MEETING OF:
October 3, 2019
MINUTES

Members Present: Chair Sarah Lemke; Teresa James, Member; George Lester, Member; Jim Brand, Associate Member; Paul McKechnie, Member; Seth Meehan, Associate Member
Members Absent: Greg Sullivan, Member
Staff Present: Sarah Raposa, Town Planner; Marion Bonoldi, Recording Clerk
Others Present: Gus Murby, Bob Tormey, Kathleen Conroy, Scott McDermott, Martina Spitzer, H. Wayne Pueschel, Lucille Fisher, Sarah Byrne, Mark Cerel, Cynthia Massaro, Bill Massaro, Bob Sloney, Ken Kearney, Jean Mineo, Date Bazinet, Rich Callahan, Bill Hajjar, Siobhan Donovan, Rebecca Kornet, John Harney, Tracy Hogan, Gil Rodgers, Osler Peterson, Todd Trebuhenko, Michael Marcucci, Kathy McCabe
Location: Medfield Town House, Chenery Meeting Room, 2nd Floor

Chair Sarah Lemke called the meeting to order at approximately 8:05 PM, and announced the meeting was being recorded.

Approval Not Required (ANR) Plans – none

Change of Use Determinations – none

Minutes (9/16/19) – Chair Lemke said the wording on the Ribpublic vote needs to be worded clearly; the extension until September 30, 2020 is only for weekends (Saturday or Sunday) and the weekdays will be revisited by the Board at a later date. Mr. McKechnie made a motion to approve the minutes with discussed edits from September 16, 2019. Seconded by Mr. Lester. The Vote: 3-0-1.

Pursuant to the provisions of MGL ch. 40A §5, the Medfield Planning Board will hold a public hearing at 8:05 p.m. on Thursday, October 3, 2019, at the Medfield Town House, 459 Main Street, for the purpose of accepting public comments on the following proposed amendments to the Town of Medfield Zoning By-laws:

Item 1: Article ## To see if the Town will vote to amend the Medfield Town Code Article 300 Zoning by adding a new section known as Article 300-20 to create a new “Medfield State Hospital District” seeking to: a) promote the reuse of the former Medfield State Hospital property and certain nearby properties by encouraging a balanced, mixed-use approach with housing, educational, recreational, cultural and
commercial uses, with open space and with public access; b) implement the goals and objectives of the Strategic Reuse Master Plan for Medfield State Hospital; c) promote the public health, safety, and welfare by encouraging diversity of housing opportunities; d) increase the availability of affordable housing by creating a range of housing choices for households of all incomes, ages, and sizes, and meet the existing and anticipated housing needs of the Town, as identified in the Medfield Housing Production Plan (2016); e) ensure high quality site reuse and redevelopment planning, architecture and landscape design that enhance the distinct visual character and identity of the Medfield State Hospital area and provide a safe environment with appropriate amenities; f) encourage preservation and rehabilitation of historic buildings; g) encourage the adoption of energy and water-efficient practices and sustainability; h) establish design principles and guidelines and ensure predictable, fair and cost-effective development review and permitting. Full text of the proposal is on file with the Town Clerk and the Planning Department and may be inspected during regular business hours, as well as on the Town’s website at www.town.medfield.net. All interested persons should attend the public hearing.

Item 2: Article ## To see if the Town of Medfield will vote to create a new zoning district consisting of the following parcels as shown on the map titled “Proposed Medfield State Hospital District (MSHD)” dated 08/17/18 which is on file with the Town Clerk and Planning Department (71-001/Core Campus, 71-020/Laundry Parcel, 71-017/Water Tower, 63-004/Sledding Hill) for the purpose of creating a new zoning map district that enables the uses, dimensional requirements, permitting processes etc. of the proposed Medfield State Hospital District all as set forth in the document entitled “Notice of Planning Board Hearing Relative to Proposed Zoning By-Law Amendments Pursuant to M.G.L. c. 40A, § 5 Scheduled for October 3, 2019” on file in the office of the Town Clerk. Full text of the proposals is on file with the Town Clerk and the Planning Department and may be inspected during regular business hours, as well as on the Town’s website at www.town.medfield.net. All interested persons should attend the public hearing.

Chair Lemke read the notice into record. Ms. Kathy McCabe, Lead Consultant for the Medfield State Hospital Master Plan Committee (MSHMPC), gave a slide presentation and had handouts for the Board. Ms. McCabe said that zoning helps implement the goals of the MSH Master Plan; zoning sets the framework. Ms. McCabe said when developers responded to the RFI, they asked for zoning to be in place and felt the vote would indicate if the town is in support of the MSH project. Ms. McCabe said that fine-tuning can still occur with the zoning; not concrete. Ms. McCabe said zoning is one tool that helps control what happens at the Medfield State Hospital.

