

TOWN OF MEDFIELD

# MEETING NOTICE

**POSTED:**

RECEIVED  
TOWN OF MEDFIELD, MASS  
TOWN CLERK  
2019 SEP 17 12:59  
OFFICE OF THE  
TOWN CLERK

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 39 SECTION 23A AS AMENDED.

**Board of Selectmen**

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**Board or Committee**

<u>PLACE OF MEETING</u>	<u>DAY, DATE, AND TIME</u>
Town Hall, Chenery Meeting Room, 2 <sup>nd</sup> floor	Tuesday September 17, 2019 @ 7:00 PM

## AGENDA (Subject to change)

7:00 PM Call to order

Disclosure of video recording

We want to take a moment of appreciation for our Troops serving in the Middle East and around the world

### Citizen Comment

#### Appointments

Dr. Jeffery Marsden, School Superintendent; discuss parking of school buses

Richard Mastronardi; discuss lawn mowing at the Unitarian Church grounds

Medfield Youth Outreach

Greg Bonnette; discuss plans for the 2<sup>nd</sup> Annual Cyclocross Race proposed for December 14, 2019 at the state hospital site

Jean Mineo; discuss MSH Chapel lease

#### Action Items

Medfield Energy Committee, Fred Davis Chair, requests the Selectmen to vote to appoint Jim Nail, David Stephenson, Alec Stevens and Tricia Pembroke to the Energy Committee

DPW Director Maurice Goulet requests the Selectmen to vote to sign Chapter 90 Reimbursement Request for project stone seal on various streets in the amount of \$111,510.00

Town Planner Sarah Raposa requests the Selectmen to vote to sign *Adoption of the Town of Medfield Hazard Mitigation Plan Update for 2019*

Selectmen are requested to vote to appoint Melissa Coughlin to the Board of Health

Vote to call November 18, 2019 Special Town Meeting for Medfield State Hospital Zoning

## **Discussion Items**

### **Pending**

#### **Town Administrator Update**

Preliminary Budget Discussions

#### **Board of Selectmen Action List**

##### **Licenses and Permits (Consent Agenda)**

Medfield Transfer Station and Recycling Committee requests permission to post signs from October 4 to October 18 promoting October is Green Month in Medfield

Medfield Lions Club, Barbara Gips member, requests a one-day wine and malt beverage permit for the *Lions Senior Luncheon* at St Edward's Church Hall 11:00 AM to 2:30 PM on Saturday December 14, 2019

Medfield Lions Club requests permission to post signs October 19 to November 2<sup>nd</sup> announcing the annual *Chowderfest* to be held November 2, 2019 at The CENTER

Medfield High School Swim and Dive Team requests permission to hold a fundraising car wash behind Town Hall on Saturday October 6, 2019 9:00 AM to Noon

Medfield Garden Club requests permission to place signs announcing annual *Holiday Greens Sale* to be held Saturday December 7, 2019; signs in place one week prior to the event.

##### **Acceptance/Correction of Meeting Minutes**

November 27, 2018; December 11, 2018; December 18, 2018; January 8, 2019; May 28, 2019, September 3, 2019

##### **Selectmen Report**

###### **Information**

SEB Housing LLC announces Hillside Village October 1, 2019 public information session; Lottery November 26, 2019

Notice from MMA announcing Legislative Breakfast meetings

Board of Appeals Decision No.1371

Medfield Conservation Commission issues Emergency Certification Form pertaining to necessary repair work to a portion of the stone wall at Baker's Pond

Medfield Foundation announces the annual *Angel Run* will be held on Sunday December 8, 2019

###### **Next meeting dates**

Tuesday, October 1, 2019

Tuesday, October 15, 2019



Evelyn Clarke <eclarke@medfield.net>

**Re: Fwd: Scheduling MEC mtg**

1 message

Fred Davis <fred@freddaviscorp.com>

To: Evelyn Clarke <eclarke@medfield.net>

Cc: CYNTHIA GREENE <Medfielder@msn.com>, Osler Peterson <osler.peterson@verizon.net>

Wed, Sep 4, 2019 at 9:27 PM

(Evelyn: I have been having issues with my email; would you please acknowledge receipt? Thanks very much.)

The Medfield Energy Committee requests that the Board of Selectmen appoint the following members:

MEC MEMBER

Jim Nail

JIM NAIL <jnail7@comcast.net>

new

David Stephenson

David Stephenson <D.Stephenson@stephensonstrategies.com>

new

Alec Stevens

Alec Stevens <astevens@dminc.com>

new

Tricia Pembroke

Tricia Pembroke <pdgpembroke@comcast.net>

new

Thank you.

-- Fred Davis  
Chair, Medfield Energy Committee

**Let's light "green" in '19**

**Fred Davis Corporation  
Energy-Efficient Lighting Wholesalers  
-----Since 1983-----  
120 N. Meadows Road, Medfield, MA? 02052  
800-497-2970ph.? 508-359-3644fax**



### Chapter 90 Reimbursement Request

City/Town Medfield Project 50878-17

Project Request was approved on 7/17/2019 for \$115,000 at 100 % Reimbursement Rate = \$115,000.

1. Attached are forms which document payment of approved expenditures totaling \$111,510.001 for which we are requesting \$111,510.00 at the approved reimbursement rate of 100 % percent.
2. The amount expended to date on this project is \$111,510.00.
3. Is this request for a FINAL payment on this project? Yes  No

4. Remarks:

#### CERTIFICATION

A. I hereby certify under penalty of perjury, that the charges for labor, materials, equipment, and services itemized and summarized on the attached forms are true and correct, and were incurred on this project in conformance with the Massachusetts Highway Department Policies and established Municipal Standards that were approved for this project.

Signed: Maurice Shult DPW DIRECTOR 9/4/19  
Highway Officer's Title Date

B. I/We certify under penalty of perjury that the items as listed or summarized on the attached forms were examined; that they are in conformity with our existing wage schedule, equipment rates, and all applicable statutes and regulations; that they are properly chargeable to the appropriation(s) designated for this work; and that Executive Order No. 195, dated April 27, 1981, is acknowledged as applicable.

REVIEWED AND APPROVED FOR TRANSMITTAL

Signed: \_\_\_\_\_

by Joy A. Ricciuti

TOWN ACCOUNTANT  
Accounting Officer's Title

9/4/19  
Date

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

duly authorized





**All States Asphalt, Inc.**  
All States Materials Group®

PO Box 91  
Sunderland, MA 01375  
413-665-7021

370

**BILL TO:**

**JOB:**

190145

Town of Medfield  
Highway Department  
55 North Meadows Road  
Medfield, MA 02052

Various Streets

**PO#:**

**INVOICE:** 20190708

**DATE:** 7/8/2019

DATE	SLIP #	DESCRIPTION	QUANTITY	U/M	UNIT PRICE	EXT. PRICE
7/8/2019		AR Stone Seal 20% w/ Sweeping	22302.000	SY	\$5.00	\$111,510.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00

