



TOWN OF MEDFIELD

Office of the

PLANNING BOARD

TOWN HOUSE, 459 MAIN STREET
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MEETING OF:
May 3, 2021
MINUTES

Members Present via Zoom Meeting: Chair Teresa James, Paul McKechnie; Sarah Lemke; Jim Brand; Seth Meehan; Jamie Sullivan, Associate Member; Blake McDermott, Associate Member

Members Absent: None

Staff Present: Sarah Raposa, Town Planner

Others Present: DA Hayden, Ghazi Elias, Mary MacInnes, Elias D. Ramos, Michael Francis, Erin Fontana, TJ Gillespie, Nathan Bazinet

Location: Virtual Zoom Meeting

At approximately 7:30 pm, Chair Teresa James called the Planning Board meeting to order 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 Planning Board 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. This meeting is being recorded.

Approval Not Required (ANR) Plans – none

Change of Use Determinations –

Elias Ramos, 258 Main Street, Driving School - Ms. Raposa introduced the first applicant, Elias Ramos. She said the purpose of him joining the meeting was because he is going to lease a space next to the Shaws plaza, where he will be running a driving school. She asked Mr. Ramos to share information about the school. Mr. Ramos shared that he has lived in Medfield for seventeen years and that he has been driving a school bus for thirteen. He has been teaching driving for five years in the Boston area. The school is named Parallel Park Academy. He has chosen this office space because in order to get licensed, he needs to have an office with chairs, a television, a DVD player, a phone, and a printer. He is required to teach at least one class per year. His office is going to be observed in order for him to get an occupancy letter. This letter will then be sent to the

RMV. Ms. Raposa clarified that the building Commissioner will be giving Mr. Ramos the occupancy letter. Tonight, the Planning Board will just be reviewing this Change of Use and giving him paperwork.

Chair Teresa James asked Mr. Ramos if he will need to have students in the office space for small training sessions. Mr. Ramos answered that he will need to have at least one student per year for training sessions. The student(s) will need to complete thirty hours in the classroom, however, he will be teaching these lessons remotely for the time being. Chair Teresa James asked if the state requires him to have some on premise learning besides the remote learning that is happening today. Mr. Ramos answered yes.

Ms. Raposa asked Mr. Ramos if he will be having ten students per class. Mr. Ramos answered that there only needs to be one student per year. Adult students will not need to attend classroom training. Ms. Raposa reiterated that the purpose of this meeting is to make sure that the space has adequate parking and adequate traffic and circulation for pick-up and drop-off of students. Ms. Raposa asked Mr. Ramos to talk about the parking space near the office. Mr. Ramos said that there is ample parking in the front and the back of the building.

Mr. McKechnie said that the plan looks straightforward. Ms. Lemke said that she is comfortable with the amount of parking. Mr. Meehan agreed. Mr. Brand asked if there is signage to identify the driving school. Mr. Ramos said that he is unsure at the moment. Ms. Raposa told Mr. Ramos that if he would like to have a sign that says "Parallel Park Academy", he needs to abide by the sign code and will need to get approval by the Sign Committee. Mr. Ramos said that they will likely just have a sign near the entrance of the building.

Ms. Lemke made a motion to approve the change of use determination for Parallel Parking Auto Academy LLC at 258 Main Street. Seconded by Paul McKechnie. Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

The Trustees of Reservations, Rocky Woods – Summer Camp (forthcoming) - Ms. Raposa introduced the applicants. The Trustees of Reservations have had a number of programs that they have run for several years. This year, they will be running a summer camp. Gary Pelletier informed Ms. Raposa that they would be running this program, and Ms. Raposa thought it would be good for them to get the change of use determination from the Planning Board because there is an exemption for daycare facilities and educational type uses under 40A-Section 3. However, they are still subject to site plan approval. The purpose of this meeting is to provide the trustees with the paperwork they might need. Chair Teresa James then asked DA Hayden to share information about this change of use and the program. Ms. Hayden said that the trustees have owned Rocky Woods since 1941. They have been running outdoor programs there for decades. Their programs for children have been incredibly successful, and the community has had a lot of interest in their outdoors programs, especially during the Covid-19 pandemic. The trustees are now launching a program called Rocky Woods Nature Explorers, which is a summer day camp for young children. It will be running for six weeks starting on July 12 from 9:00 AM until 3:00 PM. They are licensed by the Board of Health for the State of Massachusetts as preparation for this program. Michael Francis met with Gary Pelletier on site to review what was available in the Chickering Pond Visitors Cabin and to see their pavilion, since they need to have places for children to be under cover. Mr. Pelletier provided insights on the things they will have to do such as implementing special fire signage and extra fire extinguishers. Mr. Pelletier asked if the Trustees had met with the Planning Board and suggested that this may be a change of use. Ms. Hayden does not anticipate issues with parking, drop-off, or signage since there will not be any substantive changes made to the property.