Ms. McCabe said there was a “balanced approach” in developing the MSH Master Plan. The Master Plan was based on listening, research, analysis, multiple discussions and consensus surveys. Ms. McCabe said the MSHMPC had an open house with over 400 townspeople in attendance, community forums, multiple meetings and committee members visited some former state hospitals in the area. Ms. McCabe said the Master Plan passes the 3-prong test: good for the town, good for the taxpayer and good for the prospective private developer.

Ms. McCabe said the MSHMPC estimates a 2.5 – 2.7 million dollar net revenue after education costs to the town. The taxpayer is estimated to pay an estimated cost of $122 per year in the early years of the plan. The developer is estimated to have a reasonable but tight return. The MSHMPC anticipates asking the developer to pay for the infrastructure costs.

Ms. McCabe said the Master Plan meets Medfield priorities for reuse – to maintain and enhance the character and values of the town, to address housing needs, to achieve reasonable economic and financial impacts on the residents and town services.
Ms. McCabe said there are approximately 305 housing units proposed in the Master Plan. Ms. McCabe outlined the sub-zoning districts at the MSH campus. Ms. McCabe noted the zoning article only address the areas to the north of Hospital Road. The sledding hill and the south field area at MSH are not part of this Special Town Meeting article.

Ms. McCabe said there have been many comments made about the zoning already. Ms. McCabe has compiled a list of the comments received at the September 3, 2019 Joint BOS meeting. Chair Lemke asked for public comment and then the Board will review the list of comments.

Mr. Osler Peterson, 10 Copperwood Road, gave a handout to the Board with nine bullet points. Chair Lemke noted that most of the bullet points involve the Southside of Hospital Road. Ms. Sarah Raposa, Town Planner, noted the Mr. Peterson comments/handout are included in the list from the September 3, 2019 Joint BOS meeting.

Mr. Paul Hinkley, 106 Harding Street, said a lot of the seniors in town would like to downsize to more affordable housing. Mr. Hinkley asked if approximate pricing is known of any of the units. Chair Lemke said no, not at this time.

Mr. John Thompson, 10 Emerson Road, is concerned about changing all of the zoning at once; throughout the campus. Mr. Thompson said if the developer can’t fill the commercial spaces, the cost/unit number of the residential units will be driven up. Mr. Thompson feels the zoning should be phased in. Chair Lemke said the BOS will decide disposition of the land. Chair Lemke said there will be a second Town meeting vote regarding disposition of the land. Chair Lemke said the Planning Board is focused on zoning.

Mr. Bill Massaro, 36 Evergreen Way, said he has attended all of the meetings from the different Boards and Committees. Mr. Massaro said that phasing with a single developer is what is being discussed. Mr. Massaro said incremental phasing with more than one developer is not being discussed enough. Mr. Massaro feels more attention needs to be given to incremental phasing. Chair Lemke said the zoning doesn’t prohibit phasing with more than one developer; the zoning proposed was created for a single developer or multiple.

Mr. Rich Callahan, 16 Maplewood Road, asked how the revenue number will be obtained. Ms. McCabe said essential through real estate taxes of the housing units.

At approximately 8:55 pm, Chair Lemke asked for any other comments from the audience. No more comments were given. Chair Lemke said the handout containing public comments from the September 3, 2019 BOS Joint meeting would now be reviewed. Ms. McCabe noted that a lot of the comments given were “housekeeping” or language issues and wants to focus on the major changes suggested.

Ms. McCabe said there was a question raised at the joint meeting as to if affordability should be kept in perpetuity rather than the minimum of 30 years. Mr. Mark Cerel said from a zoning standpoint, if they are individual projects, the standard is for affordability units to be in perpetuity. Mr. Cerel said the town could end up with a loss at the end of 30 years if it is not held in perpetuity. Mr. Cerel said from a municipal standpoint it should held in perpetuity. Chair Lemke asked what Medfield’s inclusionary zoning says. Ms. Raposa said the inclusionary zoning is in perpetuity. Chair Lemke asked that if the town inclusionary zoning ordinance is in perpetuity then it should remain in perpetuity for this zoning as well. Mr. McKechnie agreed.
Unidentified audience member asked how the housing projects would be maintained after they are built. Ms. McCabe said that concern would be addressed within the development agreement.

