



# TOWN OF MEDFIELD

Office of the

## PLANNING BOARD

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

(508) 359-3027  
(508) 359- 6182 Fax

MEETING OF:  
**August 17, 2020**  
MINUTES

**Members Present via Zoom Meeting:** Chair Teresa James, Jim Brand, Vice-Chair; Paul McKechnie, Clerk; Sarah Lemke, Member; Seth Meehan, Member

**Staff Present:** Sarah Raposa, Town Planner; Marion Bonoldi, Recording Clerk

**Others Present:** Lauren Sweeney, Kara Boudreau, James Sullivan, Michael Boudreau, Beth Smith, David Temple, Nikki Root, Marc Saulnier, Jenn Matthew, John Porter, TJ Caveney

**Location:** Online via Zoom Meeting

Chair Teresa James called the meeting to order at approximately 7:33 PM, and announced the meeting was being recorded. Chair James read the following:

*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 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/view] this meeting while in progress may do so by following the instructions on the agenda and meeting notice*

**Approval Not Required (ANR) Plans – Matt & Beth Ann Smith, 49 Elm Street (Map 33 Lot 091); to create one additional building lot**

Mr. Matt Smith said the lots have the required frontage, suitable access from the street and required frontage on the street. Mr. Smith reviewed the plot plans with the Board virtually. The lots are the one with the pool, the one with Hannah Adams house and the lot with the barn. The barn was built around 1910. The lot with the barn needs possible further review from the ZBA and the building commissioner. The lot with the barn has a possible right-of-way. Mr. Smith believes the barn is a dwelling unit.

Ms. Lemke feels she didn't have adequate time to review the ANR plan appropriately. Under the sub-division control law, Lot 1B and Lot 2 show the frontage on Elm Street, for the next lot Ms. Lemke asked if there was frontage on Elm. Mr. Smith said he introduced the frontage on the back of the lot, is to meet the lot width requirement. Mr. Smith said the Planning Board can only have jurisdiction on the frontage.

Ms. Lemke disagrees that this might be a through lot. Ms. Lemke feels that there is not enough information at this time. Ms. Lemke said the Planning Board would need confirmation from Town Counsel as to whether or

not the Planning Board can endorse a plan that has a lot that doesn't comply. Mr. Smith cited page 3 and page 70 of the ANR handbook. Mr. Smith said the lots meet the criteria. Ms. Lemke asked why Mr. Smith is insistent on getting the ANR endorsed tonight; curious about the urgency. Mr. Smith said the 1<sup>st</sup> plan is nearing the deadline and he is frustrated as to how the Planning Board is trying to "digest the plans." Mr. Smith said the two application fees are paid and they are endorsable. Mr. Smith said the plans meet the threshold. Mr. Smith doesn't understand why the Planning Board is giving him a hard time. Ms. Lemke assured Mr. Smith that these plans are not being treated any differently than any review before the Board. Ms. Lemke said the Planning Board prides themselves on conducting rigorous reviews. Ms. Lemke said she is simply saying that the Planning Board needs more information. Mr. Smith said the purpose of an ANR review is to see if the plans meet the requirements. Mr. Smith said the frontage meets the requirements; all standards are met within the Planning Boards jurisdiction. Ms. Lemke said this is a procedural matter. Ms. Sarah Raposa, Town Planner, said the rationale for the 3-lot plan is a lot to digest in one day and it might be helpful to walk the Board through the plan and rationale more slowly. Mr. Smith apologized to the Board and said he is not trying to be difficult. Mr. Smith said he has an engineer degree and feels this is more straightforward to him. Mr. Smith apologized for the feelings of urgency; sold his home in Medway and is moving to Medfield this Thursday.

Ms. Raposa asked if there is a field card on the property. Mr. Smith said there is plenty of documentation showing dates and deed references. Mr. Jim Brand said he hasn't had enough time to review the 3-lot plan and would like to check with Town Counsel. Ms. Raposa said Mr. Mark Cerel has not been in Town Hall since COVID-19 started. Mr. Cerel has not given his okay on the 2-lot plan. Ms. Raposa said that Mr. Gary Pelletier did give is okay on the 2-lot plan. Mr. Seth Meehan suggested Mr. Smith contact Mr. David Temple of the Historical Society for any additional information needed. Mr. Smith said this property has 3 lots and more lots is more value. Mr. Smith said three lots is also three tax bills; not two tax bills. Mr. Smith said he falsely assumed this was straightforward. Mr. Smith said he is trying to show the lender that there is value in this property. Mr. McKechnie said he would like to hear Town Counsel's opinion. Chair James said she could recommend the 2-lot plan and the Planning Board would need another meeting for the 3-lot review; the Planning Board simply didn't have enough time. Mr. Smith said he respects that the Planning Board needs more time and apologizes for his tone. Mr. Smith said he will defer to Town Counsel.

