a) meet the purposes and requirements of this Sub-Section, and the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations* and *Site Plan Rules and Regulations*;
- b) is consistent with the goals of the Medway Master Plan and the Medway Housing Production Plan;
- c) not have a detrimental impact on abutting properties and adjacent neighborhoods or such impacts are adequately mitigated;
- d) provide for greater variety and type of housing stock.

And to amend SECTION II DEFINITIONS by inserting the following definition in alphabetical order:

**Multifamily Development** – A residential development of more than one building comprised of multifamily dwellings and which may also include one single family house and one or more two family houses.

And to amend SECTION IV. DISTRICTS by inserting Multifamily Overlay District to the list of overlay districts;

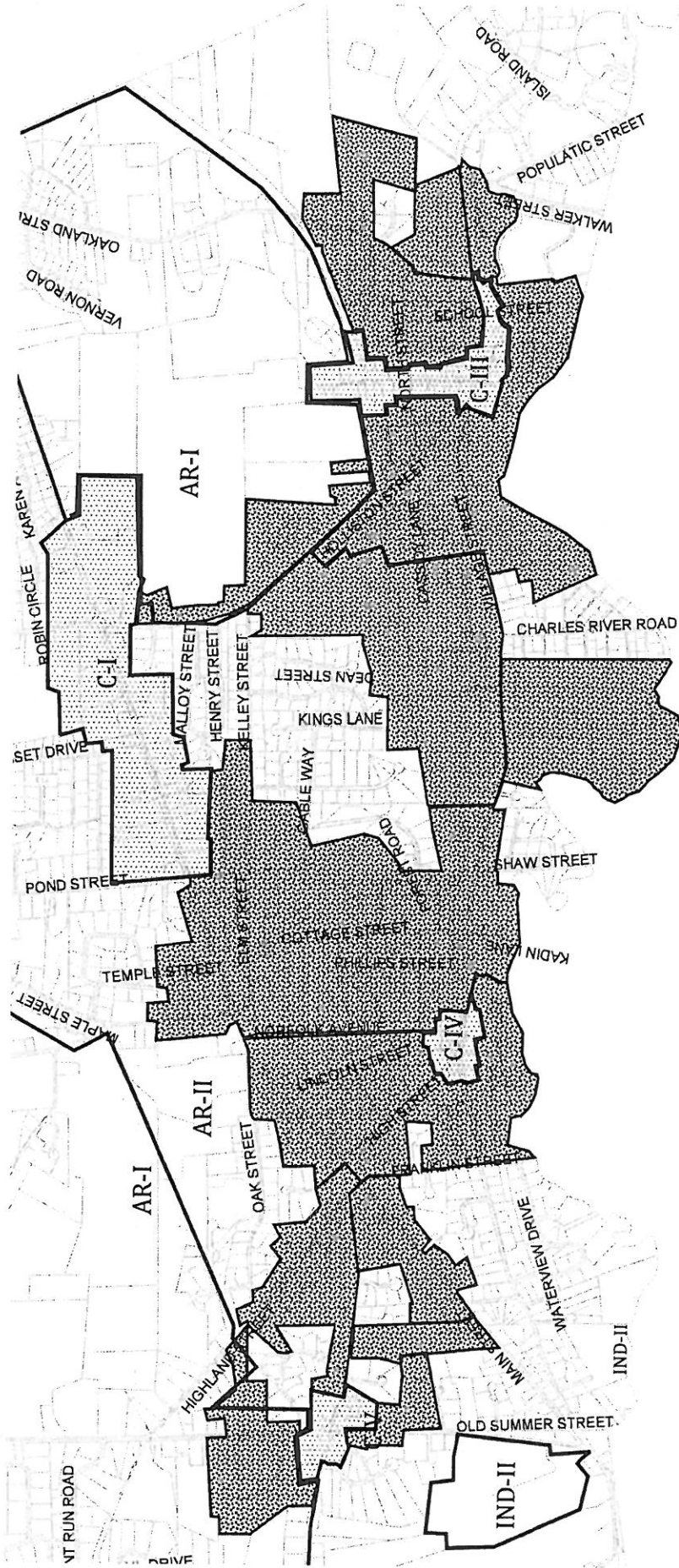
And to amend the Medway Zoning Map to include the Multifamily Housing Overlay District as shown on a map on file with the Medway Town Clerk;

Or to act in any manner relating thereto:




Planning and Economic Development Board  
Affordable Housing Trust  
Affordable Housing Committee



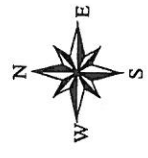
# Potential Multi-family Development Overlay District



**Legend**

-  Potential Multifamily Overlay District
-  Zoning Districts
-  Commercial Districts

**DRAFT**  
3/3/15



Prepared for:  
Medway Planning and  
Economic Development Board

Prepared by:  
PGC Associates, Inc.  
Franklin, MA





**TOWN OF MEDWAY**  
Affordable Housing Trust

Ann Sherry, *AHT Chair* - Douglas Havens, *Community Housing Coordinator*

2/25/15

Andy Rodenhiser, Chair  
Planning and Economic Development Board\  
Town of Medway

Re: Proposed Multifamily Zoning Bylaw

Dear Chair:

At a duly assembled meeting conducted at the Medway Senior Center on the evening of February 19, 2015, the Affordable Housing Trust voted unanimously to endorse the efforts of your Board to establish the ability of property owners and developers to create multi-family housing by special permit.

