



# TOWN OF MEDFIELD

Office of the

## PLANNING BOARD

TOWN HOUSE, 459 MAIN STREET  
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MEETING OF:  
**June 21, 2021**  
MINUTES

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

**Members Absent:** Jamie Sullivan, Associate Member

**Staff Present:** Sarah Raposa, Town Planner

**Others Present:** Jeff Marble; Joe Scier; Nathan Bazinet; Gabrielle Orcha; Jenn Matthew; Nancy Sterling; Austin Chartier (MEG); Brad Harris; Joseph Myers

**Location: Virtual Zoom Meeting**

At 7:33pm, Ms. James called the Planning Board meeting to order and did a roll call.

### **Board Reorganization**

Chair - Seth Meehan

Member - Sarah Lemke

Vice Chair - Paul McKechnie

Member - Teresa James

Clerk - James Brand

Ms. Lemke made a motion to reorganize the board as shown above. Seconded by Mr. McKechnie. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

### **Approval Not Required (ANR) Plans**

**Town of Medfield Land off Ice House Road** - Ms. Raposa shared her screen to show the site plan. She showed that there are two non-buildable parcels, each approximately 20,000 square ft, that need to be created to add to the current configuration of the Hinkley South project. One parcel (parcel 1B) is coming from the senior center and the other parcel is coming from lot three. The idea of this project is to create more land area for alternative configurations and a proposed building. This also moves the Hinkley South project closer to the senior center.

Ms. James asked if there will still be enough space for the roadway if lot three is developed. Ms. Raposa said yes, there will still be fifty ft of room for a roadway, which will allow access to lot three. Ms. James asked if the bay circuit trail runs through this. Ms. Raposa responded that the bay circuit trail is part of the Hinkley South reconfiguration plan. Mr. Brand added that the developer is intending to maintain the connection to the trail.

Ms. Lemke made a motion to endorse this plan as shown. Seconded by Ms. James. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

At 7:34 PM, Joe Scier wrote in the Q&A: “Joe Scier 3 bishop lane, Sarah I would like to speak on behalf of the neighborhood with regards to solar panel project.”

### **Change of Use Determinations**

**Mr. McKechnie recused himself from the following agenda item: Gabrielle Orcha, Kindred Art Gallery, Park Street - Grand Opening Event Porchfest with live music in parking lot:** Ms. Raposa promoted Ms. Orcha to a panelist. Ms. Orcha began her presentation, saying she would like to have a porch fest event with live music to celebrate the opening of the Kindred Art Gallery. This will take place on September 12th from 12:00 PM - 4:00 PM. Depending on what the zoning board allows, it will take place on either the porch or the parking lot. They would like to open up the parking lot on a Sunday and serve food from restaurants including Sethji’s and Zelus Beer Company. Ms. Orcha has gotten approval from surrounding businesses to use their parking lots for overflow parking. She was also able to contact residents in the neighborhood who expressed excitement about the event. She is willing to change the name of the event, since there will be another porch fest event.

Chairman Meehan asked what Ms. Orcha is expecting for turnout. She responded that she expects one hundred to three hundred people over the course of four hours. Chairman Meehan asked about spillover with other businesses. Ms. Orcha responded that she reached out to Ghazi Auto, who told her that there are 42 total slots out of 50 in his parking area. He also owns the APC, which has another 10 parking spots. She also reached out to the funeral home, and she heard from Tom Carusso that as long as there is not a wake, he is okay with people parking there. The area at the funeral home provides 15 spots. At 36 Park Street, there are 10 spots. At the dentist’s and orthodontist’s office on 16 Park Street, there are 25 spots. Needham Bank has a total of 15 spots. There is also additional parking by the yoga studio (9 spots) and the dry cleaners (8 spots).

Ms. James mentioned that Ms. Orcha should make sure there are enough handicapped parking spaces. Ms. Orcha responded that there are two handicapped spaces at the plaza as well as spaces at the dentist’s and orthodontist’s office.

Mr. McKechnie expressed that as an abutter, he thinks this event is a great idea.

At 7:55 PM, Jenn Matthew wrote in the Q&A: “What if there is a wake?” Ms. Orcha responded that they would lose 15 spots. She is going to check with Tom Carusso to ask if the event would be a disruption to a wake. Ms. Lemke added that she thinks that the funeral home could probably work around the event if they are given advanced notice. Mr. McKechnie added that often people park on Miller Street for funerals. Ms. Lemke agreed and said that people going to a wake could park in other areas such as the high school and CVS.