	<b>SALES TAX:</b>	\$0.00
	<b>INVOICE TOTAL:</b>	<b>\$111,510.00</b>

1. TO PROMPTLY PAY ALL INVOICES, IN FULL, IN ACCORDANCE WITH THE TERMS OF SALE, WHICH ARE NET 30 DAYS FROM INVOICE DATE, UNLESS OTHERWISE AGREED TO BY BOTH PARTIES IN WRITING  
 2. TO PAY A DEFAULT RATE OF INTEREST FOR LATE PAYMENTS, COMPUTED AT AN ANNUAL PERCENTAGE RATE OF EIGHTEEN (18%) PERCENT (1.5% PER MONTH), ON ANY UNPAID BALANCE 30 DAYS OR MORE PAST DUE FROM INVOICE DATE  
 3. TO PAY ATTORNEY'S FEES AND EXPENSES INCURRED IN COLLECTION EFFORTS, AFTER DEFAULT.  
 4. NOTIFICATION TO US OF ANY REJECTION, PR REPUDIATION OF OUR PRODUCTS MUST BE RECEIVED BY US, IN WRITING, WITHIN 10 DAYS AFTER DELIVERY, OR DEEMED CONCLUSIVELY WAIVED  
 5. YOU ARE AUTHORIZED TO SHIP PRODUCT TO ANY PERSON WHO REPRESENTS HIMSELF AS AUTHORIZED TO DO SO BY APPLICANT.



# TOWN OF MEDFIELD

*Office of*

## BOARD OF SELECTMEN

TOWN HOUSE, 459 MAIN STREET  
MEDFIELD, MASSACHUSETTS 02052-0315

(508) 359-8505

KRISTINE TRIERWEILER  
*Town Administrator*

### CERTIFICATE OF ADOPTION BOARD OF SELECTMEN TOWN OF MEDFIELD, MASSACHUSETTS

#### A RESOLUTION ADOPTING THE *TOWN OF MEDFIELD HAZARD MITIGATION PLAN 2019*

WHEREAS, the *Town of Medfield Hazard Mitigation Plan Update 2019* contains several potential future projects to mitigate potential impacts from natural hazards in the Town of Medfield, and

WHEREAS, duly-noticed public meetings were held by the Board of Selectmen on February 19, 2109 and on May 28, 2019

WHEREAS, the Town of Medfield authorizes responsible departments and/or agencies to execute their responsibilities demonstrated in the plan, and

NOW, THEREFORE BE IT RESOLVED that the Town of Medfield Board of Selectmen adopts the *Town of Medfield Hazard Mitigation Plan Update 2019*, in accordance with M.G.L. 40 §4 or the charter and bylaws of the Town of Medfield.

ADOPTED AND SIGNED this Date. \_\_\_\_\_

\_\_\_\_\_  
Gustave Murby, Chair

\_\_\_\_\_  
Osler Peterson

\_\_\_\_\_  
Michael Marcucci

ATTEST

# LOCAL MITIGATION PLAN REVIEW TOOL

## Town of Medfield, MA

The *Local Mitigation Plan Review Tool* demonstrates how the Local Mitigation Plan meets the regulation in 44 CFR §201.6 and offers States and FEMA Mitigation Planners an opportunity to provide feedback to the community.

- The Regulation Checklist provides a summary of FEMA’s evaluation of whether the Plan has addressed all requirements.
- The Plan Assessment identifies the plan’s strengths as well as documents areas for future improvement.
- The Multi-jurisdiction Summary Sheet is an optional worksheet that can be used to document how each jurisdiction met the requirements of the each Element of the Plan (Planning Process; Hazard Identification and Risk Assessment; Mitigation Strategy; Plan Review, Evaluation, and Implementation; and Plan Adoption).

The FEMA Mitigation Planner must reference this *Local Mitigation Plan Review Guide* when completing the *Local Mitigation Plan Review Tool*.

<b>Jurisdiction:</b> Town of Medfield, MA	<b>Title of Plan:</b> Town of Medfield Hazard Mitigation Plan Draft 2019 Update	<b>Date of Plan:</b> June 13, 2019
<b>Single or Multi-jurisdiction plan?</b> Single		<b>New Plan or Plan Update?</b> Update
<b>Regional Point of Contact:</b> Darci Schofield Senior Environmental Planner Metropolitan Area Planning Council 60 Temple Place, Boston, MA 02111 617-933-0749; <a href="mailto:dschofield@mapc.org">dschofield@mapc.org</a>		<b>Local Point of Contact:</b> Sarah Raposa, AICP Town Planner Town of Medfield 459 Main Street, Medfield, MA (508) 906-3027; <a href="mailto:sraposa@medfield.net">sraposa@medfield.net</a>

<b>State Reviewer:</b> Jeffrey Zukowski	<b>Title:</b> Hazard Mitigation Planner	<b>Date:</b> 8/9/2019;
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<b>FEMA Reviewer:</b> Parker Moore Brigitte Ndikum-Nyada	<b>Title:</b> FEMA Planner FEMA Community Planner	<b>Date:</b> 8/26/2019 8/26/2019 – 9/6/2019
<b>Date Received in FEMA Region I</b>	8/15/2019	
<b>Plan Not Approved</b>		
<b>Plan Approvable Pending Adoption</b>	9/6/2019	
<b>Plan Adopted</b>		
<b>Plan Approved</b>		

**SECTION 1:  
REGULATION CHECKLIST**

**INSTRUCTIONS:** The Regulation Checklist must be completed by FEMA. The purpose of the Checklist is to identify the location of relevant or applicable content in the Plan by Element/sub-element and to determine if each requirement has been ‘Met’ or ‘Not Met.’ The ‘Required Revisions’ summary at the bottom of each Element must be completed by FEMA to provide a clear explanation of the revisions that are required for plan approval. Required revisions must be explained for each plan sub-element that is ‘Not Met.’ Sub-elements should be referenced in each summary by using the appropriate numbers (A1, B3, etc.), where applicable. Requirements for each Element and sub-element are described in detail in this *Plan Review Guide* in Section 4, Regulation Checklist.

Regulation (44 CFR 201.6 Local Mitigation Plans)	Location in Plan (section and/or page number)	Met	Not Met
<b>ELEMENT A. PLANNING PROCESS</b>			
A1. Does the Plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? (Requirement §201.6(c)(1))	Acknowledgements & Credits p. II; Executive Summary, pp vii-x; Section II, pp. 6-10; Appendices A & C	X	
A2. Does the Plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process? (Requirement §201.6(b)(2))	Section II, pp. 8-10; Appendix C	X	
A3. Does the Plan document how the public was involved in the planning process during the drafting stage? (Requirement §201.6(b)(1))	Section II, pp. 9-10; Appendix C	X	
A4. Does the Plan describe the review and incorporation of existing plans, studies, reports, and technical information? (Requirement §201.6(b)(3))	Section II, p. 7; Section III, citations throughout; Section IX, p. 100; Appendix B	X	
A5. Is there discussion of how the community(ies) will continue public participation in the plan maintenance process? (Requirement §201.6(c)(4)(iii))	Section II, p. 10; Section VII, pp. 98-99	X	
A6. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)? (Requirement §201.6(c)(4)(i))	Section VII, pp. 98-99	X	
<b>ELEMENT A: REQUIRED REVISIONS</b>			
<b>ELEMENT B. HAZARD IDENTIFICATION AND RISK ASSESSMENT</b>			
B1. Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)? (Requirement §201.6(c)(2)(i))	Section III, pp. 12-62 Appendix B	X	
B2. Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction? (Requirement §201.6(c)(2)(i))	Section III, pp. 12-62	X	
B3. Is there a description of each identified hazard’s impact on the community as well as an overall summary of the community’s vulnerability for each jurisdiction? (Requirement §201.6(c)(2)(ii))	Section III, pp. 12-62, pp. 69-77	X	