Chair Teresa James asked if this program is overlapping with other pre-existing programs and if this will change the way they use the site. Ms. Hayden responded that it is not overlapping with their existing program and it is not changing the way that they use the site. Some examples of the activities the children will be doing include: hiking, ponding, identifying animals, building woodland fairy and gnome houses, cooking over open fires, and learning how to use a compass. They have done these sorts of activities for their other programs in the past, however, this is the first time that they are having the children at the camp for six hours at a time.

Ms. Lemke expressed that she feels that this meeting is unnecessary, since the trustees have used the land for the same uses in the past. She does not want to set the precedent that businesses need to consult the Planning Board for such finite changes of use. Ms. Raposa responded that Mr. Pelletier wanted to have this meeting with the Planning Board to make sure that he was making the correct decisions. Ms. Raposa suggested that the trustees come to a Planning Board meeting so that they would not need to come in for a review in the future, and to make sure that the board is paying special attention to the zoning bylaws.

Sarah Lemke made a motion to approve the change of use determination for Rocky Woods to allow a summer camp. Seconded by Paul McKechnie. Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

Teresa James and Paul McKechnie recused themselves from the following agenda item:

Landscaping Business at 10 Park Street (forthcoming) - Ms. Raposa introduced the applicants and this change of use. Ghazi Elias moved his office location from 10 Park Street to 50 Park Street, and so 10 Park Street is now available for lease. Mr. Gillespie's representative contacted Ms. Raposa a couple weeks ago inquiring about what Mr. Gillespie would need to do to lease the space. Ms. Raposa explained to him that the Planning Board needs to assess this change of use. Mr. Elias had to get special permits from the ZBA for the auto repair use, but under the table of uses, landscaping businesses do not require this. It requires site plan approval, so Ms. Raposa wanted the Planning Board to review this change of use determination. Ms. Raposa then asked Mr. Gillespie to walk the board members through his business. Mr. Gillespie said that they are a landscaping maintenance business, they do not do large hardscapes. They have been in business for fifteen years. He is looking for a place to relocate, where he has shop space to keep some of his equipment inside, and parking spaces. He would need parking spaces for the trucks overnight and spaces for employees during the day.

Ms. Lemke asked Mr. Gillespie how many of the ten vehicles are trucks. Mr. Gillespie said that there are five combinations of trucks and trailers. Ms. Lemke asked if some portion of the trucks will be outside in the parking spaces overnight. Mr. Gillespie said that that is correct.

Mr. Meehan asked Mr. Gillespie how many days a week he will be working. Mr. Gillespie said that he and his coworkers work six days a week up until the fourth of July from 7:00 AM to 5:00 PM. Mr. Brand asked if the trucks and employee cars will be in the parking spaces at the same time. Mr. Gillespie said that that is correct.

Mr. Sullivan asked if they plow during the winter months. Mr. Gillespie said that that is correct. Mr. Sullivan asked if the trucks with the plows on them will be in the parking spaces along with the trailers. Mr. Gillespie said that that is correct. Mr. Brand then asked where the plows sit during the offseason. Mr. Gillespie said that he currently has them offsite. Mr. Brand asked if he had any sanding material on site. Mr. Gillespie said no, and that the trucks will have salters on them. Mr. Sullivan asked if he was storing any sand or salt on the property. Mr. Gillespie said that there will not be a sand or salt pile on the property, but they may store sand and salt in a truck.

Mr. Lemke asked Mr. Gillespie to walk the Board through verbally where the ten parking spaces are. Mr. Gillespie said that his understanding is that most of the parking is to the right of the building. He asked if Mr. Elias could clarify where the parking spaces are. Mr. Elias said that there are six spaces by the lot in the front and two parking spaces behind the building between the dentist's office and the property. Ms. Lemke used google street view and pointed out the area between the building and the APC building is large enough to fit at least ten spaces. Mr. Lemke said that she is concerned about the trucks having enough space. Mr. Gillespie said that their trucks are not that large, like large construction dump trucks. The largest are F-350s.