Based on the concurrently available version of the bylaw, our two bodies specifically appreciate and support the rational and measured approach in location and scale of multi-family creation as delineated in the plan. Further, we heartily commend the 25% inclusion of affordable units as a density bonus. We note especially that in the instance of rental unit development this ratio not only triggers inclusion of 100% of the project's units in the Department of Housing and Community Development's Subsidize Housing Inventory but also it signals sincere intent to meet the production challenges embodied in MGL 40B.

In consideration of these and other aspects of the draft so closely aligned with both the Town's Master and Housing Production Plans, the expressed goals of the Commonwealth's housing agencies and our own perception of a pressing need for such housing by working, start-up and downsized households, we wholeheartedly recommend inclusion of the Article at Town Meeting and encourage its passage by Medway residents.

With sincere regard,

Ann Sherry, Chair  
Medway Affordable Housing Trust

Cc: Dennis Crowley – Chair, Board of Selectmen; Michael Boynton – Town Administrator



**TOWN OF MEDWAY**  
Affordable Housing Trust

Ann Sherry, *AHT Chair* - Douglas Havens, *Community Housing Coordinator*

3/10/15

Andy Rodenhiser, Chair  
Planning and Economic Development Board  
Town of Medway

Re: Point of concern with proposed Multifamily Zoning Bylaw

Dear Chair:

While the Medway affordable Housing Trust remains fully supportive of efforts to implement *multifamily zoning in Medway*, it has come to our attention that clause 5. a) 3) limiting average bedroom count to two per unit may be found discriminatory toward larger households in violation of Federal Fair Housing laws. Further, it may contradict the intent of the 1/17/14 Interagency Agreement Regarding Housing Opportunities for Families with Children, thereby threatening eligibility of a special permitted, 40B multifamily project to receive the state or federal funding. Such contributions are vital to the economic feasibility of smaller-scale, low and moderate income housing production.

In light of this discovery, the Board of Trustees, duly assembled on 3/5/15, voted unanimously in support of legal review of the provision in question and the subsequent undertaking of any remedy necessary to allay our concerns.

With sincere regard,

Ann Sherry, Chair  
Medway Affordable Housing Trust

Cc: Dennis Crowley – Chair, Board of Selectmen; Michael Boynton – Town Administrator

## Susan Affleck-Childs

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**From:** Laura Shufelt <LShufelt@mhp.net>  
**Sent:** Wednesday, March 11, 2015 3:23 PM  
**To:** Susan Affleck-Childs  
**Cc:** Susan Connelly; 'Alison Slack'; Rita Farrell  
**Subject:** RE: Norfolk Court Case

Hi Susy,

After checking with Norfolk staff, I found that Norfolk did not receive an official letter as I had been told, but rather a phone call to the Town Attorney advising that a bedroom cap was not good zoning language.

The language proposed in Medway's zoning overlay district limiting the bedroom composition to an average of two bedrooms raises Fair Housing concerns. The effect (and presumably the purpose) would be to limit the number of children in any development in the district. As you know, families with children are a protected class in fair housing law so by limiting the bedroom size, the effect of the zoning could be discriminatory.

The other areas of concern: limits on building height, number of units per building, and total number of units; are not concerns of violating law, but rather of affecting the financial feasibility of using the overlay district. These restrictions have not been tested to see if a development could be financially viable if imposed. The fewer the restrictions, the more flexible and creative a developer can be.

If you have questions or need further clarification, please don't hesitate to call.  
Thanks,

Laura

Laura F. Shufelt  
Community Assistance Manager  
**MASSACHUSETTS HOUSING PARTNERSHIP**  
160 Federal Street | Boston | MA | 02110  
617.330.9944 Ext. 292  
617.330.1919 fax  
508 221-5364 cell

*Finance your affordable housing property with [MHP](#)*

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**From:** Susan Affleck-Childs [mailto:sachilds@townofmedway.org]  
**Sent:** Monday, March 09, 2015 4:38 PM  
**To:** Laura Shufelt  
**Subject:** Norfolk Court Case

Hi Laura,

Hope you had a wonderful wedding weekend.

When you can, could you please send me the info on the Norfolk case you mentioned? I believe you indicated that the AG's office had thrown out a zoning bylaw amendment that provided for a limit of 2 bedrooms.

Thanks.