B4. Does the Plan address NFIP insured structures within the jurisdiction that have been repetitively damaged by floods? (Requirement §201.6(c)(2)(ii))	Section III, pp. 14-23	X	
<b>ELEMENT B: REQUIRED REVISIONS</b>			
<b>ELEMENT C. MITIGATION STRATEGY</b>			
C1. Does the plan document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs? (Requirement §201.6(c)(3))	Section V, pp. 79-83	X	
C2. Does the Plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate? (Requirement §201.6(c)(3)(ii))	Section III, pp. 22-23	X	
C3. Does the Plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? (Requirement §201.6(c)(3)(i))	Executive Summary p. viii Section IV, p. 78	X	
C4. Does the Plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? (Requirement §201.6(c)(3)(ii))	Section V, pp. 79-83; Section VI, pp 84-85; Section VII, pp. 87-93	X	
C5. Does the Plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction? (Requirement §201.6(c)(3)(iv)); (Requirement §201.6(c)(3)(iii))	Section VII, pp. 98-99	X	
C6. Does the Plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? (Requirement §201.6(c)(4)(ii))	Section VII, p. 101-102 And pg. IX	X	
<b>ELEMENT C: REQUIRED REVISIONS</b>			
<b>ELEMENT D. PLAN REVIEW, EVALUATION, AND IMPLEMENTATION</b> (applicable to plan updates only)			
D1. Was the plan revised to reflect changes in development? (Requirement §201.6(d)(3))	Section III, pp. 65-69;	X	
D2. Was the plan revised to reflect progress in local mitigation efforts? (Requirement §201.6(d)(3))	Section IV, pp. 84-85	X	
D3. Was the plan revised to reflect changes in priorities? (Requirement §201.6(d)(3))	Executive Summary, Table 1 p. ix Section VI, pp 84-85	X	
<b>ELEMENT D: REQUIRED REVISIONS</b>			
<b>ELEMENT E. PLAN ADOPTION</b>			
E1. Does the Plan include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval? (Requirement §201.6(c)(5))	Appendix D, p. 130 (pending APA)		X
E2. For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption? (Requirement §201.6(c)(5))			
<b>ELEMENT E: REQUIRED REVISIONS</b>			

**ELEMENT F. ADDITIONAL STATE REQUIREMENTS (OPTIONAL FOR STATE REVIEWERS ONLY; NOT TO BE COMPLETED BY FEMA)**

F1.			
F2.			

**ELEMENT F: REQUIRED REVISIONS**

## SECTION 2: PLAN ASSESSMENT

### Recommended Corrections

- The plan indicates in two different paragraphs that the planning meetings occurred on October 16, 2019, December 22, 2019, and May 6, 2019 (pages vii & 9). Please correct to match the dates for when the meetings occurred in harmony with the planning timeline on page 11.
- On page 4 under 'Community Profile,' a minor correction is needed. The town of Medfield, MA is either **17** or **19** miles Southwest of Boston. Provide the correct mileage/distance.
- The plan inter-changes the title of the current Massachusetts SHMCAP. Here are some examples: "2018 Massachusetts Integrated State Hazard Mitigation and Climate Adaptation Plan" "the Massachusetts State Hazard Mitigation and Climate Adaptation Plan, 2018."

### A. Plan Strengths and Opportunities for Improvement

This section provides a discussion of the strengths of the plan document and identifies areas where these could be improved beyond minimum requirements.

#### Element A: Planning Process

##### **Plan Strengths:**

- A range of existing studies, reports, and plans were reviewed and incorporated, resulting in a plan that is comprehensive and current.
- Planning meetings were held at locations and times that encouraged public attendance.
- The criteria that will be used to evaluate the plan is clearly described.
- The main body of the plan references the appendices, making it easy for the reader to locate attached materials.

##### **Opportunities for Improvement:**

- Include more information on continuous outreach to, and feedback collected from, stakeholders and the public.
- Consider ways in which to better structure the plan's content and convey meaning.

#### Element B: Hazard Identification and Risk Assessment

##### **Plan Strengths:**

- There is a well-grounded rationale provided for why certain hazards were omitted from analysis.
- The community incorporated the most current and best available data, studies, and reports.
- Great discuss on the far-reaching impact of the Charles River Watershed -

##### **Opportunities for Improvement:**

- For each of the hazards, consider what the most-likely, worst-case extent magnitude that could be experienced by the community to help focus mitigation efforts.
- During the next HMP Update or during plan implementation, look at ways to bring neighboring communities within the watershed to the table for future resilience and mitigation planning.
- 

#### Element C: Mitigation Strategy

##### **Plan Strengths:**

- The plan provides a comprehensive, detailed description of the community's existing capabilities that relate to mitigation.
- The potential improvements identified for existing capabilities were incorporated as actions in the mitigation strategy.
- The plan's goals and mitigation actions are integrated with other community planning efforts.
- The plan identifies a range of potential resources for implementing the mitigation strategy, increasing opportunities for success.

- Medfield, MA HMP is one of a few HMPs where prominent tree canopy across the town are used to mitigate the impact of extreme heat, stormwater, and air pollutants from vehicles. Kudos.

***Opportunities for Improvement:***

- Provide more details about what mitigation actions will entail and the tasks that will be involved.
- Ensure that the criteria used to prioritize mitigation actions considers the community's most significant vulnerabilities.

**Element D: Plan Update, Evaluation, and Implementation (*Plan Updates Only*)**

***Plan Strengths:***

- The plan describes the community's development changes since the last update.

***Opportunities for Improvement:***

- Develop tools and a process (i.e. a framework) to identify the community's development threats, desires and mitigation priorities.
- More clearly state what the changes in priorities are from the previous plan.

## B. Resources for Implementing Your Approved Plan

### **State Sources of Technical Assistance & Funding:**

The Commonwealth of Massachusetts State Hazard Mitigation Officer (SHMO) and State Mitigation Planner(s) can provide guidance regarding grants, technical assistance, available publications, and training opportunities. Contact the Massachusetts Emergency Management Agency (MEMA) <http://www.mass.gov/eopss/agencies/mema/>, [Department of Conservation and Recreation DCR](http://www.mass.gov/eopss/agencies/mema/resources/mitigation/) and, MEMA Hazard Mitigation Grants and Hazard Mitigation Success Stories at <http://www.mass.gov/eopss/agencies/mema/resources/mitigation/> and Massachusetts Department of Environmental Protection <http://www.mass.gov/eea/agencies/massdep/>. Refer to the Massachusetts State Hazard Mitigation Plan Update 2013 (Section 17.6, p. 17-54 or p. 544) which identifies a number of potential funding sources for various mitigation activities. Communities are encouraged to work with the State to maximize use of every 406 Hazard Mitigation opportunity when available during federally declared disasters. A better alignment and increasing the effectiveness of 406 and 404 Mitigation funds, greatly benefit the community in the long run.

