

Board Members

Andy Rodenhiser, Chair
Sarah Raposa, A.I.C.P.,
Vice-Chair
Timothy Harris, Clerk
Jessica Chabot, Member
John Parlee, Member
Alexandra Vinton,
Associate Member



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TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Meeting Minutes

Tuesday, March 12, 2024 @ 7:00 p.m.

Medway Town Hall, 155 Village Street, Medway, MA

	Andy Rodenhiser Chairperson	Sarah Raposa Vice Chairperson	Timothy Harris Clerk	Jessica Chabot	John Parlee	Sasha Vinton
Attendance	X	X	X	absent	X	X

Also in attendance:

Barbara J. Saint Andre, Director of Community and Economic Development (zoom)

Jeremy Thompson, Planning and Economic Development Coordinator

The Chair opened the meeting at 7:00 p.m. and announced that the meeting was being recorded by Medway Cable Access.

CITIZEN COMMENTS:

There were no citizen comments.

Public Hearing: Hill View Estates Subdivision:

The Board is in receipt of a request for continuation for Hill View Estates.

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to continue the hearing for Hill View Estates to March 26, 2024, at 7:30 p.m.

Public Hearing: Proposed Zoning Bylaw Amendments:

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to open the hearing and waive the public hearing notice for the proposed zoning bylaw amendments.

The Board introduced Judi Barrett of Barrett Planning Group located in Hingham. She has been hired to assist the Town of Medway with the MBTA Communities Law. She explained that Medway is considered an adjacent town, requiring a zoning district of at least 50 acres where multifamily housing is allowed by-right at a gross density of at least 15 units per acre.

The town has a deadline of December 31, 2024 to comply with the law. Ms. Barrett shared a slide showing a Town of Medway parcel map with the proposed zoning districts shaded in. She noted that the areas were run through the state's compliance model. The areas included a portion of 154 Summer Street and 33-39 Main Street. The next slide showed the dimensions and intensity of the proposed districts. The gross density for both sites was listed at 16 units per acre. Ms. Barrett explained that the gross density for both sites is slightly higher than the 15 units per acre prescribed by law because it is nearly mathematically impossible for proposed districts to conform to the exact specifications of the law. For the same reason, the unit yield across the two proposed designation areas is 769 units, instead of 750. Ms. Barrett also explained that each district is required to have a certain percentage of open space. Adoption of the zoning district needs to be voted at town meeting; if enacted, the proposed zoning will be sent to the Attorney General and Executive Office of Housing and Livable Communities (EOHLC) for review. The public was informed that the slide deck and all other informational materials related to the MBTA Communities Law and its impact on the Town of Medway is on the town website.

The hearing was opened to the public. Sanford Hall was filled with residents, including a few standees, and more than 30 people were participating via Zoom. Many of the residents spoke and asked questions. Michael Fahey, 208 Village St asked what are the implications if the Town does not pass this? The response was that the law requires designation of land for multi-family housing. If the Town does not pass this, it could lose out on funding and grant opportunities.

Steven Brody, 39 West Street, had a question about water and sewer supply needed for Summer Street. He also communicated that he believes 600 units would likely be constructed at this site. He thinks that other sites should have been looked at for consideration. The Board responded that they are comfortable with what has been designated. In response to Todd Allen, 9 Chestnut Street, the Board noted that some of the other areas that were looked at included West Street and Main Street parcels.

Norman Schneider of 187 Main Street, and John Maloney of 31 Lincoln Street and other residents asked if there has been an analysis of what could be lost if this is not passed, as well as any impacts on Town schools, DPW, fire, police, and other services. Is the cost of foregoing the future grant revenue equivalent or more than the costs due to impacts on services? The Board responded that there has been analysis on the amount the town could lose regarding grants. The state grant total for last years is over \$4 million. These grants were provided to planning, open space, DPW, police, fire and green communities. Consultant Barrett responded that there was a population study done. Population growth is expected to be modest over the next twenty-five years, but average household size has been steadily decreasing, demonstrating the need for more one- and two-bedroom dwellings. This is what is happening now in the State, there is a need for more housing.

