



TOWN OF MEDFIELD

Office of the

BOARD OF APPEALS

TOWN HOUSE, 459 MAIN STREET
MEDFIELD, MASSACHUSETTS 02052-2009

MEETING OF:
April 14, 2021
MINUTES

Members Present: John J. McNicholas; Chairman; Michael W. Whitcher, Member; William McNiff, Member

Members Absent: Charles Peck, Associate Member; Jared Spinelli, Associate; Jared Gustafson, Associate Member; Member

Staff Present: Sarah Raposa, Town Planner, Lily Maranci, Administrative Assistant

Others Present: Jen Richards, Matthew Smith, Scott Henderson, Jenny Kinne, Keith Normant, James Chase, Seth Meehan, Nathan Bazinet

Location: Virtual Zoom Webinar

At approximately 7:00 pm, Chair Jack McNicholas called the meeting to order and announced the meeting is being recorded. Chair McNicholas explained procedures for the meeting and read the following notice:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Medfield Zoning Board of Appeals is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to or view this meeting while in progress may do so by following the instructions on the agenda and meeting notice. The meeting is being recorded.

Keith and Katie Normant (applicant/owner) seek a special permit under MGL Chpt. 40A §9 and/or Medfield Zoning Bylaw §300-6.3.E for the proposed work consisting of installation of an in-ground swimming pool with a lot coverage exceeding 15%. The property is located at 14 Cole Drive; Assessors' Map 18 Lot 081; RT Zoning District with no aquifer overlay.

Mr. McNiff read the notice into the record. The project engineer, Scott Henderson of Henderson Consulting began the presentation. He re-stated the petition and shared his screen to show the existing conditions plan. He said that the property is located in the RT Zoning District and it is on the west side of Cole Drive, which is a dead-end cul de sac. The site is presently improved with a single family home, a driveway, and various landscaping improvements. In total, the existing impervious lot coverage on the property is about 16.4%, so it is already slightly exceeding that 15% limit. That equates to about 6,739 square feet, and that includes all walkways, the driveway, roof areas, covered porch and the deck. The Normants seek a special permit to construct an in ground pool, an accessory pool cabana, and associated patio improvement. The vast majority of the patio surface will be installed in a permeable fashion. It will be an open-graded section with gaps of three eighths of an inch to a half inch between blocks and enough crush stone that is washed and suited for drainage

to store runoff from any rainfall that falls onto that patio. In total, the impervious area that is going to result as part of this project is about 17.9% of the subject property, which is roughly 7,347 square feet. This includes the pool water surface as well. In order to mitigate this, they are proposing stormwater BMPs to offset that impervious area. The permeable paver section includes a stone reservoir that can capture runoff from both the permeable patio, from the accessory cabana structure, as well as the pool surface. In his stormwater model, Mr. Henderson has taken into account the pool being covered, so the water will still spill over even when the pool is covered. The roof has no runoff control associated with it, so they will capture a few downspouts in the back corners of the property and route it to a subsurface infiltration system, which is a series of cul-tecs buried in the back of the site. The stormwater BMPs are sized to handle all storms, up to and including the hundred year rainfall event which is 8.9 inches of rain. The only unmitigated impervious area on the property totals roughly 13.9%. Mr. Henderson and the applicant believe that the project as a whole mitigates any potential impacts of the lot coverage in terms of increased runoff or any impact to the site or abutters.

Mr. Henderson asked if there were any questions.

Chair McNicholas asked Mr. Henderson to repeat the size of the unmitigated lot coverage. Mr. Henderson answered that it is 13.9%, so in total they are capturing 1,636 sf of the impervious area and 100% of the rainfall throughout the area up to the hundred year storm.

Chair McNicholas asked if the impervious area (7,347 ft) goes down by 1,636 ft. Mr. Henderson said that that was correct.

Mr. Whitcher asked if there is an existing recharge system on the site. Mr. Henderson replied no.

Mr. Whitcher asked how the stormwater is handled now, and if there are any gutters spilling out. Mr. Henderson said that yes, there are downspouts on the ground surface at various points around the house.

Mr. Whitcher asked if the existing portions of the roof will be included in the new system. Mr. Henderson said that the hatched blue area in the existing conditions plan (the watershed of the roof) is captured within the cul-tec system. The rest is remaining untouched. A small portion of the roof will likely spill onto the ground, and the typography of the back of the site lends itself to capturing runoff. Mr. Henderson pointed out the 99 contour on the existing conditions plan, and pointed out that around that area is a closed base, a localized depression in the back of the property. Behind there are high tension wires. The land slopes uphill on both sides of the back of the property, so any rainfall that falls in the back of the property stays on it. Therefore, there is additional runoff being captured beyond the numbers Mr. Henderson has calculated.

Mr. McNiff asked about what kind of fencing they plan on using around the pool. Mr. Henderson replied he believes a chain-link fence is proposed. Mr. Henderson asked Mr. Normant if this was correct. Mr. Normant said that yes, there is a proposed chain link fence to be built around the back of the property, and there will be normal fencing around the front of the property.

Mr. McNiff asked about the type of lighting they plan on using for the pool, just to make sure they are not going to make it too bright for neighbors at night. Mr. Normant responded that lighting has not been finalized yet, however they do not expect to add much lighting to the pool area other than the pool light itself. Mr. McNiff mentioned that if any lighting is added, it should be directed downward and that it should be dark sky compliant.