Ms. Raposa mentioned that this property is in the Secondary Aquifer Protection District, so as long as there are no fuels, stockpiling, or generation of hazardous waste, or other things of that nature, it should be okay. She asked Mr. Elias how he dealt with things like oil and other hazardous waste. Mr. Elias responded that for waste, oil, and antifreeze they had a company that would pick them up once a month. He said that there is no drainage on the property. Ms. Raposa pointed out that in the zoning bylaw that you cannot store things like sodium chloride, chemically treated abrasives, or any other chemicals used for removal of ice and snow on roads unless storage is within structure designed to prevent the generation and escape of contaminated runoff, and you cannot have the storage of commercial fertilizers unless there is a similar type of storage container. Ms. Raposa informed Mr. Gillespie that if he would like to have any storage containers like that, then the Planning Board would like to have more information from him. Mr. Gillespie said that he does not fertilize, they subbed that out to another company. As far as the winter, there would be bags of ice melt and there would be salt in the truck, but there would not be any pile.

Ms. Lemke said that she would like to make a motion to approve this change of use with some conditions. Mr. Gillespie should sketch a dimension parking plan, to confirm that there is enough space. There will be no storage of salts, sand, or fertilizers in accordance with the requirements. If Mr. Gillespie would like to store these items, he will need to come back to the Planning Board to show the containment devices. Mr. Gillespie asked if it is okay for him to store salts in his truck. Ms. Lemke answered that this would be okay, as long as it is not stored long-term. Mr. Sullivan mentioned that if Mr. Gillespie has large quantities of ice melt or other things of the like, the Planning Board needs to know how that will be stored. Ms. Lemke said that she thinks that as long as these kinds of items are not stored in the trucks for more than a day then she thinks it will be fine.

Sarah Lemke made a motion to approve the change of use determination for 10 Park street to allow a landscaping business on the condition that the applicant send to the board a sketch of the parking layout showing that ten spaces for the landscaping use and two spaces for APC Pest. There will be no storage other than to receive deliveries and immediately put it on vehicles of chemicals, salt, or fertilizers. Seconded by Jim Brand. Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes. The Vote: 3-0.

Teresa James and Paul McKechnie recused themselves from the following agenda item:

Park Street Books, 504 Main Street – Mobile Food Vendor (forthcoming) - Ms. McInnes said that the Medfield PTO has a book fair every year which is taking place this week. They will be having three in person shopping nights at Park Street Books between 6:00 PM - 8:00 PM. In past years, they have had refreshments, and this year they would like to have an ice cream truck parked behind Park Street Books in the hopes of bringing more parents and their kids to the book fair to help drum up more business for the PTO.

Ms. Raposa, Ms. Lemke, and Mr. Meehan then discussed the possibility of there being a change in zoning bylaws so that small changes such as these do not need to be approved by the Planning Board. Ms. Lemke

suggested that Ms. Raposa should be given the ability to approve these small changes. Ms. Raposa said that the board could talk about implementing this next year.

Sarah Lemke made a motion to approve the change of use determination for the ice cream truck at Park Street Books, 504 Main Street for 6:00 PM to 8:00 PM from May 4 to May 6. Seconded by Jim Brand. Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes. The Vote: 3-0.

Administrative -

Annual/Special Town Meeting Prep - MONDAY MAY 17th at 5 pm - Ms. Lemke asked what the plan will be for the town meeting if it rains. Ms. Raposa responded that if it rains the meeting will be postponed to the following night. Mr. Sullivan asked if the Planning Board needs to attend the meeting. Ms. Raposa answered yes. Chair Teresa James is unable to attend, so Mr. Meehan will be presenting the oral report. The meeting will be socially distant on the turf field at the high school. The Planning Board will also attend the Board of Selectmen meeting tomorrow night. Ms. Raposa sent the Planning Board the handout which they will be addressing at the meeting. She asked that the board proofread it before tomorrow. The handout outlines articles that the Planning Board will be discussing with the Board of Selectmen at the meeting:

Article 23: This proposal responds to the request of the owners of the subject property as they seek to be eligible for an accessory dwelling unit for a family member in their residential dwelling. The property is currently zoned BI and contains a nonconforming residential dwelling and an accessory professional office which is currently being rented. The Medfield Zoning Bylaw does not contain a provision to allow family apartments in a BI zoning district. The property is contiguous with B zoning and B zoning does provide for the ability to apply for a special permit from the ZBA for an accessory apartment. Note this change does not automatically grant the apartment.

Article 24: This proposed bylaw amendment would prohibit establishments from solely selling vape and tobacco products and paraphernalia in Medfield. This provision offers an additional layer of protection against such establishments as the Medfield Board of Health, the local entity which issues tobacco licenses, has reached the maximum on the limited number of available licenses. Ms. Lemke suggested that the Planning Board prohibit vape shops altogether and leave it up to the Board of Health to handle the stores.