Some residents were concerned with why the Board would revoke the existing multifamily housing bylaw. This will eliminate opportunities for those who may want to have multifamily. Barbara Saint Andre responded that the proposal to revoke the existing Multifamily Housing Overlay District will be

taken off the spring Town Meeting warrant, but that it may be included on the warrant at fall Town Meeting pending further review and feedback. In response to a question, it was also pointed out that, if the zoning does change, existing multi-family homes would be “grandfathered” in.

Jeff Hodges, Fuller Brook Road, and other residents asked if any of the units on Main Street will count toward the MBTA requirement. There was a comment that Main Street is busy enough and if there are more units, there will need to be a traffic light. Chair Rodenheiser indicated that the existing units on 39 Main Street don’t count towards the requirement because the law requires zoning capacity for 750 units, not a total of 750 constructed units. He stated that the likelihood of the apartment building being knocked down is slim, and shared general concerns about infrastructure.

Andrew Finnazo of 70 Village Street and other residents asked about the likelihood that these areas would be developed in future. The Board responded that this is about designation but does not require production. Any applicant would need to go through the planning, conservation and Board of Health requirements. Claudia Gatto of Legion Avenue asked what was the intent of the legislation, was it to encourage SMART growth for public transportation? The intent was to provide more housing near public transportation. Ms. Barrett clarified that adjacent communities are not required to zone their districts within a half mile of a transit station. Denise Legee of 19 Broad Acres commented that the Summer Street site is beautiful and there would be a lot of open space on this site and also there could be improvements to the rail trail to Holliston Street.

Caren Carew, 18 High Street, stated that there is a concern about the designated sites. The Town of Milton voted this down. The Town of Medway is highly residential but there is a concern that if this does not pass at town meeting the town will not be able to move forward on major projects throughout town. She is in favor of complying but is not happy the State has put us in this position. Tony Biocchi of 4 Kingson Lane communicated that the town will have another chance to present this if it fails at the spring Town meeting. The Board acknowledged that it will continue to educate the public regarding this law.

Dennis Crowley, 6 Hill Street, commented that he has spoken with Senate President Karen Spilka’s office about his questions. The town currently is near its sewer capacity and there is a sewer moratorium. He wishes that the state would allow the towns to handle this locally. The Board noted that the developer would need to address any sewer or water issues. This would not be up to the town to figure out.

Mr. Fahey suggested that the Town send a letter to the administration indicating that the town is not in support of this law. Norman Schneider, 187 Main Street, wanted to know who initiated the multi-family warrant? The Board initiated the warrant article but is recommending that it be taken off the warrant it be later addressed.

Mr. Crowley communicated that he is not happy with this mandate but there are many projects the town needs grant funding for. He indicated he will probably support this mandate but reluctantly.

On a motion made by Sarah Raposa, seconded by John Parlee, the Board voted unanimously (4-0) to remove from the MBTA Communities zoning warrant article the proposal to rescind the existing Multifamily Overlay District (MHOD).

Recommendation:

On a motion made by Sarah Raposa, seconded by John Parlee, the Board voted unanimously (4-0) to recommend Town Meeting approval of Articles A-G in the May 13, 2024, Town Meeting Warrant.

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to close the hearing.

Ms. Saint Andre informed the Board that as part of the Housing Choice law, zoning articles that promote housing production now only require a simple majority vote, instead of a two-thirds vote, so long as the proposed locations are deemed “eligible locations,” meaning they are proximate to a town center, commercial area, or transit hub. Ms. Saint spoke with town counsel and there is a concern that the Summer Street site may not meet the standard criteria of an eligible location. Ms. Raposa stated that there could be reasons to support a majority vote. The Town can submit a request for an advisory opinion from EOHLIC.

The Board was informed that the public hearing for the proposed Energy Resource District rezoning is on March 26, 2024.

Continuation Public Hearing – 56 Summer Street:

The hearing for 56 Summer Street was reopened. The Board was made aware that member Sarah Raposa signed the Mullin Rule Certification for the last meeting.