Mr. McNiff asked where the pool equipment will be (from a noise standpoint). Mr. Henderson said that that has yet to be determined, but that it will possibly be located on the right hand side of the house. He said they will easily be able to find a spot where noise will not bother neighbors, since the abutting property is roughly 40 ft. away from the right hand corner of the yard. There is ample opportunity to screen the equipment and place it in a location that is sound mitigated.

Mr. McNiff asked if there was any landscaping being added. Mr. Henderson responded that the landscape architect has a planting plan. There will be a planting bed to the left side of the raised beam portion of the pool.

Chair McNicholas asked if any town board members would like to speak and then opened the hearing to comments from attendees; no comments received.

Chair McNicholas asked if anyone needed a formal site visit to the property. Mr. Witcher and Mr. McNiff replied no.

At 7:23 PM, Mr. Witcher made a motion to close the hearing. Seconded by Mr. McNiff. MW=yes; WM=yes; JM=yes. The Vote: 3-0

Mr. Henderson asked about the process of voting and coming to a decision. Chair McNicholas responded. Ms. Raposa said that she will keep Mr. Henderson posted on the voting and decision making process.

Mr. Henderson exited the meeting.

Matthew Smith, Manager of Dover Mill LLC (applicant/owner) seeks a special permit under MGL Chpt. 40A §10 and/or Medfield Zoning Bylaw §300-16.5(6) for the construction of a single-family dwelling on a lot of more than 80,000 sf. The property is located at 49 Elm Street; Assessors' Map 33 Lot 091; RE Zoning District with Primary Aquifer and Well Protection Overlay.

Mr. McNiff read the notice into the record. Chair McNicholas expressed that he is unsure of how the ZBA can move forward with this project during this meeting tonight, since not all nine criteria have been submitted and the septic system has yet to be submitted to and approved by the Board of Health. Mr. Smith responded that the septic plan was submitted to the Board of Health this past Monday.

Chair McNicholas said that the septic plan will not be approved by the Board of Health since engineering of the septic system still needs to be done, and the ZBA still needs to get the septic plan peer reviewed by the town's consultant engineer. Chair McNicholas asked Mr. Smith if he knows when he will have a hearing with the Board of Health and when the septic system will be approved. Chair McNicholas suggested that they continue this meeting on a later date since the ZBA cannot move forward with this project tonight.

Mr. Smith asked which item in the nine criteria Chair McNicholas is referring to. Chair McNicholas answered that it is the ninth criterion.

Mr. Smith expressed confusion over the process of getting the septic plan approved and getting the special permit. Chair McNicholas and Ms. Raposa answered Mr. Smith's questions about the process, and reiterated that the ZBA needs to have the septic plan peer reviewed by an engineer before they can move forward. Chair

McNicholas suggested that they end the conversation and continue it at a later date after Mr. Smith gets the septic plan peer reviewed by an engineer and approved by the Board of Health.

Mr. Smith made a request to continue the meeting on May 12th at 7:15 PM.

Mr. Witcher made a motion to continue the hearing to May 12th at 7:15 PM. Seconded by Mr. McNiff. MW=yes; WM=yes; JM=yes. The Vote: 3-0.

Ms. Raposa noted that Ms. Potts wrote a question in the Q&A, which they will address in the next ZBA meeting.

Mr. Smith exited the meeting.

Minutes - At approximately 7:40 PM, Mr. Witcher made a motion to approve the minutes from 03/10/2021. Seconded by Mr. McNiff. MW=yes; WM=yes; JM=yes. The Vote: 3-0.

Deliberations

14 Cole Drive - Mr. Witcher said that the plan looks straightforward, and that there needs to be some conditions put in place. He suggested that they include an updated plan with the utilities. Mr. McNiff agreed and said that he would like to know more about how this project will look as a finished product with the landscaping, lighting, and where they will put the pump. Mr. Witcher suggested that the applicant submit an amended plan stating where the pump will be installed, and that the ZBA could make a condition that the pump be housed in order to prevent noise from disturbing the neighbors. Ms. Raposa asked the board if they wanted to add a condition stating that the pool equipment shall be screened, so that it could be left to the approval of the building commissioner. Everyone agreed.

Mr. Witcher made a motion to approve the special permit for 14 Cole Drive. Seconded by Mr. McNiff. MW=yes; WM=yes; JM=yes. The Vote: 3-0.

Mr. Witcher agreed to examine this decision and finalize it. Ms. Raposa said to Mr. Normant that the decision will be filed with the town clerk within 14 days.

Chair McNicholas asked Ms. Raposa if there were any 40Bs in the pipeline. Ms. Raposa responded that the Hinkley South land disposition approved a proposal. It is 20-24 units (12 duplexes). Mr. Witcher asked when this would be coming in. Ms. Raposa responded that the best case scenario would be 3-4 months. Chair McNicholas asked Ms. Raposa about other projects in the works. Ms. Raposa that there is a two- family home requesting a special permit to become a three home through interior remodeling. Mr. McNiff, Mr. Witcher, and Chair McNicholas discussed who will chair and site for upcoming meetings.

At approximately 7:54 PM, Mr. Witcher made a motion to adjourn. Seconded by Mr. McNiff. MW=yes; WM=yes; JM=yes. The Vote: 3-0.

Respectfully Submitted,

Lily Maranci, Administrative Assistant