Susy Affleck-Childs

Susan E. Affleck-Childs  
Medway Planning and Economic Development Coordinator  
508-533-3291  
155 Village Street  
Medway, MA 02053

Town of Medway – *A Massachusetts Green Community*

*Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.*

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## INFO on EXISTING MULTIFAMILY HOUSING IN MEDWAY (sac – 2/5/15)

### **53 Main Street – Brick House (apartments)**

32 units (31 one-bedroom and 1 efficiency)  
2.2 acres  
14.5 units/acre

### **14 Mechanic ST - at corner with Oak Street (apartments)**

12 units in 2 buildings (10 two bedroom and 2 one-bedrooms)  
1.6 acres  
7.5 units/acre

### **7 & 9 Cottage Street (apartments)**

20 units total in 4 buildings  
Combined 2.4 acres  
8.3 units/acre

### **Kenney Drive (MHA Senior Housing)**

27 apartments in 5 buildings  
5 acres  
5.4 units/acre

### **Lovering Heights (MHA Senior Housing)**

60 apartments (5 buildings)  
2.78 acres  
21.6 units/acre

### **Colonial Park/Heritage Drive – off of Lovering Street (condos)**

20 townhouses in 4 buildings  
Approximately 3 acres  
6.7 units/acre

### **Woodside Condos/Kingson Lane (condos)**

52 townhouses in 9 buildings  
12.48 acres  
4.2 units/acre

### **Anderson Village (Condos)**

20 apartments (ranging in size from 827 sq. ft. to 1113 sq. ft.)  
1.7 acres  
11.7 units/acre

### **Sanford Mill (Condos)**

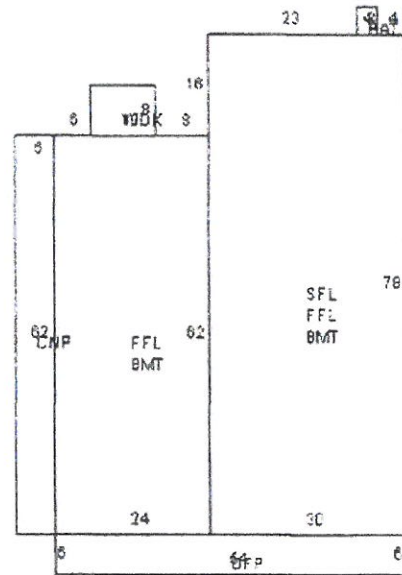
69 apartments  
3.2 acres  
21.6 units/acre

### **Pine Ridge (Condos)**

20 townhouses in 5 buildings  
6.74 acres  
3 units/acre

### **Williamsburg (Condos)**

18 townhouses in 9 duplex buildings  
5.2 acres  
3.5 units/acre



The perception of density can be greatly affected by design. The bleakness and sense of crowding often associated with higher density stems from homogeneity of multiple structures and lack of green space.

The building shown above, located on .65 acre, has 6,480 sf of usable space on the 1<sup>st</sup> and 2<sup>nd</sup> floors. Currently, the basement has 3,000 sf of finished space. Conceivably, the 3<sup>rd</sup> floor could yield 800 sf of space with the use of dormers, and a 2<sup>nd</sup> story over the 1 story addition could yield 1,488 sf of space. (N.B. All measurements are approximate.) These calculations yield the following template for usable space:

Location	Status	SF	Running Total SF
Basement	Finished	3,000	3,000
1 <sup>st</sup> Floor	Finished	3,984	6,984
2 <sup>nd</sup> Floor	Finished	2,496	9,480
2 <sup>nd</sup> Floor Addition	Possible	1,488	10,968
3 <sup>rd</sup> Floor Use	Possible	800	11,768

The table below represents one possible schema for re-purposing of the building, using current DHCD standards for minimal unit size, demonstrating an accommodation of a density of 10 units/.6 acre on the existing footprint without grossly modifying street view of the existing structure.

Unit Size	SF/Unit	# Of Units	SF/ Unit Size
1 Bedroom, 1 Bath	700	2	1,400
2 Bedroom, 1 Bath	900	6	5,400
3 Bedroom, 1 Bath	1,200	2	2,400
TOTALS	-	10	9,200

The reduction of the plot-sized parking lot to 15 parking spaces allows ample room for a new entryway/stairwell/elevator addition with a nominal footprint (~600 sf) and considerable green space for activities and landscaping. The new space would allow for common space, private storage and utilities within the original structure.

The density of this configuration of units on this plot would be just under 17 units/acre.



## Susan Affleck-Childs

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**From:** Stephanie Mercandetti  
**Sent:** Monday, March 30, 2015 5:01 PM  
**To:** Susan Affleck-Childs  
**Subject:** FW: Zoning Bylaw Proposals and Master Plan Goals/Implementation Actions

Stephanie A. Mercandetti  
Director, Community & Economic Development  
Town of Medway  
155 Village Street  
Medway, MA 02053  
Ph: 508.321.4918  
Email: smercandetti@townofmedway.org

---

**From:** Stephanie Mercandetti  
**Sent:** Tuesday, March 24, 2015 1:45 PM  
**To:** 'andyrodenhiser@gmail.com'; Andy Rodenhiser  
**Subject:** Zoning Bylaw Proposals and Master Plan Goals/Implementation Actions

Good afternoon Andy,

At your request, you asked that I review the 2009 Master Plan to see the goals and implementation actions that may be met through adoption of the both the business transition and multi-family zoning proposals. Here is what I found:

1). How does the proposed Business Transition bylaw meet the goals and implementation actions of the 2009 Master Plan?