Article 25: This proposed bylaw amendment would establish a review process for food trucks operating temporarily in certain districts. Chair Teresa James mentioned that it may be a good idea to educate the public on the fact that businesses need approval from the town government, and to educate the public about how if you are on municipal property, you must go before the Board of Selectmen, whereas if you are on non municipal property, you go before the Planning Board. Ms. Raposa suggested that Mr. Meehan mention at the town meeting that all of the commercial businesses on private property are subject to site plan approval and that includes their parking lots, making sure there is enough parking, and making sure there is adequate circulation for safety within the parking lot. Therefore, when food trucks come in, they need to be sited safely within the site plan. Ms. Raposa suggested that if Planning Board members get asked by business owners why they do not have total control over their property, then the board member should respond that we need to change the zoning bylaw.

Article 26: This proposed bylaw amendment is to add a section which would allow the Board of Appeals to review and approve, on a case-by-case basis via public hearing, the encroachment of covered or uncovered decks, porches, etc., into the required front or rear setback via special permit. The current process requires a

variance which has strict statutory requirements which cannot typically be lawfully applied since most deck or porch extensions are for more functional and subjective purposes.

Article 27: The purpose of this proposed bylaw amendment is to align with the provisions of the MA State Building Code which do not require a building permit for accessory structures (i.e. sheds, barns) under 200 sf and delete the confusing specific size requirement. This amendment would require a building permit and code review for accessory structures > 200 sf but leave the setback requirements as-is.

Article 28: This would enable the Town to move forward with efforts to install Solar Energy Systems on town-owned parcels which currently lie outside of the zoning district, such as the landfill or the schools. Additionally, some commercial locations may pursue solar parking canopies or smaller ground mounted systems and this amendment outlines locations and permitting processes. The Town has an existing Large-Scale Solar PV Overlay District that was adopted in 2014 as part of the designation process to become a Green Community in 2016. The existing overlay district allows for ground mounted solar in the Industrial-Extensive (IE) zoning district. However, the overlay district does not address other solar uses such as accessory, rooftop solar or solar in other zones of the town. Additionally, there is an increased interest in solar parking canopies, which are not currently addressed in the by-law. The proposed Solar Photovoltaic Facilities Overlay District (PVOD) addresses some of the gaps by: permitting medium and small-scale ground-mounted photovoltaic installations in certain locations throughout town, creating additional language for medium and small ground-mounted installations, allowing solar energy system installations on municipally owned properties throughout town, creating additional language to allow PV Canopies over parking lots in certain locations, and specifying that accessory rooftop PV installations are by-right on buildings throughout town.

Article 32: Scenic Roads: The purpose of this article is to protect the character of historic local roads by preventing the removal of key features-significant public shade trees and historic stone walls. The Act requires that any proposal to remove public shade trees or stone walls undergo a Planning Board public hearing to solicit public input, that the Board must then decide whether or not to allow the removal of the features, and, if so, to determine whether any conditions should be attached if removals are allowed.

Medfield State Hospital Update (if needed) - Ms. Raposa said that she and others are working on figuring out the site visit for the hospital.

Townwide Master Planning Committee (if needed) – Teresa James - Ms. Raposa said that the Planning Board will create a letter of support to the other boards, commissions, and individuals that have partnerships within the master plan. This will be signed and handed to the Board of Selectmen in June.

Affordable Housing Trust Update (if needed) – Jim Brand - Mr. Brand talked about the Hinkley South property, and said that their RFP is being negotiated right now. Some of the neighbors have objected to the town using 40B to bypass its own zoning. A letter putting that out has gone to the selectmen and the Affordable Housing Trust. They are trying to see if there is interest in creating a 150 foot buffer zone between the copper, wood, neighborhood, and the farthest reach of this development. They want to push the development closer to the senior center. Ms. Raposa said that they probably only need a seventy five to eighty foot buffer between the property and the edge of one of the duplexes.

Historical Commission Update (if needed) – Seth Meehan - n/a

Minutes (4/5/21) - Sarah Lemke made a motion to approve the minutes from April, 5, 2021. Seconded by Paul McKechnie. Roll Call Vote: Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Seth Meehan = yes; Teresa James = yes. The Vote: 5-0.

ADJOURNMENT

At approximately 8:59 PM, Sarah Lemke made a motion to adjourn. Seconded by Paul McKechnie. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

Respectfully submitted,

Lily Maranci, Administrative Assistant