Ms. Lemke made a motion to endorse the 2-lot ANR plan. Seconded by Mr. McKechnie. Roll Call Vote: PM=yes; SM=yes, TJ=yes, JB=yes, SL=yes. The Vote: 5-0.

Ms. Lemke made a motion to endorse the 3-lot ANR plan, subject to Town Counsel approval. The approval from Town Counsel can be given over email to the Planning Board. Seconded by Mr. McKechnie. Roll Call Vote: PM=yes; SM=yes, TJ=yes, JB=yes, SL=yes. The Vote: 5-0.

## **Change of Use Determinations**

### **266 Main Street – Marc Saulnier, Saulnier Family Chiropractic (from Real Estate office to chiropractor practice)**

At 8:15 pm, Dr. Marc Saulnier said he has been in practice for 10 years in Norwood. Dr. Saulnier said he found this space in Medfield. Dr. Saulnier moved to Medfield last year with his family and wanted to practice where he lives. Dr. Saulnier said there is plenty of parking and feel it is a great fit professionally. Ms. Lemke asked if Berkshire Hathaway was the former tenant of the space. Ms. Marion Bonoldi, Recording Clerk, confirmed yes and said it was a busy place. Dr. Saulnier said he will have 3 to 4 clients in the office at a time. Ms. Lemke feels the net parking will remain positive. Ms. Lemke made a motion to approve the change of use from Real Estate

office to chiropractor practice. Seconded by Mr. McKechnie. Roll Call Vote: PM=yes; SM=yes, TJ=yes, JB=yes, SL=yes. The Vote: 5-0.

**504 Main Street – Jenn Matthew - Clodhopper Farm (temporary farm stand in parking lot)**

Mr. Meehan disclosed that is daughter volunteers at Park Street Book. Mr. McKechnie and Chair Teresa James recused themselves from this hearing.

Ms. Matthew, applicant, said this is her 2<sup>nd</sup> career and has obtained an Associate’s degree in sustainable food and agriculture. Ms. Matthews said she wanted her farm to be in Vermont but she needs more experience. Ms. Matthew said she farms on land in Concord, MA. Ms. Matthews said that COVID has made some unique rules in farmer’s markets and this has proven difficult. Ms. Matthew would like to sell vegetables and flower at Park Street Books. Ms. Matthews said Park Street Books is a great fit and Mr. Jim James gave her an opportunity. Mr. Meehan said the hours are on Wednesday from 10:00 am – 6:00 pm. Mr. Meehan asked how long the season is. Ms. Matthews said she is hoping to grow and sell all year however it might not be worth selling into the cold season. Ms. Matthews said into November for the Thanksgiving season. Ms. Matthew said she was hoping of a range of approvals for options. Mr. Meehan asked where the stand is placed. Ms. Matthews said in the front of the patio and the stand takes up 2 parking spaces. Ms. Lemke asked if the stand could be moved to the pation. Ms. Matthews said the patio is being used for pottery painting, due to COVID, and for Ribpublic, when they are there.

Ms. Raposa said there are no uses for pop-ups or food vendors. Ms. Raposa said noted that the site plan approval for given to Park Street Books in 2012 was for a book store and nothing else. Mr. Meehan said this is a similar conversation as to when Ribpublic came before the Board. There were concerns with traffic coming in and out of the site and overflow parking on surrounding streets. Ms. Lemke said the farm stand would be safer on the patio and then 2 parking spaces would not be lost. Mr. Brand said he also concerned about the location in the parking lot and feels the farm stand needs to be on the patio. Mr. Brand asked if anything other than vegetables and flowers were sold. Ms. Matthews said no.

Ms. Teresa James, owner of Park Street Books (recused as Planning Board Chair), said Sundays are a slower day and the traffic is hit or miss. Ms. James said outside pottery painting during the week has picked up lately.

Ms. Lemke made a motion to approve the change of use to 504 Main Street/ Park Street Books to add Clodhopper Farm Stand with the conditions of one day per week to be chosen by the applicant however that excluded the day the Ribpublic is at the site. The approval is also subject to not adding to overflow parking of surround streets and is limited to the patio area of only. Seconded by Mr. Meehan. Roll Call Vote: SM=yes, JB=yes, SL=yes. The Vote: 3-0.