### Land Use

- *Goal 1. Provide growth options that encourage optimal land use and aquifer preservation*
  - Rezone parcels for optimal use and Town benefit (tax revenue, or preservation) Priority = 2
  
- *Goal 2. Encourage Commercial/Industrial Development*
  - Amend the Zoning Bylaw to create a transitional use zone to buffer residential uses from business uses by allowing non-residential uses, such as professional offices, in buildings which maintain a residential appearance, provide adequate buffering for parking and traffic. Priority = 6
  - Rezone portions of Rte. 109 near Millis, at the intersection of Rte. 126, along Village St. near the Police Station, and at the intersection of Clark St., for professional office space, with a residential appearance. Priority = 4 [to a lesser extent; not exactly at intersection with the parcels subject to rezoning]
  - Amend the Zoning Bylaw to create new zoning classifications for office space and light industry. Priority = 5 [to a lesser extent]

### Natural and Cultural Resources

- *Goal 3: Implement Sustainable Energy Practices and Environmentally Sound Guidelines*
  - Zone the Town's village centers to encourage development practices based on Smart Growth, pedestrian and bike friendly communities while reducing the need for vehicular trips. Priority = 1

2.) How does the proposed Multi-family Overlay District bylaw meet the goals and implementation actions of the 2009 Master Plan?

### Affordable Housing

- *Goal 1: Identify Housing Needs*
  - Encourage private development of market and restricted affordable housing. Priority = 3
  
- *Goal 3: Identify Locations, Quantities, and Types of Housing*
  - Identify appropriate parcels for market and restricted affordable housing. Priority = 1
  - Purchase land for open space/restricted affordable housing combination. Priority = 2
  
- *Goal 4: Amend Zoning Bylaw to Encourage Market and Restricted Affordable Development*
  - Adopt provisions for the development of multi-family housing in appropriate locations. Priority = 5

### Land Use

- *Goal 1. Provide growth options that encourage optimal land use and aquifer preservation*
  - Direct residential development near established C1 district and encourage higher density. Priority = 2

I did find a couple of excerpts in the text of the Master Plan if that would be helpful, let me know and I will forward.

Thanks,  
Steph

Stephanie A. Mercandetti  
Director, Community & Economic Development  
Town of Medway  
155 Village Street  
Medway, MA 02053  
Ph: 508.321.4918  
Email: [smercandetti@townofmedway.org](mailto:smercandetti@townofmedway.org)

ARTICLE : (Zoning Bylaw Recodification)

To see if the Town will vote to adopt a comprehensive recodification of the Medway Zoning Bylaw as presented in a proposed version on file with the Medway Town Clerk and with the office of the Planning and Economic Development Board and also posted at the Planning and Economic Development Board page at the Town of Medway web site.

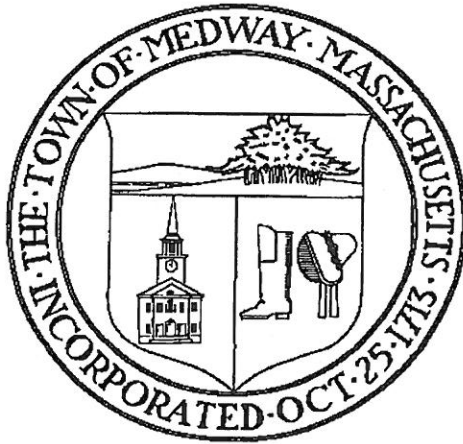
The proposed recodification includes but is not limited to:

- A. re-organizing, re-positioning, re-captioning and re-numbering of the Zoning Bylaw;
- B. creating a Table of Uses which generally reflects the current use provisions;
- C. adding definitions to define various uses in the Table of Uses;
- D. creating a Table of Dimensional and Density Regulations which generally reflects the current provisions;
- E. making revisions to the nonconformities language to bring it into conformance with current law;
- F. eliminating redundant or unnecessary provisions regarding content of applications, review procedures, and enforcement;
- G. making housekeeping amendments such as eliminating numbers in parentheses that are already spelled out; correcting spelling, typographical and grammatical errors; eliminating or updating outdated statutory or other references; and deleting wording that repeats provisions of state law;
- H. revising the section on fines and enforcement; and
- I. making other needed amendments for clarification and consistency.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