Ms. James made a motion to approve the change of use determination for the Kindred Art Gallery porch fest event. Seconded by Ms. Lemke. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Teresa James = yes. The Vote: 4-0.

**Jenn Matthews Farm Stand:** Ms. Raposa promoted Ms. Matthews to a panelist to give her presentation. She would like to have a farm stand at the overflow parking area of Lovell’s Flowers on Fridays from now until the week before Thanksgiving (or until it is too cold). There will be 42 parking spaces dedicated to the stand. She would like to have it open somewhere between 10:00 AM and 6:00 PM. Two to four employees will be working the stand.

Ms. Lemke made a motion to approve the change of use determination for the farm stand at Lovell's as noted in the application. Seconded by Mr. McKechnie. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

Chairman Meehan suggested that the board have a conversation with Lovell's to make sure that the farm stand will not conflict with any of its operations. Ms. Lemke and other members agreed.

### **Discussions with PB**

**Nancy Sterling re: Gun Store Prohibition in Medfield:** Ms. Raposa promoted Ms. Sterling to a panelist so she could begin her presentation. Ms. Sterling is a Medfield resident living on 21 Hospital Road and she is a former Newton resident. She has been following the debate in Newton as to whether or not they are going to allow a gun store to locate there. Ms. Raposa asked Ms. Sterling to discuss with the board whether or not there should be a prohibition on gun stores. Ms. Sterling asked the board how they might approach this issue, and if they knew about what the community's stance was on gun stores. Chairman Meehan asked if Ms. Sterling could share more about the debate in Newton. She responded that a gun store was considering relocating to Newton. A group spoke out and voiced their disapproval of this type of use. The debate is continuing, but Newton is leaning towards prohibition.

Ms. Lemke asked if there is any first amendment protection for gun stores, and said that she would be in favor of having an information session to inquire about whether the community would be in support of gun stores. Ms. Sterling responded that she thinks that is correct, you cannot prohibit them altogether but you can restrict where they go. Ms. Lemke said that she thinks Mark Cerel might know more about this. Ms. Sterling said she would like the board to let her know if that kind of info session takes place.

**Jeff Marble, Bylaw Amendment for "Food Pantry" as a Table of Use entry:** Ms. Raposa promoted Mr. Marble to give his presentation. He is representing the Medfield Food Cupboard. They have recently signed a lease to rent a space for three years, at 93 West Street. To make the process of finding a new space easier once their lease is up, the food cupboard would like the board to add food pantries to their table of uses, perhaps in section 2.1 which includes public, nonprofit, and educational facilities. This would allow more flexibility to the food cupboard when finding a space, and would give them more of an ability to find a space of their own in the future with no landlord involved. The food pantry is serving 80 families, and they distribute to these families once every two weeks.

Chairman Meehan asked if adding food pantries to the table of uses would interfere with their ability to lease 93 West Street. Ms. Raposa said that if the food pantry is categorized as retail, 93 West Street would still work. She added that the board could create a use table for food pantries at next year's town meeting.

**2 Ice House, LLC (applicant) seeks a modification of Site Plan Approvals dated January 22, 2007 and October 15, 2018. 2 Ice House, LLC proposes to construct photovoltaic (PV) solar arrays in the form of a parking canopy structure over the existing parking lot associated with the Kingsbury Club. The project proposes approximately 43,275 sf of PV solar arrays, and associated infrastructure (including transformer pads and about 1,100 linear feet of subsurface electrical conduit). The property is owned by the Town of Medfield and is leased to the Kingsbury Club. The property is located at 2 Ice House Road in the IE Zoning District with Primary Aquifer Overlay and is shown on Assessors' map 56 as lot 045. THE PRESS: June 4, 2021 & June 11, 2021**

Ms. Raposa promoted Mr. Chartier (of McKenzie Engineering Group), Mr. Meyers (proponent of the solar company), and Mr. Harris (general manager of the Kingsbury Club) to panelists. Mr. Chartier began his presentation. He was thinking that he could present this project tonight, and continue this discussion to July to see if the board can vote to approve this. McKenzie Engineering filed their site plan approval application on May 21st of this year. Afterwards, they filed for a stormwater amendment permit with the Board of Health. They presented to the BOH last Thursday, and today they received a letter from the town peer review consultant recommending approval for this project, with the recommendation that the Planning Board review one item. Mr. Chartier said that the Kingsbury Club is owned by the town of Medfield, and that the Kingsbury Club has a long-term lease agreement with the town. The property is located in the PV overlay district. At the most recent town meeting, they voted to approve the new zoning bylaw which has language that is favorable to this type of development. It allows the solar canopies to be treated as an accessory structure. This makes site plan approval much easier and more straightforward. Mr. Chartier shared his screen to show the site plan. He mentioned that McKenzie Engineering presented this project to the Board of Selectmen back in 2019, who voted favorably to the project. There is also an agreement in place for the town to purchase the energy created from this solar array. He then started going into specifics about the site. They are proposing 43,000 sq ft of solar arrays. They will sit on foundations that are cored into the ground. Conduit will run to the rear of the site, where a 1600 sq ft concrete path is proposed. On the concrete, they will have equipment such as transformers, batteries, and switchgear. This will be up to building code. The equipment will be screened by a tree line abutting the railroad tracks.