### **Federal and Non-Profit Sources of Technical Assistance & Funding:**

#### Federal Grants Resource Center and Grants.gov

Federal agencies may support integrated planning efforts such as rural development, sustainable communities and smart growth, climate change and adaptation, historic preservation, risk analyses, wildfire mitigation, conservation, Federal Highways pilot projects, etc. The Federal Grants Resource Center is located on the website of the national non-profit Reconnecting America, and provides a compilation of key funding sources for projects in your community. Examples are HUD, DOT/FHWA, EPA, and Sustainable Communities grant programs. For more information visit: <http://reconnectingamerica.org/resource-center/federal-grant-opportunities/> or [www.grants.gov](http://www.grants.gov).

#### GrantWatch.com

The website posts current foundation, local, state, and federal grants on one website. When seeking funding opportunities for mitigation, consider a variety of sources for grants, guidance, and partnerships, including academic institutions, non-profits, community organizations, and businesses, in addition to governmental agencies. Examples are The Partnership for Resilient Communities, the Institute for Sustainable Communities, the Rockefeller Foundation Resilience, The Nature Conservancy, The Kresge Climate-Resilient Initiative, the Threshold Foundation's Thriving Resilient Communities funding, the RAND Corporation, and ICLEI *Local Governments for Sustainability*.

<http://www.grantwatch.com>

#### FEMA Hazard Mitigation Assistance

FEMA's Hazard Mitigation Assistance provides funding for projects under the Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation (PDM), and Flood Mitigation Assistance (FMA). Individuals and businesses are not eligible to apply for HMA funds; however, an eligible applicant or subapplicant may apply on their behalf.

<http://www.fema.gov/hazard-mitigation-assistance>

### **Recommended FEMA Publications & Websites:**

#### Hazard Mitigation Planning Online Webliography, FEMA Region I

This compilation of government and private online sites is a useful source of information for developing and implementing hazard mitigation programs and plans in New England.

<http://www.fema.gov/about-region-i/about-region-i/hazard-mitigation-planning-webliography>

#### FEMA Library

FEMA publications can be downloaded for free from its Library website. This repository contains a wealth of information that can be especially useful in public information and outreach programs. Search by keyword to find documents related to a particular topic. Examples include building and construction techniques, the NFIP, integrating historic preservation and cultural resource protection with mitigation, and helpful fact sheets.

<http://www.fema.gov/library>

#### FEMA RiskMAP

Technical assistance is available through RiskMAP to assist communities in identifying, selecting, and implementing activities to support mitigation planning and risk reduction. Attend any RiskMAP discovery meetings that may be scheduled in the state (or neighboring communities with shared watersheds boundaries) in the future.

<https://www.fema.gov/risk-mapping-assessment-and-planning-risk-map>

#### FEMA Climate Change Website

Provides resources that address climate change.

<http://www.fema.gov/climate-change>

### **Other Recommended Publications & Websites:**

#### U.S. Climate Resilience Toolkit

Scientific tools, information, and expertise are provided to help manage climate-related risks and improve resilience to extreme events. This aid assists planning through links to a wide-variety of web-tools covering topics, including coastal flood risk, ecosystem vulnerability, and water resources. Experts can be located in the NOAA, USDA, and Department of Interior.

<https://toolkit.climate.gov>

#### EPA's Resilience and Adaptation in New England (RAINE) Climate Change Program

A collection of vulnerability, resilience and adaptation reports, plans, and webpages at the state, regional, and community levels. Communities can use the RAINE database to learn from nearby communities about building resiliency and adapting to climate change.

<http://www.epa.gov/raine>

#### USDA Rural Community Development Grant Programs

USDA operates over fifty financial assistance programs for a variety of rural applications.

<http://www.rd.usda.gov/programs-services>

#### NOAA Sea Grant

Sea Grant's mission is to provide integrated research, communication, education, extension and legal programs to coastal communities that lead to the responsible use of the nation's ocean, coastal and Great Lakes resources through informed personal, policy and management decisions. Examples of the resources available help communities plan, adapt, and recovery are the Community Resilience Map of Projects and the National Sea Grant Resilience Toolkit, both located on this website.

<http://seagrants.noaa.gov>

#### USDA, Natural Resources Conservation Service (NRCS)

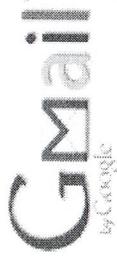
Provides conservation technical assistance, financial assistance, and conservation innovation grants.

<http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/>

#### The Rockefeller Foundation Resilience

Helping cities, organizations, and communities better prepare for, respond to, and transform from disruption.

<https://www.rockefellerfoundation.org/our-work/topics/resilience/>



Evelyn Clarke <eclarke@medfield.net>

## Fwd: New 2019 Cyclocross Race Date & Planning

1 message

**Kristine Trierweiler** <ktrierweiler@medfield.net>  
To: Evelyn Clarke <eclarke@medfield.net>

Fri, Aug 2, 2019 at 12:36 PM

9/17 agenda

----- Forwarded message -----

From: **Greg Bonnette** <gbonnette@gmail.com>  
Date: Fri, Aug 2, 2019 at 12:35 PM  
Subject: Re: New 2019 Cyclocross Race Date & Planning  
To: Kristine Trierweiler <ktrierweiler@medfield.net>  
CC: Chip Baker <velocb@mac.com>, Colin Reuter <Colin.reuter@gmail.com>, John Thompson <jthompson166@verizon.net>

Hi Kristine,

Yes - that works for me. See you then!

Thanks  
Greg

On Fri, Aug 2, 2019 at 12:26 PM Kristine Trierweiler <ktrierweiler@medfield.net> wrote:  
9/17 would be the next date if that works for you!

On Fri, Aug 2, 2019 at 11:51 AM Greg Bonnette <gbonnette@gmail.com> wrote:

Hi Kristine,

Assuming this is the appropriate next step, would it be possible to get on the agenda for an upcoming BoS meeting to seek preliminary approval and begin permitting for this year's event?

Thanks,  
Greg

On Tue, Jun 18, 2019 at 9:07 PM John Thompson <jthompson166@verizon.net> wrote:

Hi Greg, no concern here with the date, except maybe snow, the grounds committee approved the event before, so as far as approval steps, it would be the same requirements as far as I know, i.e., Selectmen approval, insurance, alcohol permit from the Selectmen and BOH, food permit(s) from BOH etc.

Anything else Kristine?

I will keep the date open for you.

Best, John

-----Original Message-----

From: Greg Bonnette <gbonnette@gmail.com>  
To: Kristine Trierweiler <ktrierweiler@medfield.net>; jthompson166 <jthompson166@verizon.net>  
Cc: Colin Reuter <Colin.reuter@gmail.com>; Chip Baker <velocb@mac.com>  
Sent: Tue, Jun 18, 2019 2:09 pm  
Subject: New 2019 Cyclocross Race Date & Planning

Hi Kristine and John,

I wanted to reconnect to begin planning for the 2019 race. I know we had previously discussed doing Saturday 12/7 again, but this year the calendar has shifted somewhat due to when nationals are falling and we are now slated for Saturday 12/14 instead. My guess is this will actually work out better for the town since it no longer coincides with the parade and other holiday festivities.