Ms. Raposa told Ms. Matthews that her sign and canopy of the farm stand also needs to be approved by the Sign Committee.

**Nikki Root of Kimley-Horn and Associates (applicant) and Bank of America (owner) seek a Modification to Site Plan Approval pursuant to Medfield Zoning Bylaws Section 300-14.12 for the project known as Electrify America - BOA EV Charging Station which consists of the conversion of nine parking spaces for four electric vehicles charging stations with appurtenant power equipment and landscaping. The property is located at 478 Main Street in the B and RU Zoning Districts and is shown on Assessors' map 43 as lot 143.**

Mr. McKechnie and Chair Teresa James recused themselves from the hearing.

Ms. Nikki Root and Ms. Lauren Sweeney represent Electrify America and are proposing to add charging stations to the Bank of America parking lot. There would be 4 charging stations, equipment with screening on the Pleasant Street side of the parking lot. Ms. Sweeney said these are “fast charging” stations which allow for a complete charge in 45 minutes. The fast charging stations require a bit more equipment. Mr. Meehan asked what types of trees will be planted for screening. Ms. Sweeney said usually evergreens with height. Mr. Meehan asked if the stations can only be used during certain hours. Ms. Sweeney said they try not to limit hours. Ms. Sweeney said the stations are found through apps and the cost of use is \$1 per minute. Ms. Sweeney said there will be a lease with Bank of America for the use of the section of the parcel. Ms. Sweeney said they have approximately 4 to 5 other leases with Bank of America in Massachusetts.

Ms. Sweeney showed a picture to the Board of the charging station. Mr. Meehan asked if there is any advertisement on the stations. Ms. Sweeney said just the logo. Ms. Lemke asked if there is any illumination. Ms. Sweeney said yes; a small amount. Ms. Lemke said that the illumination might be problematic. Ms. Sweeney said the illumination is for users to feel safe. Mr. Meehan suggested planting trees along the back side of charging stations to block illuminations from abutters. Ms. Sweeney said they would have no issue adding trees for more screening. Ms. Lemke asked if there will be any fencing. Ms. Sweeney said no; the preference is to not have a fence. Mr. Meehan asked about noise levels. Ms. Sweeney said the noise is measured at 60 decibels which is a normal indoor speaking volume. Ms. Lemke asked how much the sound tapers off at the property line. Ms. Lemke said that abutters would want to know that information. Ms. Sweeney said 3 feet away from the station the noise is measured at 44 decibels. Ms. Sweeney said the ambient noise is measure at 40 decibels. Mr. Meehan asked what customers do while their car is charging. Ms. Sweeney said it depends on the user and the location. Mr. Brand asked if the rest of the parking lot is lit. Ms. Sweeney said she believes there are a couple of lights in the parking lot.

Mr. Meehan said that when it rains there is a large pool/puddle in the back corner of the parking lot. Mr. Meehan asked if there is any concern or thoughts of correction. Ms. Raposa said the Board of Health will be required for drainage and stormwater. Ms. Lemke asked if there is a photometric plan for proposed lighting to show no spill. Ms. Sweeney said there is no plan. Ms. Sweeney said there is one proposed light with a shield and there is no lighting on the back of the charger. Mr. Meehan asked about a potential timeline. Ms. Sweeney said all permits need to be acquired and then there is about 2 weeks of construction. Ms. Lemke asked if there is vegetation around the transformer. Ms. Sweeney said Eversource requires the transformer to be cleared of vegetation but trees can be added to the back. Ms. Raposa asked if fence screening could be added. Ms. Sweeney said she can ask Electrify America for the addition of a trek fence. Ms. Raposa believes fencing would be better than landscaping for snow removal. Ms. Lemke asked for the parking spaces requirement for Bank of America. Ms. Raposa said the site plan was approved in 1978. The parking is 1 per 120 feet. Ms. Sweeney said she can provide a parking study to the Board.