Chairman Meehan asked if this will affect fire safety and access to the Kingsbury Club building. Mr. Chartier said that this will not obstruct the pathway to the building and it should not impact emergency vehicle access. The canopies will also meet the 14 foot minimum clearance requirement so that emergency vehicles could fit under it. However, the path next to the solar installations will likely make it unnecessary for them to go underneath the canopies. There is another path on the other side of the building that is large enough for emergency vehicles to make a turn.

Mr. Chartier said that the DPW did review the plans and he had a few concerns about the easement through the parking lot that has water and sewer within it. The solar installations use ground penetrating radar, dig test pits, and borings prior to construction, which ensures that there will not be any utility conflicts. Access to the utilities will be maintained. McKenzie Engineering has done preliminary citing for the foundations, but as they move forward with this project, they may need to be moved if a conflict arises.

Mr. McKechnie asked Ms. Raposa if they would be able to build any structures within the easement. Ms. Raposa responded that it was recommended that this be looked at from a legal perspective, with a focus on emergency vehicle access and access to the utilities. Mr. McKechnie asked what would happen if McKenzie Engineering is not able to put the panels within the easement. Mr. Chartier responded that if they cannot build it there, the project cannot be done.

Ms. Raposa asked what the maximum height of the panel is. Mr. Chartier responded that the maximum clearance is twenty feet, and the height of the panel is roughly seventeen feet. The panels slope towards the building.

Mr. Chartier showed a photometric plan on his screen. There are existing lights on the property that were taken down. For this project, these would be replaced with an under canopy lighting system. Towards the back of the parking lot, there are existing lights that will stay. Therefore, any additional lighting will be underneath the canopy facing down. He then showed a diagram of how the foundations will be built. The foundations will be

circular holes with a diameter of three feet. Each foundation has flexibility as to where it can be moved left to right.

Ms. Raposa asked the board if they could provide feedback as to whether this project needs to be peer reviewed by Tetra Tech. Board members agreed that getting that peer review would be a good idea. Ms. Raposa is also sharing this meeting video with the Energy Committee, who will likely be supportive of this project.

Chairman Meehan then opened the meeting to public comments. Ms. Raposa promoted Mr. Scier to a panelist, who is an abutter of this project. Mr. Scier said that he would like there to be trees planted to block the structure visually from the neighbors. He would also like the Kingsbury Club to clean up the visually unappealing debris from their gymnasium project that is already built before they continue with this current project. He is also concerned that the installation will create an amphitheater that will direct noise from the Kingsbury Club to the neighborhood, so he would like them to consider sloping the panels in the opposite direction of what is proposed.

Chairman Meehan asked if Mr. Chartier could comment on what his stance would be on planting trees to block the structure. Mr. Chartier responded that he thinks MEG would be open to providing some trees along the property line. Chairman Meehan asked if there are gaps between the panels. Mr. Chartier responded that there will be one inch gaps between the panels from a bird's eye view, so from a stormwater perspective, it will not change the surface below.

Mr Chartier added that MEG could consider adding some landscaping along the light poles to provide a buffer to the neighbors. Ms. Raposa asked if Austin had any suggestions as to what trees and plants would be suitable. Mr. Scier mentioned that he would like Norway spruce. Mr. Chartier said that something like Norway spruce would be fine with him.

At 8:29 PM, Jenn Matthew wrote in the Q&A: “Gutters are necessary to prevent water from the canopy from becoming an extreme nuisance/drenching in certain areas.”

At 8:30 PM, Jenn Matthew wrote in the Q&A: “Also, if this is an aquifer protection area, what are the safeties in place to prevent heavy metals release if panels are damaged?”

At 8:31 PM, Jenn Matthew wrote in the Q&A: “And, would the Kingsbury Club be purchasing this system outright? How does ownership change hands at lease end? The panels have a useful life. Would the Town wind up owning the spent panels? If a solar company is going to be the owner, how does that factor into the Kingsbury Club's lease with the Town?”