Let me know your thoughts and what steps we can take to help work towards an event contract. I know it seems early but summer will be over before we know it and the sooner we can publish the event date and book our vendors, the more organized we can be in promoting the race.

Look forward to hearing from you!

Thanks,  
Greg

--  
Greg

Kristine Trierweiler  
Town Administrator  
Town of Medfield  
459 Main Street  
Medfield, MA 02052  
508 906 3011 phone  
508 359-6182 fax

**Follow us:**  
[www.town.medfield.net](http://www.town.medfield.net)  
Twitter: @townofmedfield

Please note we have **New Hours** at the Town House beginning **5/6**

**Monday 8:30 AM to 4:30 PM**  
**Tuesday 8:30 AM to 7:30 PM**  
**Wednesday 8:30 AM to 4:30 PM**  
**Thursday 8:30 AM to 4:30 PM**  
**Friday 8:30 AM to 1:00 PM**

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--  
Greg

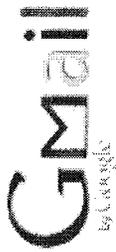
--  
Kristine Trierweiler  
Town Administrator  
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Evelyn Clarke <eclarke@medfield.net>

**Medfield Green Month Signs**

1 message

**Megan Sullivan** <mbsul@comcast.net>

Reply-To: Megan Sullivan <mbsul@comcast.net>

To: Evelyn Clarke <eclarke@medfield.net>

Thu, Aug 29, 2019 at 4:48 PM

Hi Evelyn-

Could you please ask the Selectmen for permission to put up the Medfield Green Month signs at 109/North Street, the Transfer Station and South/Route 27 from October 4 - October 18th.

Thank you.

Megan

Megan B. Sullivan  
508-359-8274



Evelyn Clarke <eclarke@medfield.net>

## One-day liquor license

2 messages

**Barbara Gips** <barbaratgips@gmail.com>  
 To: Evelyn Clarke <eclarke@medfield.net>

Tue, Sep 3, 2019 at 10:13 AM

Good morning, Evelyn. As you know, the American Legion is closing and we cannot hold the 37th annual Lions Senior Christmas luncheon there anymore. We will be using St. Edward's instead and they require a one-day liquor license. Can you get this for me from the BoS? It will be Saturday, Dec. 14th.

**Barbara Gips**  
**5 Upland Woods Circle, Apartment 210**  
**Norwood, MA 02062**  
**Cell: 774.270.4236**

**Evelyn Clarke** <eclarke@medfield.net>  
 To: Barbara Gips <barbaratgips@gmail.com>

Tue, Sep 3, 2019 at 10:23 AM

Hello Barbara,  
 Yes I'll place your request for December 14 on the September 17 agenda. Let me know the time for the event.

Thank you  
 Evelyn  
 [Quoted text hidden]



Evelyn Clarke <eclarke@medfield.net>

**Lions Chowderfest sign request.**

1 message

**Liz Sandeman** <lizsandeman@gmail.com>

To: Evelyn Clarke <eclarke@medfield.net>

Cc: Marjorie Cappucci <mcappucci@needhambank.com>

Sun, Sep 8, 2019 at 6:13 PM

Dear Board of Selectmen,

The Medfield Lions Club requests permission to display sign boards for our upcoming Chowderfest to be held on November 2nd, 2019 at The Center in Medfield.

The locations for the sign boards would be at the intersection of South Street and Rte 27, Rte 109 and North Street and at the Transfer Station by Rte 27.

We request the signs are up for 2 weeks from October 19th - November 2nd.

Thank you for your consideration in the matter.

Kind regards,

Liz Sandeman  
Medfield Lion  
cell 781 248 9610

Live Life then Give Life  
Sign up on the Organ Donor Register

USA - <https://registerme.org>  
UK - [www.organdonation.nhs.uk](http://www.organdonation.nhs.uk)

**Medfield High School Swim and Dive Team requests  
permission to hold a fundraising car wash behind Town  
Hall on Saturday October 6, 2019 9:00 AM to Noon**



Evelyn Clarke <eclarke@medfield.net>

---

## Medfield Garden Club Annual Holiday Sale

1 message

**nsjones44@aol.com** <nsjones44@aol.com>

To: eclarke@medfield.net

Cc: nsjones44@aol.com, ljm0@hotmail.com

Wed, Sep 11, 2019 at 4:06 PM

Dear Evelyn,

The Medfield Garden Club will be having our annual Holiday Sale Saturday December 7, 2019. We are requesting approval for signage/sandwich boards to be placed in town one week prior to the sale. We would appreciate your help for the next Selectman's meeting.

Sincerely,

Nancy Jones

# SEB Housing LLC

257 Hillside Ave  
Needham, MA 02494

## Hillside Village Medfield, MA Affordable Housing

**September 6, 2019**

Dear Community Member;

SEB Housing is currently working with Hillside Village, DHCD and the Town of Medfield to provide affordable rental housing.

Enclosed is a flyer for this affordable housing opportunity. This lottery is being marketed through multiple affirmative and local newspapers in addition to mailings done to local churches and social organizations.

We hope you will be able to make this information available via any avenues of distribution that you see fit. If you'd like more information, have questions, or would like to receive an Information Packet and Application, you can call me 617.782.2300 x209. Information is also available on our website:

[www.s-e-b.com/properties/rental-developments/](http://www.s-e-b.com/properties/rental-developments/)

Thank you for your help and participation,

Syma Donovan  
SEB Compliance Administrator  
info@sebhousing.com

# Affordable Housing Lottery

## Hillside Village

### 80 North Meadows Road, Medfield, MA

One 1BR @ \$1,714\*, Two 2BRs @ \$1,923\*, One 3BR @ \$2,129\*

*\*Rents subject to change in 2020. Tenants will pay own Gas Heat, Gas Hot Water, Electric Cooking, and Electricity. Water and Sewer are included in the rent.*

Hillside Village is a 16-unit rental apartment community located in Medfield on 80 North Meadows Road. There will be 4 affordable apartments ready for occupancy starting in Fall 2019. All affordable apartments will be rented to households with incomes at or below 80% of the area median income through this application process. Units feature Energy-Efficient Appliances, Cabinets with Granite Countertops, Central Air Conditioning and an in-Unit Washer and Dryer. One parking space is included with the rent. No smoking or pets allowed at the property.

MAXIMUM Household Income Limits: \$62,450 (1 person), \$71,400 (2 people), \$80,300 (3 people), \$89,200 (4 people), \$96,350 (5 people), \$103,500 (6 people)

A Public Info Session will be held on October 1<sup>st</sup>, 2019, at 6:15 pm in the Meeting Room at the Medfield Public Library, 468 Main St, Medfield, MA 02052

**Completed Applications must be delivered, or postmarked, by 2 pm on November 6<sup>th</sup>, 2019. Applications postmarked by the deadline must be received no later than 5 business days from the deadline.**

The Lottery for eligible households will be held on November 26<sup>th</sup>, 2019, at 6 pm in the Meeting Room at the Medfield Public Library, 468 Main St, Medfield, MA 02052

For Lottery Information and Applications, or for reasonable accommodations for persons with disabilities, go to [www.s-e-b.com/lottery](http://www.s-e-b.com/lottery) or call (617) 782-6900x1 and leave a message or postal mail SEB Housing, 257 Hillside Ave, Needham MA 02494. For TTY Services dial 711. Free translation available. Traducción gratuita disponible.