Ms. Kara Boudreau, 15R Pleasant Street, asked if location of the charging stations could be moved closer to the bank. Ms. Sweeney said she is not sure and will check into it. Mr. Brand is concerned about the drainage issue. Ms. Sweeney asked what is causing it. Ms. Raposa said she is not sure and is hoping the parking lot just needs some TLC. Mr. Meehan asked about signage on Route 109. Ms. Sweeney said there is not signage; apps will be used. Mr. Meehan asked how many people are expected in one week to use the stations. Ms. Sweeney said she is not sure but the intention is to get people to think about electric cars and not to be deterred for lack of infrastructure. Ms. Lemke likes the idea of bringing people to town and doesn't believe surrounding towns have them. Ms. Lemke said a parking count, a lighting plan showing no spill beyond the property line, potential of adding a fence and a confirmation of noise level at the property line. Ms. Sweeney said she will get started as

soon as possible. Ms. Lemke made a motion to continue the hearing to September 2, 2020 at 7:35 pm. Seconded by Mr. Brand. Roll Call Vote: SM=yes, JB=yes, SL=yes. The Vote: 3-0.

### **Administrative**

#### **Discussion - Solar bylaw amendment – submitted by Kingsbury Club –**

Ms. Raposa said there is a potential bylaw amendment that would address solar canopy; similar canopies to the one that Kingsbury proposed and possible for municipalities. Ms. Raposa said there was not bylaw amendment for the Annual Town Meeting due to COVID-19 and a Special Town Meeting is not likely. Ms. Raposa is hoping to have a bylaw amendment for the ATM in the spring that would address solar.

John Porter and TJ Caveney submitted a draft of the bylaw as they are the one with the issues that need to be addressed with the Kingsbury proposal. Mr. Porter said the solar project is in the industrial zoning part of town at Kingsbury. The issue with the proposal was that the canopies are considered accessory structures and need to be 25 feet back from the property line instead the 5 feet requirement of a parking space.

Mr. Porter gives the proposed language: INSERT THE FOLLOWING AS A NEW PARAGRAPH IN § 300-6.2 (AREA REGULATIONS): The setback requirements applicable to Solar Parking Canopies in the IE District shall be those applicable to vehicle parking or loading spaces in § 300-8.3.A(1). For the purpose of this provision, “Solar Parking Canopy” means an on-site solar photovoltaic installation (as defined in § 300-19.3) that is installed on top of a parking surface or other surface that maintains the function of the area beneath the canopy.

Mr. McKechnie feels the wording is a good start but here is a lot more to consider. Mr. McKechnie is concerned that lighting under canopies would feel like a parking garage. Mr. McKechnie said esthetically and functionality needs to be thought about further. Mr. Brand said that although this is an IE district; the abutting neighborhood is residential. Mr. McKechnie said that the fire code needs to be considered. Mr. Porter said he tried to keep the wording short and sweet but he will look into it further. Ms. Raposa said that Mr. Gary Pelletier, Building Commissioner had a quick review and suggested looking at other sites to see what issues would come up. Mr. Pelletier would like a site plan approval or special permit so each proposal is reviewed on their own merits. Ms. Raposa said this will be a rolling agenda item for the Board.

**Medfield State Hospital Update** – Ms. Raposa said MSHDC submitting to the Mass Development to move forward in the RFQ, RFP, and land disposition process. Ms. Raposa said the vacancies have been filled.

**Townwide Master Planning Committee** – Chair James said there was no July meeting due to the microburst.

**Affordable Housing Trust** –Mr. Brand said the AHT is taking the summer off unless something comes up and the next meeting will be in September. Ms. Raposa said there are 2 new members on the AHT.

**Historical Commission Update** – Mr. Meehan said David Temple sent an email regarding 49 Elm and the HC is still looking for members.

**Minutes (7/8/20 – TJ, PM, SL, JB)** – Ms. Lemke made a motion to approve the minutes from July 8, 2020. Seconded by Mr. McKechnie. Roll Call Vote: PM=yes; TJ=yes, JB=yes, SL=yes. The Vote: 4-0.

**Minutes (7/20/20 – TJ, PM, JB)** – Mr. McKechnie made a motion to approve the minutes from July 20, 2020. Seconded by Mr. Brand. Roll Call Vote: PM=yes, TJ=yes, JB=yes, The Vote: 3-0.

**Minutes (7/28/20 – TJ, PM, SL, JB)** – Ms. Lemke made a motion to approve the minutes from June 28, 2020. Seconded by Mr. McKechnie. Roll Call Vote: PM=yes; SL=yes, TJ=yes, JB=yes, The Vote: 4-0.

At approximately 10:25 pm, Ms. Lemke made a motion to adjourn. Seconded by Mr. McKechnie. Roll Call Vote: PM=yes; SM=yes, TJ=yes, JB=yes, SL=yes. The Vote: 5-0.

**Respectfully submitted,**

Marion Bonoldi, Recording Clerk