At 8:34 PM, Jenn Matthew wrote in the Q&A: “One more thing, if the solar company is going to own the panels and benefit from the excess electricity produced, shouldn't the Town be a beneficiary of income? This was not part of the original lease with the Kingsbury Club (I'm assuming). As the owner of the parcel, the Town should benefit.”

At 8:37 PM, Jenn Matthew wrote in the Q&A: “And lighting is necessary under the canopy. It blocks the existing site lighting.”

At 8:42 PM, Jenn Matthew wrote in the Q&A: “That's good about the lights, but the canopy I've experienced, the panels were butt right up against each other and a gutter is needed, especially with it sloping toward the building.”

At 8:42 PM, Jenn Matthew wrote in the Q&A: “People will get soaked every rainstorm.”

At 8:43 PM, Jenn Matthew wrote in the Q&A: “The piers also take up portions of the parking spaces. It's like a large sonotube (the one I saw) that makes certain spaces useless.”

At 8:53 PM, Nathan Bazinet wrote in the Q&A: “Can screening/planting for these panels on the Kingsbury Club lot be coordinated to match possible screening to be used on the Hinkley lot project?” Ms. Raposa responded that they are considering using Norway spruce for both projects.

Ms. Raposa promoted Ms. Matthews to a panelist so she could voice her questions and concerns she raised in the Q&A. Ms. Matthews asked who would own the panels. Mr. Meyers responded that this project will be a third party owned independent power producer. Ms. Matthews said that an attorney should look at how the ownership will work. Ms. Lemke, who is an attorney, responded that with solar leases, the landowner leases the area where the solar improvements are located, and then the tenant, who is the leasee, owns the improvements until the lease expires. Ms. Matthews said that since the town is the owner of the land, the town should receive a monetary benefit for this, not the leaser. She also brought up her concern about the release of heavy metals. Ms. Lemke responded that the Planning Board cannot review the economics of the deal, since the Board of Selectmen were the ones who negotiated the lease. She added that the town does benefit from the project through increased tax revenue. Ms. Matthews brought up her concerns about gutters and the piers taking up the parking spaces. She also brought up that she thinks that the panels should be fireproofed and sprinklers should be installed. She has seen projects like this go poorly in the past and so she recommends that the board and the developers be very careful and precise with this project.

Ms. Raposa suggested that the board continue this discussion on July 19th so that the board can have time to gather more information.

Mr. Meyers added that the developer did enter into a purchase agreement with the BOS so that the town would benefit from the solar energy produced. They also executed a tax agreement with the town, and this was approved at the town meeting in May.

Mr. McKechnie asked if the developer has other examples of projects they have done around the area. Mr. Meyers responded that they have a number of smaller projects built across the state.

Ms. James said that she would like to know more about the design of the canopy, and the options for guttering and water management.

Ms. Lemke made a motion to continue this public hearing to July 19th at 7:35 PM. Seconded by Ms. James. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

### **Administrative**

**Annual/Special Town Meeting Prep** - Ms. Raposa said that next year, we will have to update our flood-plain zoning to reflect updated flooding route maps. Ms. Raposa has been working with someone who is helping her

to identify where there needs to be edits in the zoning map. Ms. Raposa also mentioned that they have submitted a few grant applications. One had to do with the zoning diagnostic, another had to do with a wayfinding plan for Medfield, another had to do with mixed use zoning between Lovell's and downtown, and another had to do with revising and updating our cluster subdivision bylaw.

**Medfield State Hospital Update (if needed)** - Ms. Raposa said that the RFP is still out and the town is getting ready to issue the answers to the questions that were received several weeks ago. Proposals are still due in early August.

**Townwide Master Planning Committee (if needed) – Teresa James** - Ms. James said that the MPC and several other boards signed a letter of endorsement to be sent to the Select Board, who will meet in July.

**Affordable Housing Trust Update (if needed) – Jim Brand** - Mr. Brand said that the AHT made a vote today to endorse the developer project for Hinkley South to the Select Board, with the condition that the developer put in a good faith effort to increase the buffer to the neighbors. In addition, the AHT discussed an idea that would make available the million dollar bonding to incentivize other affordable projects in town, ones similar to the two apartment style projects on North Street.

**Historical Commission Update (if needed) – Seth Meehan** - none

**Minutes (5/3/21, 6/3/21)** - Ms. James made a motion to approve both sets of minutes. Seconded by Ms. Lemke. 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 9:30 pm, Mr. McKechnie made a motion to adjourn. Seconded by Ms. James. 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