# TOWN OF MEDWAY MASSACHUSETTS



## PROPOSED RECODIFIED ZONING BYLAW

*DRAFT – February 25, 2015*

### **Medway Planning & Economic Development Board**

*Andy Rodenhiser, Chairman*  
*Robert K. Tucker, Vice-Chairman*  
*Thomas A. Gay, Clerk*  
*Matthew J. Hayes, P.E.*  
*Karyl Spiller-Walsh*  
*Richard Di Iulio, Associate Member*

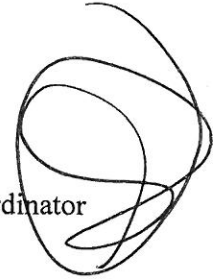


**TOWN OF MEDWAY**  
**Planning & Economic Development**  
155 Village Street  
Medway, Massachusetts 02053

**MEMORANDUM**

March 4, 2015

TO: Michael Boynton, Town Administrator  
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator  
RE: Zoning Bylaw Enforcement



At the March 2, 2015 BOS meeting, a question was raised as to how the enforcement provisions of the proposed recodified zoning bylaw compare to the existing.

See information below.

---

**EXISTING Zoning Bylaw Provisions**

**C. BYLAW ENFORCEMENT**

1. This Bylaw shall be enforced by the Inspector of Building/Local Inspector.
2. Any person violating any provision of this Bylaw shall be subject to the following:

Maximum fine allowed: \$100.00

Fine Schedule:

First Offense: Warning  
Second Offense: \$ 25.00  
Third Offense: \$ 50.00  
Fourth and each subsequent offense: \$100.00  
Maximum/per day/per violation.

---

**PROPOSED Recodified Zoning Bylaw Provisions**

**3.1. ENFORCEMENT, VIOLATIONS, AND PENALTIES**

A. The Building Inspector appointed under the provisions of G.L. c. 143 is hereby designated and authorized as the officer charged with the interpretation and enforcement of this Zoning Bylaw.

B. It shall be unlawful for any owner or person to erect, construct, reconstruct, convert, or alter a structure, or change the use, increase the intensity of use, or extend or displace the use of any structure or lot without applying for and receiving from the Building Inspector the required permit therefore.

C. No premises, and no building erected, altered, or in any way changed as to construction or use under a permit or otherwise, shall be occupied or used without a certificate of occupancy issued by the Building Inspector. Such permit shall not be issued until the premises, structure, and its uses and accessory uses comply in all respects with this Zoning Bylaw, and if applicable, a site plan certificate of completion shall be issued.

D. Enforcement.

1. Any person may file a written request to the Building Inspector for enforcement of this Zoning Bylaw with reference to an alleged violation. If upon investigation and inspection the Building Inspector finds evidence of such violation, he shall give notice thereof in writing to the owner and occupant of said premises and demand that such violation be abated within such time as the Building Inspector deems reasonable. Such notice and demand may be given by mail, addressed to the owner at his address as it then appears on the records of the Board of Assessors and to the occupant at the address of the premises.

2. If after such notice and demand the violation has not been abated within the time specified therein, the Building Inspector shall institute appropriate action or proceedings in the name of the Town of Medway to prevent, correct, restrain or abate such violation of this Zoning Bylaw.

3. If the Building Inspector determines that there is no violation, he shall give written notice of his decision to the complaining person within fourteen days after the receipt of such request.

E. Appeal. An appeal to the Board of Appeals may be taken by any person aggrieved by reason of inability to obtain a permit or enforcement action from the Building Inspector, as provided in G.L. c. 40A, § 8, as amended.

F. Penalty

1. Anyone who violates a provision of this Zoning Bylaw, or any condition of a variance, site plan review decision or special permit, shall be punishable by a fine of not more than three hundred dollars for each offense. Each day during which any portion of a violation continues shall constitute a separate offense.

2. As an alternative means of enforcement, the Building Inspector may impose noncriminal penalties pursuant to G.L. c. 40, § 21D and Article XX of the Town's General Bylaws, in accordance with the following schedule:

- a. First offense: warning (verbal or written)
- b. Second offense: one hundred dollars
- c. Third offense: two hundred dollars
- d. Fourth and each subsequent offense per violation: three hundred dollars

The image shows several handwritten signatures and initials in black ink. On the left, there is a signature that appears to be "Wendell" enclosed in a hand-drawn oval. To its right, there are several other signatures and initials, including one that looks like "J. J. J." and another that looks like "J. J. J." with a long horizontal line extending to the right.

## Susan Affleck-Childs

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**From:** Jim Wieler <jimwieler@gmail.com>  
**Sent:** Thursday, March 19, 2015 10:59 AM  
**To:** Susan Affleck-Childs; Stephanie Mercandetti; Andy Rodenhiser; Matt Buckley  
**Subject:** PEDB/DRC Meeting followup

Thank you all for bring me up to speed and attending the joint meeting of the PEDB and DRC. The dialog was very helpful and several very good ideas for change were discussed. Please share this with your committee and board members. The following are my findings and recommendations based on interviews with applicants, Medway Business Council members, and your board/committee. I'm willing to help in fulfilling the actions below and can facilitate another meeting in the coming weeks.