Chair Lemke asked, per Mr. Peterson’s written comments, whether or not site plan reviews should be required for rehabs. Ms. Teresa James said the design guidelines that are outlined in the zoning would all have to be met. Ms. James said the real question is whether the design guidelines are adequate. Chair Lemke said the building commissioner would have to confirm that the design guidelines are met. Ms. McCabe said the design guidelines are in place for control; the standards for control are there. Ms. McCabe said additional control can also be added with the Memorandum of Agreement. Chair Lemke feels no change is necessary in the wording of the proposed zoning. Mr. McKechnie and Ms. James agreed.

Ms. McCabe said there has been a lot of discussion about having flexibility in the zoning on “The Green”, “North Field” and the “Water Tower.” Ms. McCabe said “The Green” has been designated open space; “The North Fields” has been designated for agricultural and open space; and the “Water Tower” is restricted. Ms. McCabe said there has been some discussion about not limiting the zoning in those areas. Mr. Cerel said his concern is that if there are no uses permitted accept “open space” and “recreation;” that zoning could inadvertently create Article 97 land. Chair Lemke said that Article 97 is a state law that says any land that was purchase or acquired by a legislative act cannot be removed from being open space without an act of the town and an act of the state legislature. Chair Lemke said Article 97 would take away from the town’s flexibility to change those areas to buildable if necessary. The town would have to go to the state first. Mr. Cerel said the Board might want to find a few indifferent uses to add to the areas. Mr. Peterson said the town doesn’t really know what is going to end up on any of the land and rather than change uses later with the state, the town should add them now. Chair Lemke agrees; the zoning should be up to the town and not the state.

Ms. Tracy Hogan, 20 Hospital Road, said the “North Field” needs to be preserved for Open Space. Chair Lemke said that the Planning Board is not talking about developing the “North Field”. The Planning Board is trying to craft zoning that would be flexible and keep the town in control. Ms. Hogan said that it should be a burden to develop that land and if it needs to go to the state to change it from open space then we should do that. Mr. George Lester said he believes the town would most likely say that they would never change those areas to anything but open space so Article 97 is irrelevant.

Mr. Gus Murby, 121 Harding Street, said if zoning passes at the Special Town Meeting; it is still possible that we will not find a developer. Mr. Murby said that is zoning passes but the plan doesn’t for developers then we might be in the position to change some things. Mr. Murby would like the zoning to be flexible without going to the state.

Ms. Raposa said there will not be a vote tonight on the final language. Chair Lemke suggests all of the Board members think about the language and potential use changes for the October 21, 2019 Planning Board meeting. Mr. Cerel said this is the Board of Selectmen’s article so this issue would need to be resolved before the article goes to print.

Chair Lemke said that the Planning Board needs to let the BOS know the Planning Board would suggest the following changes to the zoning article:

- The in perpetuity language on the affordability restriction
- As to the Green and North Field – the following uses need to be changed from “NO” to “Special Permit” - Community Center, Recreation, Non Profit or Municipal Buildings or Education Museum
Mr. Seth Meehan suggested changing language to sections for the Water Tower, North Field, and The Green from “New Construction prohibited” to “New construction not currently envisioned” or something stronger. Ms. McCabe feels “New construction not currently envisioned” is a bit wishy-washy. Ms. McCabe feels that the Planning Board needs to take a bit of time and craft the appropriate language. Mr. Čerel said the warrant will need to be finalized by October 29, 2019. Ms. Raposa said that the Planning Board wants to make sure they are aligned with what the BOS would like in the article. Ms. Raposa said BOS members are encouraged to submit language before the next Planning Board meeting on October 21, 2019. Mr. Čerel suggests sending a memo to the BOS outlining the changes being discussed at tonight’s meeting.

Chair Lemke said the remaining comments in the handout are more about changing the Master Plan rather than zoning. Chair Lemke would like the zoning to be flexible to allow possible changes to the plan in the future but the Planning Board will not be suggesting changes to the Master Plan at this point. Mr. McKechnie agrees. Ms. James agrees.

At approximately 10:12 pm, Mr. Lester made a motion to continue the hearing regarding the MSH Zoning Bylaw amendments on Monday, October 21, 2019 at 8:05 pm. Seconded by Ms. James. The Vote: 4-0.

At approximately 10:18 pm, Ms. James made a motion to adjourn. Seconded by Mr. McKechnie. The Vote: 4-0.

Respectfully submitted,
Marion Bonoldi, Recording Clerk