Applications also available at Medfield Public Library on 468 Main St.  
(Mon, Wed and Fri 10am-6pm, Tues and Thurs 10am-9pm, Sat 10am-2pm, Sun closed)





## MMA's Legislative Breakfast Meetings set for September 20, September 27 and October 4

*Please Register Today for the Latest Info on Fall Legislative Session  
and State Budget Outlook!*

August 30, 2019

Dear Local Official,

The **MMA's Annual Fall Legislative Breakfast series** starts later this month as work begins at the State House on a Fall legislative agenda and as planning starts for the FY21 state budget.

The MMA's regional meetings are scheduled for three Friday mornings (September 20, September 27 and October 4) in six cities and towns across the state. We hope that you will join us at a meeting near you to talk about municipal priorities with area legislators, your municipal colleagues from the region, and MMA's legislative staff.

This series of breakfast meetings is scheduled to take place with the House and Senate getting ready to take up important public policy initiatives that have been in the works since the Spring, including zoning and housing production, Chapter 70 and charter school finance reform, and transportation finance. These three big issues all profoundly impact cities and towns, and your voice at these meetings is vital. There are also a wide variety of other important issues affecting local government ranging from new marijuana regulations and climate change initiatives to proposals on benefits for public employees and retirees – and a lot more!

The Fall also is an important time in the state budget process. The close-out of FY19 is still underway with the possibility of supplemental funding for local projects. These sessions will include an update on the FY20 budget as the first quarter mark approaches and a first look at FY21 that starts next July.

These meetings are a great time to connect with colleagues and legislators on the key local government issues of the day. Please register online at [www.mma.org](http://www.mma.org), or complete the attached registration form and mail it to: Alandra Champion, Massachusetts Municipal Association, One Winthrop Square, Boston, MA 02110, or by fax to: 617-695-1314, or by email to: [achampion@mma.org](mailto:achampion@mma.org).

We look forward to seeing you at the meeting nearest you!

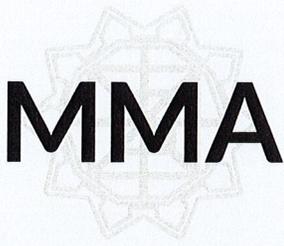
Sincerely,

Geoffrey C. Beckwith  
Executive Director & CEO

RECEIVED

SEP 03 2019

MEDFIELD SELECTMEN



## 2019 Fall Legislative Breakfast Meetings Please Register Now!

Please register online at [www.mma.org](http://www.mma.org), or complete this registration form and mail it to: Alandra Champion, Massachusetts Municipal Association, One Winthrop Square, Boston, MA 02110, or fax to: 617-695-1314, or e-mail to: [achampion@mma.org](mailto:achampion@mma.org)

Registrant's Name: \_\_\_\_\_

Municipality: \_\_\_\_\_

Job Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Breakfast Location (Please check the meeting you will attend):

### September 20<sup>th</sup>

- Becket**, Town Hall Community Room, 557 Main Street
- Wilbraham**, Wilbraham Public Library Brooks Room, 25 Crane Park Drive

### September 27<sup>th</sup>

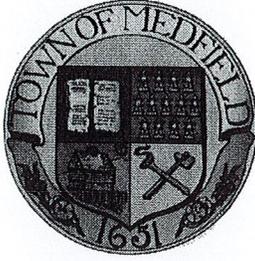
- Fitchburg**, Fitchburg State University, Hammond Building, 160 Pearl Street
- Marlborough**, Jericho Lodge, 496 Brigham Street

### October 4<sup>th</sup>

- Halifax**, Halifax Town Hall, 499 Plymouth Street
- Lynnfield**, Al Merritt Media Center, 600 Market Street

While the meetings are free, attendees are asked to pre-register so the planners can have an accurate count. All legislative breakfast meetings will begin at **8:00 a.m.** and end by **10:00 a.m.**

**THANK YOU FOR REGISTERING – WE LOOK FORWARD TO SEEING YOU THERE!**



# TOWN OF MEDFIELD

Office of the

## BOARD OF APPEALS

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

(508) 906-3027

No. 1371

RECEIVED  
TOWN OF MEDFIELD MASS  
2019 AUG 28 A.P. 13  
OFFICE OF THE  
TOWN CLERK  
August 14, 2019

Decision of the Board of Appeals on the petition of: Frederick King

<u>Property Owned by</u>	<u>Location of Property</u>	<u>Medfield Assessors' Record</u>	<u>Norfolk County Registry District of Deeds</u>	<u>Zoning District</u>
Frederick King	363 Main Street	43-065	31846-465	Residential Suburban (RS) with Secondary Aquifer Overlay District
LCB Medfield, LLC	Main Street	43-183	32794-130	
LCB Medfield, LLC	Main Street	43-184	32794-130	
Stephen J. and Lynne E. Browne	Rear Main Street	51-071	693-020	

By application dated July 10, 2019 (the "Application"), which was filed with the Board of Appeals on the same date, Frederick King, 363 Main Street, Medfield, Massachusetts (the "Applicant") seeks a variance pursuant to MGL Chpt. 40A §10 and/or Medfield Zoning Bylaw §300-6.2 and §300-2.1 for the use of an existing driveway at 363 Main Street (Assessors' Map 43 Lot 065) as a common driveway in order to allow construction of a single family home on approximately 9 acres off of Main Street, Assessors' Map 43 Lot 183 and Map 51 Lot 071; RS Zoning District with Secondary Aquifer Overlay District (hereinafter the "Property").

Notice of the Application was published in the *Medfield Press* on July 26, 2019 and August 2, 2019 and a public hearing was opened on Wednesday, August 14, 2019. Notice of the Application and hearing was provided to the Applicant, to abutters, to appropriate Town boards and officials and to the planning boards of abutting towns. The minutes of the public hearing are available at Town Hall and on the Town website and are incorporated by reference into this decision.

## FINDINGS OF FACT

Based on the evidence presented at the hearing, the Board makes the following Findings of Fact:

1. The Applicant is the owner of the property at 363 Main Street that is currently served by the driveway which would also provide access to the subject property if the requested variance is granted
2. The Applicant has purchase agreements for all of the land and will combine Lot 17, having frontage at 325 Main Street, with Parcel C and Parcel D to create proposed Lot 2 as a buildable lot.
3. A single-family home will be constructed in the area identified as Exclusion Zone A and Exclusion Zone 2 on the plan showing proposed Lot 2.
4. The Exclusion Zones are located adjacent to 363 Main Street, Medfield, Massachusetts. The property has 270 feet of frontage on Main Street (Parcel 17) currently identified as 325 Main Street.
5. The Property is shown as Lot 71 on Assessors' Map 51 and Lot 183 on Assessors' Map 43 and is located in the residential suburban (RS) zoning district.
6. The proposed Lot 2, as shown on the Plans submitted at the public hearing, has an irregular shape, extending more than 400 feet from Main Street to the main body of the lot, containing approximately 9 acres of land, that extends west to the boundary of 361 and 363 Main Street. Much of the land appears to be low, and possibly wet, and subject to conservation restrictions.
7. The Property is located in a neighborhood consisting of single-family dwellings.
8. The Property currently contains no structures. The only viable building location is within the identified Exclusion Zones.
9. Plans of Record: untitled, undated summary plan submitted at the public hearing.