### Findings:

- There are a number of communication barriers that exist between the PEDB and DRC and with applicants as well. More verbal members may be intimidating other members and applicants.
- Communication between the PEDB and DRC needs to occur at member level, not just between the liaison and Committee/Board Chairs.
- Roles within the board and committee should be changed periodically
- PEDB needs to share more information such as site plan review schedules with DRC membership
- Trust between the PEDB and DRC has to be re-established and maintained.
- A defined process needs to be developed jointly to define the roles, responsibilities and deliverables between the board and committee.
- A plan for Town organization and community outreach is needed to inform businesses and applicants of the roles and responsibilities of the PEDB and DRC

### Recommended Actions:

1) Form a Process Working Group with a few PEDB and DRC members to establish processes for PEDB/DRC interaction and DRC reviews.

Responsible Party: Chairmen, Due date: April

2) DRC and PEDB should work together on Design Guidelines and both organizations need to take ownership of the document.

Responsible Party: Chairmen, Due date: June

3) Roles within the board and committee should be examined and changed.



Responsible Party: Chairmen, Due date: May-June

4) PEDB should immediately start sharing information with entire DRC membership.

Responsible Party: Susy, Due date: ongoing

5) PEDB/DRC should create an outreach plan/pamphlet that informs Town boards and committees, and the Medway Business council of the role the DRC and PEDB have in sign approval and site planning.

Responsible Party: Chairmen, Due date: June

6) Members should not interrupt fellow members and supportive language and active listening skills should be encouraged. Although members may disagree, all shall be treated with respect, courtesy and professionalism.

Responsible Party: All, Chairs to monitor, Due date: ongoing

7) Applicants shall be treated with respect, courtesy and professionalism.

Responsible Party; All, Chairs to monitor, Due date: ongoing

Respectfully,

Jim Wieler  
508 254-2398

## Design Review Guidelines Update - Schedule

Consultant Tasks		DRC/PEDB Tasks	Notes/Dates
<b>TASK 1 - Project Initiation</b>			
	Kickoff meeting with Town staff and the chairs of the Planning and Economic Development Board and the Design Review Committee to review scope of work, schedule, issues, milestones and deliverables. Also Town Administrator Michael Boynton		
1A.	Review Medway's existing planning documents (2009 Master Plan, Zoning Bylaw, Site Plan Rules and Regulations, and the Design Review Guidelines).		Tuesday April 8th
1B.			
<b>TASK 2 - Guidelines Review and Recommendations</b>			
2A.	Review Medway's current Design Review Guidelines and prepare a red-lined version to identify areas needing further clarification/discussion/refinement and possible new sections.	Review Medway's current Design Review Guidelines and prepare a red-lined version to identify areas needing further clarification, discussion, refinement and possible new sections.	DRC members have been asked to complete this by 3/23; Tom Gay has provided his marked up version. The rest of the PEDB needs to complete this task.
2B. 1.	Hold a joint meeting of the Board, DRC and Design Guidelines Update Task Force to have a substantive discussion of the red-lined version noted in Task C. Determine overall direction/scope and design format/layout for the revised Guidelines. * Note – The Cecil Group's proposal limits this mtg to DRC and PEDB chairs. This needs to be addressed.		April 13 or April 27th?
2B. 2.	Hold at least 3 listening/work sessions with the DRC Design Guidelines Update Task Force to develop new language, outline proposed images and illustration needs for satisfactory document completion including usage rights and related issues.		

2C.	Prepare a draft document and circulate for review.	
<b>FINAL DOCUMENTATION</b>		
3A.	<p>Conduct a joint meeting with the Board, DRC and the Design Guidelines Update Task Force to review and discuss first draft.</p> <p>* Note – The Cecil Group’s proposal limits this mtg to DRC and PEDB chairs. This needs to be addressed.</p>	
3B.	<p>Revise draft document based on comments received during Task 3A.</p>	
3C.	<p>Meet again jointly with the Board, DRC and the Design Guidelines Update Task Force to review revised draft.</p> <p>* Note – The Cecil Group’s proposal limits this mtg to DRC and PEDB chairs. This needs to be addressed.</p>	
3D.	Finalize document based on comments from Task 3C.	
		3/20/2015