The Engineer for the project, Robert Murphy from Environmental Consulting was present. The locus plan was shown on the screen share. The Engineer noted that there was a meeting with some town staff. There was also an email from the Conservation Agent noting some items which still need to be addressed. The subsurface infiltration systems have been updated to show the maintenance access and culvert separator rows. All of the sizing calculations have been added to the Stormwater Report to show compliance with Mass. Department of Environmental Protection (DEP) requirements. The parcel next door which is also owned by the applicant is not part of this application, but drainage calculation are shown for that lot in an addendum to the plan in order to comply with Conservation Commission requirements. The Board was informed that there will now be a loop trail for passive recreation. The project has met the requirements for open space. There was a waiver requested from planting the number of trees required by the site plan regulations. Mr. Murphy stated that there is not enough room on site for the required amount of new trees. A suggestion was made that a payment in lieu of planting some of the trees can be made to the Town tree fund. The lighting plan has also been updated. The facades of the buildings have changed based on the recommendations of the Design Review Committee (DRC). The Board would like a letter from DRC. The quadplex was pivoted 180 degrees. Mr. Murphy reviewed the maintenance responsibilities for the stormwater system. This site will be changed from a Homeowner’s Association to a Condo Association. The vegetation on the walking trail was discussed. There will be crushed bark mulch added on trail. The staging area was shown on plan. The Board would like a written narrative clarifying the tree removal phases. The Engineer wanted to further discuss the waiver from the planting requirement of 380 trees across the project site and adjoining land in common ownership. There was discussion regarding where the tree line will be for Phase 1 and Phase 2. It was agreed that the applicant will submit a plan showing clearly the phases. There was a suggestion to not plant arbovitae

since the deer eat this type of tree. There was a screen share of the plants on the landscape plan. There will be more plants in the buffer. The applicant explained that they are proposing to plant some of the trees on the adjoining property as allowed by the site plan regulations. It was suggested that a monetary amount paid to the tree fund should be considered, this will be discussed more at the next meeting.

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to continue the hearing for 56 Summer Street to March 26, 2024 at 8:30 p.m.

Continuation Public Hearing Special Permit 39 Alder Street:

The Chair re-opened the public hearing for 39 Alder Street and read the public hearing notice: this is an application for major site plan review, Groundwater Protection District special permit, and special permit for construction equipment/machinery sales, leasing or rental, including construction of a new 12,054 square foot building.

The Engineer for the project, Rob Lussier from CMG, was present representing the applicant ETS Properties LLC. The scope of work has changed because ETS has decided not to use this site for its business, it will be leasing it to a tenant. The site is challenging to develop due to the Groundwater protection district and wetlands resource areas, and the applicant has been working with Conservation Commission on what could fit on this site. The new plan is less impactful on the adjacent resource areas as compared to what was previously submitted. The project is proposing to construct 9,600 square foot industrial steel building to be used for a wood framing and truss building company. Unlike the prior proposal, there will be no outdoor storage of equipment, onsite fueling, or indoor wash bay. This will no longer trigger a LUHPPL. The stormwater management system is mainly the same, but a rain garden has been added at the front of the site for the runoff from the front half of the metal roof to provide treatment, there will be filtration for the back half of the roof. They still need site plan approval and a Groundwater special permit because they are proposing more than 15% impervious (19%), but no longer need special permit for fuel storage or the use. Outdoor storage is allowed in this district, it will be behind the building. Updated architectural and landscape plans need to be provided.

The application will need to go to Conservation and also DRC for review of the landscape design. The applicant will provide a waiver request letter for the next meeting.

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to continue the hearing for 39 Alder Street to April 23, 2024, at 7:00 p.m.

Public Hearing –Definitive Subdivision Plan 37 Holliston Street:

The chair opened the public hearing for the Definitive Subdivision Plan for 37 Holliston Street and read the public hearing notice: this is an application for approval of a definitive subdivision plan for the subdivision of an existing lot and construction of a new single-family home:

Steven Balcewicz from Land Planning, Inc. represented the applicant. The application is proposing to divide the lot at 37 Holliston Street into two lots. Lot 1 is vacant and will meet current zoning requirements. Lot 2 has an existing house and received a frontage variance from the Zoning Board of Appeals for a reduction of frontage which allows for the current application. There was a screen share which reviewed the cover sheet and narrative. The application is also seeking a variety of waivers because there will be no road created, the lots have existing frontage on Holliston Street. This is within

the groundwater overlay district and will need a special permit from the Zoning Board of Appeals. The new house will be slab on grade and there will be an infiltration system for the roof runoff. There will be riprap provided at the end of the swale at Holliston Street. Land disturbance will be 18,750 square feet. Test pits showed groundwater at 4 feet where the stormwater system is proposed, there will be three-foot separation to groundwater for the infiltration unit. The existing swale will not be filled in.