Four (4) Plans submitted with Application showing Parcel C, Parcel D, Lot 17, and proposed Lot 2.

10. A Variance, similar to that requested here, was granted by this Board on February 26, 2013. Decision No. 1156. However, due to intervening ownership changes and a modified application, the Applicant is seeking a new Variance specific to his current proposal.

### **OPINION**

With respect to the issue of frontage, following are the relevant provisions of the Zoning By-Law:

§300-2.1 Frontage - The length of the boundary line dividing a lot from the right-of-way of the street on which it bounds. This is to be measured at the right-of-way boundary and not at the center line of the street.

§300-2.1 Lot Line, Front - The line dividing a lot from a street right-of-way. On a corner lot, only one street line shall be considered the front line, except in those cases where the latest deed restrictions specify another line as the front lot line. The front lot line must be located so as to be able to provide primary access to the lot.

The Property has adequate frontage on Main Street, but under the Applicant's proposal, the front lot line would not provide the primary access to the Property. Instead, the existing driveway serving 363 Main Street would provide primary access to the Property.

Massachusetts General Laws, Chapter 40A, Section 10 governs the power of this Board to issue variances. The relevant portion of the statute reads as follows:

The permit granting authority shall have the power after public hearing for which notice has been given by publication and posting as provided in section eleven and by mailing to all parties in interest to grant upon appeal or upon petition with respect to particular land or structures a variance from the terms of the applicable zoning ordinance or by-law where such permit granting authority specifically finds that owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures, but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to

the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

§ 300-14.11 of the Zoning By-Law gives the Board the power to grant variances in accordance with Massachusetts General Laws, Chapter 40A. Thus, the Board cannot grant a variance in this, or any other, proceeding unless all of the requirements of the statute are satisfied.

Variances are not a matter of legal right. Ferrante v. Board of Appeals of Northampton, 345 Mass. 158 (1961) and the Supreme Judicial Court has made it plain that variances are to be granted sparingly. Planning Board of Springfield v. Board of Appeals of Springfield, 355 Mass. 460 (1969). Thus, this Board must apply conservatively the provisions of Massachusetts General Laws, Chapter 40A, Section 10, which set forth the statutory conditions for the grant of a variance. It is also important to note that all of the conditions of the statute must be found to exist before this Board can grant a variance. Blackmon v. Board of Appeals of Barnstable, 334 Mass. 466 (1956); Bottomley v. Board of Appeals of Yarmouth, 354 Mass. 474 (1968).

In our judgment, the Applicant satisfies the threshold requirements of the statute. The shape of the Property is unusual due to the long strip of land, shown as Parcel 17, extending to Main Street that gives the Property its unusual shape. The topography of the Property, as described above, includes an area of lower elevation to the rear of Parcel 17 that appears to impose a potential impediment to constructing a driveway from Main Street to the Exclusion Zone. The topography and shape of the Property appear to be characteristics peculiar to the Property and do not affect generally the land in the RS Zoning District.

A denial of the requested variance would involve substantial hardship to the Applicant in that a very long driveway over difficult terrain with a new curb cut on Main Street would be required in order to construct a dwelling in the Exclusion Zone.

The desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law. The Applicant seeks the development of the Property as a single dwelling that will comply with all dimensional requirements of the Zoning By-Law other than having its access over its frontage. The additional traffic generated by a single

dwelling will be a negligible impact on the abutters, particularly compared to the significant traffic flow along Main Street.

We are aware of caselaw in the Commonwealth suggesting that frontage variances are particularly difficult to sustain. DiCiccio v. Berwick, 27 Mass. App. Ct. 312 (1989); see also Warren v. Zoning Board of Appeals of Amherst, 383 Mass. 1 (1981); and Gairogossian v. Board of Appeals of Watertown, 21 Mass. App. Ct. 111 (1985). We do not believe the holdings in those cases apply to our facts.

In DiCiccio v. Berwick, the Court was faced with a situation in which the owners of two adjacent parcels, neither of which conformed with zoning, sold one lot and then attempted to obtain frontage and area variances to build a dwelling on the remaining lot. The Court stated "Berwick and Nelson could not create a second buildable lot by selling off a non-conforming lot containing a dwelling". Id. at 314. Accordingly, the Court held that the variances were not appropriate, stating specifically that "a variance is not available in any event to remedy a hardship created by a post-zoning division involving creation of substandard lots". Id. at 315.

In Warren v. Zoning Board of Appeals of Amherst, the Supreme Judicial Court addressed a very similar set of circumstances. The Court held that a variance was not appropriate in a case where an owner of two adjacent lots conveyed a non-conforming lot after which the purchaser sought variances to allow development of the lot. The SJC held as follows:

"An owner of a larger tract of land conveyed to another a portion thereof which did not meet the minimum frontage requirements of the then-existing zoning by-law, with the result that the new owner was unable to obtain a building permit... The creation of a non-conforming parcel by such a conveyance does not, without more, entitle the purchaser to a variance".

Id. at 13.

Finally, in Gairogossian v. Board of Appeals of Watertown, the owner of a regular, triangular-shaped lot with no frontage currently used for several industrial buildings proposed to develop the site as a residential development. The owner sought both use and frontage variances. The Appeals Court held that the mere lack of frontage of a regularly-shaped lot was not sufficient to justify a frontage variance. Furthermore,

the fact that the property was already developed with four industrial buildings undermined the owner's hardship argument.

The present case is more like Paulding v. Bruins, 18 Mass. App. Ct. 707 (1984), in which the Appeals Court reviewed the grant of a variance to the owner of a lot that had been created in the 1920s before the enactment of zoning. The lot was a so-called "pork-chop" lot with a long, narrow strip of land 15-feet wide with 15 feet of frontage along a public way. The zoning by-law, which was adopted after creation of the lot, required 30 feet of frontage. The Court upheld the grant of the variance and stated as follows:

"[I]n the instant case, the defendants are not attempting to subdivide their lot to achieve greater financial gain. ... The judge found that the lot is an unbuildable one without the variance and, further, that it appears to have no other use but that of a residential homesite". Id. at 709-710.

Unlike the situation of Paulding v. Bruins, the Property in this case actually has adequate frontage. However, the "pork-chop" shape of the Property, along with the extensive area subject to conservation restrictions, significantly impede access from the Main Street frontage to the buildable Exclusion Zone. Furthermore, the Applicant is not seeking to subdivide land to create a compliant building lot and then obtain a zoning variance to build on the remaining deficient portion of land. Instead, the Applicant will combine two lots to create a single large lot on which to construct a single-family dwelling in the most appropriate location. Thus, we believe that all of the statutory requirements have been met and that the facts at hand justify the grant of a variance.