## Tri Valley Commons - DRAFT Public Hearing Schedule

REVISIED DRAFT - 3/20/2015	TASK	DATE	SAC STATUS NOTES as of 3-20-15
	Site Plan application filed with Town	Initial Date - 1/26/2015 Completed Date - 3/17/15	Application package is complete as of 3/17/15. The PEDB has 65 days to start a special permit public hearing (5-21-15). A <i>site plan</i> decision must be issued within 90 days (6-15-15) of the official date of submittal unless extended by mutual agreement of applicant and PEDB. The <i>special permit</i> decision must be issued within 90 days after the close of the public hearing.
	PEDB Establishes Plan Review Fees for Outside Consultants - PGC, Tetra Tech & GPI	2/10/2015	Done
	SAC prepares and emails Plan Review invoice to applicant	2/11/2015	Done - Applicant has paid all fees.
	SAC sets PH date	3/17/2015	PH to begin 4/14/15
	SAC files PH notice with Town Clerk	3/19/2015	Done
	Fran posts plan and all associated documents to the PEDB web page	3/20/2015	Done
	SAC prepares and emails legal ad to <i>Milford Daily News</i>	3/19/2015	Done
	SAC prepares PH abutter notification	3/19/2015	Done
	Fran compiles and sends PH notice to abutters	Week of 3/23/15	Scheduled for 3/23
	BOS Mtg - Authorize contract with GPI for traffic review services	3/16/2015	Done
	SAC authorizes consultants to begin plan review work	3/17/2015	Done

TASK	DATE	SAC STATUS NOTES as of 3-20-15
SAC distributes plans, etc. to Town staff, boards & committees and requests review comments.	3/20/2015	Done
DRC reviews site plan and building elevations	3/23/2015	Scheduled
DRC reviews site plan and building elevations	4/6/15	
PGC submits plan and zoning review letter to PEDB	4/9/2015	
Tetra Tech submits technical review letter to PEDB	4/9/2015	
DRC submits preliminary issues memo to PEDB	4/9/2015	
<b>PEDB Public Hearing #1 - Overview and Discussion of Stormwater</b>	4/14/2015	<b>REGULAR PEDB MEETING</b> - Applicant makes overview presentation focusing on differences between previous plan and this submittal. Discuss review letters from PGC, Tetra Tech and DRC. Identify issues/concerns needing attention and further discussion at future public hearings. Review Applicant's requests for waivers from <i>Site Plan Rules and Regs.</i>
DRC meets to develop its Letter of Recommendation to the PEDB	Tentative 4-20-15	Cannot meet at Library as it will be closed for Patriot's Day.
DRC submits its Letter of Recommendation to PEDB	4/23/2015	
<b>PEDB Public Hearing #2 - Site Design, Amenities, Landscaping, Site Circulation &amp; Building Design</b>	4/28/2015	<b>REGULAR PEDB MEETING</b> - Review and discuss DRC's Letter of Recommendation and other matters raised by PGC and TT
GPI submits its Traffic Review Letter to PEDB	TBD	
<b>PEDB Public Hearing #3 - Traffic Access and Route 109</b>	5/12/2015	<b>REGULAR PEDB MEETING</b> - Review and discuss GPI's review of Traffic Assessment Report

TASK	DATE	SAC STATUS NOTES as of 3-20-15
Applicant revises site plan based on input received from the 3 site plan public hearings & submits to PEDB	TBD	Uncertain how much time applicant will need to revise plans to address the consultant and DRC review letters and issues identified during the PH process.
SAC distributes revised plans, etc. to Town staff, boards & committees and requests review comments.	TBD	Within 2 days after applicant submits revised plans
<b>Deadline for PEDB action on site plan application (90 days after application is filed)</b>	<b>6/15/2015</b>	
PEDB consultants review revised plans and submit review letters to PEDB	TBD	Consultants need at least 2 weeks for review
DRC reviews revised plans	TBD	First DRC meeting after resubmittal
DRC prepares and submits its Letter of Recommendation to the PEDB	TBD	
<b>PEDB Public Hearing #4 - REVISED Plan</b>	TBD	<b>REGULAR PEDB MEETING</b> - Review/discuss revised Site Plan and review comments from consultants and DRC. Identify items to be included as conditions in the DRAFT decision.
SAC prepares DRAFT special permit and site plan decision to include waivers, plan revisions and other conditions.	TBD	
<b>PEDB Public Hearing #5 - Review and discuss DRAFT decision</b>	TBD	
<b>PEDB Public Hearing #6 - Finalize and vote decision</b>	TBD	
PEDB files decision within 14 days of its vote	TBD	
		Page 3 of 3
		3/20/2015

# TIMBER CREST ESTATES

## NARRATIVE DESCRIPTION OF DESIGN APPROACH

### **EXISTING SITE CONDITIONS:**

Timber Crest Estates is located in the northeasterly section of Medway. The site consists of an assemblage of 9 parcels of land totaling 163.1 acres. The site is bordered by residential areas along Winthrop Street to the west, Fairway Lane to the north, Holliston Street to the east and Fern Path to the South.

The site parcels are further identified on the Assessor Tax Maps as shown in Tab 2 §1.2 of the application binder.

The property is currently mostly wooded, except for a homesite at 102 Winthrop Street and along two utility easements running parallel to each other across the site. One of these easements is for underground natural gas mains for Algonquin Gas Transmission Company and the other is for overhead, electric power transmission lines belonging to Boston Edison. The site topography is relatively gently sloping, characterized by small hills and lower valleys where the wetlands are located.