There was a comment and email from Jeff Hodge, 4 Fuller Brook Road. He is concerned about the drainage ditch and its maintenance. Mr. Rodenhiser noted that there is a letter from DPW, which will require the applicant and the neighbor to obtain MS4 permits, with the conditions for maintenance of the swale going forward. Another concern was raised about the groundwater. Naomi Price of 33 Holliston Street currently has a sump pump which is draining from site, asked if the riprap slowing the water, and the roof runoff would raise the groundwater level. Mr. Balcewicz stated that it should not. The Conservation Commission and DPW are aware of this. The pipe from the sump pump will be moved further away from the street and will be addressing where this flow from a sump pump which is running all day should discharge. Ms. Price asked about the size of the proposed house, which is larger than other homes in the area. Mr. Balcewicz stated that this is because of the need to do slab on grade.

The Board informed the abutters that this will be sent to peer review to look at all the water flow concerns.

Peer Review Estimate:

The Board is in receipt of the peer review estimate for 37 Holliston Street as prepared by Tetra Tech.

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to approve the peer review estimate for 37 Holliston Street in the amount of \$4,872.00.

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to continue the hearing to April 9, 2024, at 7:00 p.m.

Approval of Minutes: February 12, 2024

On a motion made by Sarah Raposa, seconded by Tim Harris, the Board voted unanimously (4-0) to approve the minutes from February 12, 2024.

General Business:

- The SWAP legislative breakfast at the Thayer House has been postponed to May 10, 2024.

Adjourn:

On a motion made by Tim Harris, seconded by Sarah Raposa, the Board voted unanimously (4-0) to adjourn the meeting at 10:15 p.m.

Respectfully Submitted,
Amy Sutherland
Recording Secretary

Edited by
Barbara J. Saint Andre
Director, Community and Economic Development

List of Documents Reviewed at Meeting

1. Barrett Planning Group Power Point Presentation
2. 56 Summer Street plans latest revision date 2.26.2024
3. 39 Alder Street plan
4. 37 Holliston Street plan
5. Comments received in zoom chat feature

From: [Barbara Saint Andre](#)
To: [Shannon Reeve](#)
Subject: FW: [External] Planning Board Chat 3/12
Date: Wednesday, April 10, 2024 8:27:02 AM

From: David Scanlon <david@medwaycable.com>
Sent: Tuesday, March 12, 2024 10:19 PM
To: Jeremy Thompson <jthompson@townofmedway.org>; Barbara Saint Andre <bsaintandre@townofmedway.org>
Subject: [External] Planning Board Chat 3/12

19:18:04 From John M to Everyone:

Does existing housing complexes count towards being in compliance? The examples you used (Sanford Mill, The apartment complex on West) and how about the new aptmnts on Main Street?

19:23:04 From Karen Nowicki to Everyone:

There is no sewer

19:28:50 From John M to Everyone:

750 units X 3 (average) people per unit = 2250 more people. What is the additional cost to the town per person per year for or town services for 2250 more people? Does that cost outweigh the loss of grant money?

19:36:11 From Amy Ribao to Everyone:

Could you repeat the audience questions for those on zoom before answering?

20:03:18 From John M to Everyone:

Mrs. Carew, In my opinion the development you fought against on High Street will be going in for sure with this.

20:13:32 From Maria Varrichione to Everyone:

Replying to "750 units X 3 (avera..."

I believe there's also a risk of being sued by the state for non compliance. No easy way out of this.

20:27:42 From Caren Carew to Everyone:

John M- the development on High St is still in the works- it's not gone away. Either way something is going forward there.

21:47:05 From Tony to Everyone:

with reduced frontage how close to my front yard across the street will this dwelling be?

is it intended to be between 32A 34 or directly in front of either?

22:14:33 From Tony to Everyone:

thank u

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David Scanlon

Medway Cable Access

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