The wetlands on the site have been delineated, and the wetland lines on the western portion of the site were recently approved by the Medway Conservation Commission, Tab 3 §2.4. The wetlands traverse the site, providing substantial open area. These wetlands drain off site to the northwest, northeast and southwest through different intermittent streams.

The site location is not within any mapped environmentally sensitive areas based on review of MassGIS data, except for one small vernal pool located in the northeast portion of the site. The site is not within any regulatory floodways (i.e., no 100-yr. floodplains), state-designated Outstanding Resource Waters, Areas of Critical Environmental Concern, Zone II of public wells or Zone A of public water supplies, or priority habitat of endangered or rare species as mapped by the MA Division of Fisheries and Wildlife.

Locus, aerial and neighborhood photos are included in the application binder Tab 3.

### **SITE DESIGN**

Timber Crest Estates is somewhat unique as it creates a planned unit development with two separate independent neighborhoods, which are bisected by wetlands and open space. The project consists of 192 housing units, including 76 single family homes on the west portion of the site and 116 condominiums (56 duplex buildings and 4 detached single-family units) on the east portion of the site. The site, as designed by Outback Engineering of Middleborough, MA, has a subdivision roadway entrance for the single family house lots off of Winthrop Street, directly opposite from Stephanie Road. The subdivision roadways loop through the western portion of the site, ending in a cul-de-sac with an emergency access provided to Ohlson Circle, across the property located at 13 Ohlson Circle and owned by Novus Homes LLC (a subsidiary company of Mounir M. Tayara, manager of Timber Crest, LLC). The subdivision lots will be serviced by a gravity sewer extension that will connect to the existing sewer manhole in Buttercup Lane (to be extended approximately 1,000 ft. along town ways to 13 Ohlson



Circle), except several lots near the Winthrop Street will have sewage pumps connected to the new gravity sewer. Town water mains are proposed to be extended by providing a connection between the existing mains in Winthrop Street and Ohlson Circle. Underground cable utilities and natural gas are also to be provided.

The eastern portion of the site containing the condominiums proposes a private roadway system that will connect Fairway Lane to the end of Fern Path. The condominiums will be serviced by a sewer extension that will connect to the existing sewer manhole in Fern Path, requiring a pump station that will be privately maintained by the condominium association to be created. Town water mains are proposed to be extended by providing a connection between the existing mains in Fairway Lane and Fern Path. Underground cable utilities and natural gas are also to be provided.

Several wetland crossings will be required to provide two access points for each portion of the development. Wetland replication areas will be provided at a ratio of 2:1.

The site design features sustainable development technologies to minimize the impact on the environment. It utilizes several low impact/sustainable development techniques in the site design and stormwater management including the following:

- Narrower roadways and short driveways,
- Stormwater retention areas to be designed may make use of roof drains, bioretention areas or rain gardens, grass swales and permeable pavement.
- Use of native plantings that are drought tolerant to minimize water dependence.

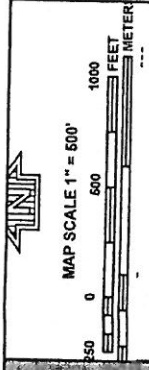
## ARCHITECTURAL DESIGN

The homes shall be wood-framed with exteriors having minimal maintenance and attractive designs to maximize the marketability and aesthetics of the development. Buyers will have flexibility in choosing from a variety of floor plans and elevations for both the condominium duplex and single family homes designs.

The developments architectural designs and building scale is compatible with the style of homes in the area. The height of the buildings being a maximum of two stories is compatible with the residential buildings in the area. Please refer to Tab 3 §2.3

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Total Acreage = 163.1 acres  
Wetlands = 83.45 acres  
Easements, etc = 12.29 acres  
Buildable = 71 ± acres



**NFIP**  
**NATIONAL FLOOD INSURANCE PROGRAM**

PANEL 0141E

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**NORFOLK COUNTY,**  
**MASSACHUSETTS**  
**(ALL JURISDICTIONS)**

PANEL 141 OF 130  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTRACT NUMBER: 250243  
 EFFECTIVE DATE: JULY 17, 2012

MAP NUMBER: 2502430141E  
 EFFECTIVE DATE: JULY 17, 2012

Federal Emergency Management Agency

Notes to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used when placing orders for the subject community.

- LEGEND**
- OTHER FLOOD AREAS**
  - ZONE X**
  - ZONE A**
  - ZONE B**
- Other Flood Areas: Areas of 2.5% annual chance flood, other than the project flood, which are shown on the map. These areas are shown with a light stippled pattern.
- Zone X: Areas of 1% annual chance flood, other than the project flood, which are shown on the map. These areas are shown with a medium stippled pattern.
- Zone A: Areas of 1% annual chance flood, other than the project flood, which are shown on the map. These areas are shown with a light stippled pattern.
- Zone B: Areas of 1% annual chance flood, other than the project flood, which are shown on the map. These areas are shown with a light stippled pattern.