### **DECISION**

Based on the foregoing, the Board grants the Application of Frederick King for a variance from the requirement in the Zoning By-Law that the frontage serve as primary access to the Property, so as to permit the construction of one single-family home on the Property with access via the existing driveway serving the dwelling at 363 Main Street. This relief is conditioned upon the following:

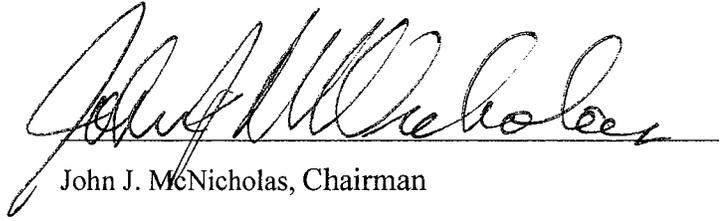
1. The proposed buildable lot shall contain all of Parcel 17. The Applicant shall record with the Norfolk Registry of Deeds a final Plan of Lot 2 as a single Parcel, showing the abandonment of the previous lot line separating

Parcel 17 from the rest of the Property and without the lot line that appears to subdivide Parcel 17 on the Proposed Lot 2 Plan filed in the record.

2. The Applicant shall execute a restriction, binding on all future owners of the Property, limiting the use of the combined Property to one single-family dwelling. Prior to issuance of a building permit for a dwelling on the Property, the Applicant shall submit to the building commissioner proof that such restriction has been recorded with the Norfolk Registry of Deeds.
3. Access for the dwelling to be constructed on the Property shall be by means of the driveway serving 363 Main Street over the existing curb cut. The applicant, as owner of 363 Main Street and the driveway, shall execute a perpetual Easement or other Agreement with the Owner of Lot 2 granting all rights necessary to the use of the driveway pursuant to the Variance. The proposed dwelling will be in conformance with all requirements of the Medfield Zoning By-Law other than the requirement that the frontage serve as the principal access to the lot.

THIS DECISION WAS UNANIMOUS.

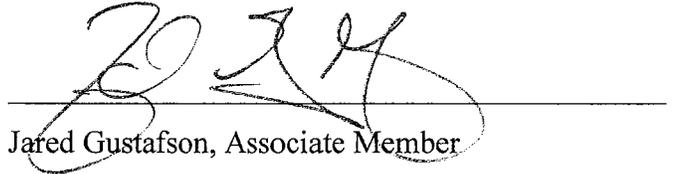
MEDFIELD ZONING BOARD OF APPEALS



John J. McNicholas, Chairman



Charles H. Peck, Associate Member



Jared Gustafson, Associate Member

MICHAEL W. WHITCHER AND WILLIAM MCNIFF, MEMBERS, AND JARED SPINELLI, ASSOCIATE MEMBER, DID NOT SIT ON THE BOARD AT THE PUBLIC HEARING CONCERNING THIS MATTER NOR DID THEY PARTICIPATE IN THE DELIBERATIONS OF THE BOARD OR IN THIS DECISION.

APPEALS FROM THIS DECISION, IF ANY, SHOULD BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40 A, §17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK



September 3, 2019

Selectmen's Office  
Town Hall  
459 Main St.  
Medfield, MA 02052

Subject: The Angel Run 5K Fun Run/Walk

Selectmen:

This letter is to advise you that we are again organizing a 5K fun run/walk called "The Medfield Foundation Angel Run" on Sunday, December 8<sup>th</sup>, 2019 at 12:30PM at the Medfield High School and Blake Middle School campuses. This will be the 14<sup>th</sup> annual Angel Run. The Angel Run is a community "fun" raiser – a family event designed to bring members of the extended Medfield community together in a spirit of joy and celebration with the added benefit of fulfilling the Medfield Foundation's mission of raising money for public needs to improve the quality of life in the Town of Medfield.

Please note that in the weeks to come we will be submitting a separate request to post sandwich boards at various locations in Medfield to publicize the event.

Thank you for your consideration in this matter.

For the Medfield Foundation Angel Run Committee,

Stephen Greene, Co-Chair  
PO Box 745  
Medfield, MA 02052  
(508) 904-7376

**RECEIVED**

**SEP 05 2019**

**MEDFIELD SELECTMEN**



SOVEREIGN CONSULTING INC.

August 26, 2019

Medfield Board of Health  
Medfield Town Hall  
459 Main Street  
Medfield, Massachusetts 02052

Medfield Board of Selectmen  
Medfield Town Hall  
459 Main Street  
Medfield, Massachusetts 02052

Re: **Availability of Phase V Remedy Operation Status Report**  
Former Texaco-Branded Service Station  
26 Spring Street  
Medfield, Massachusetts  
RTN 2-3003830

To Whom It May Concern:

In accordance with the Massachusetts Contingency Plan (MCP) 310 CMR 40.1403 (3)(e), this correspondence serves as notification that a Phase V Remedy Operation Status Report was submitted to the Massachusetts Department of Environmental Protection (MassDEP) for the above-referenced location (the disposal site).

The selected remedial action alternative (RAA) for the "disposal site" is operation of a High Vacuum Extraction (HVE) system and monitored natural attenuation (MNA). The report documents the operation, maintenance and monitoring of the selected RAA between February and August 2019.

The HVE system was restarted during this reporting period. Groundwater sampling conducted in March and June has shown that hydrocarbon concentrations across the disposal site have remained stable; however, concentrations in some wells remain above the applicable standards. Groundwater concentrations will continue to be evaluated on a quarterly basis.

A copy of the Phase V Remedy Operating Status Report as well as all other applicable documents pertaining to the subject site, are available for review on the MassDEP website below.

<http://public.dep.state.ma.us/SearchableSites2/Search.aspx>.

Sincerely,  
SOVEREIGN CONSULTING INC.

Lisa M. Stone  
Senior Project Manager

Steven Passafaro, PE, LSP  
Senior Project Manager

cc: MassDEP CERO  
Robert Rule, Shell Oil Products US  
Sovereign File - 2S883



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Emergency Certification Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and the Medfield Wetlands Bylaw, Chapter 290

## A. Emergency Information

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Issuance From: Medfield Conservation Commission  
Issuing Authority

1. Site Location: Upham Road, Map 42, Parcel 001 - Baker's (Meetinghouse) Pond.

2. Reason for Emergency:  
- partial colapse of granite stone wall catchment area near the outfall sluiceway

3. Applicant to perform work: Medfield Department of Public Works

4. Public agency to perform work or public agency ordering the work to be performed:  
Medfield Department of Public Works

5. Date of Site Visit: August 22, 2019 Start Date: August 22, 2019 End Date\*: August 31, 2019

\* no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by DEP to address an oil/hazardous material release.

6. Work to be allowed\*:  
A) Removal, replacement and pointing of existing stones at the western end of Baker's Pond at and near the Vine Brook culvert area for the immediate repair of the partially collapsed section of the wall.  
B) The Medfield Public Works Department had submitted a Request for a Determination of Applicability for said work on July 18, 2019 and public hearing was held on August 1, 2019.  
C) The Medfield Conservation Commission voted to issue a negative Determination of Applicability for the work with conditions: All work for the wall shall be completed from the upland side of the impoundment; Baker's Pond shall be lowered below the work area leaving a minimum depth of nine inches in the pond at all times.

\* May not include work beyond that necessary to abate the emergency.

## B. Signatures

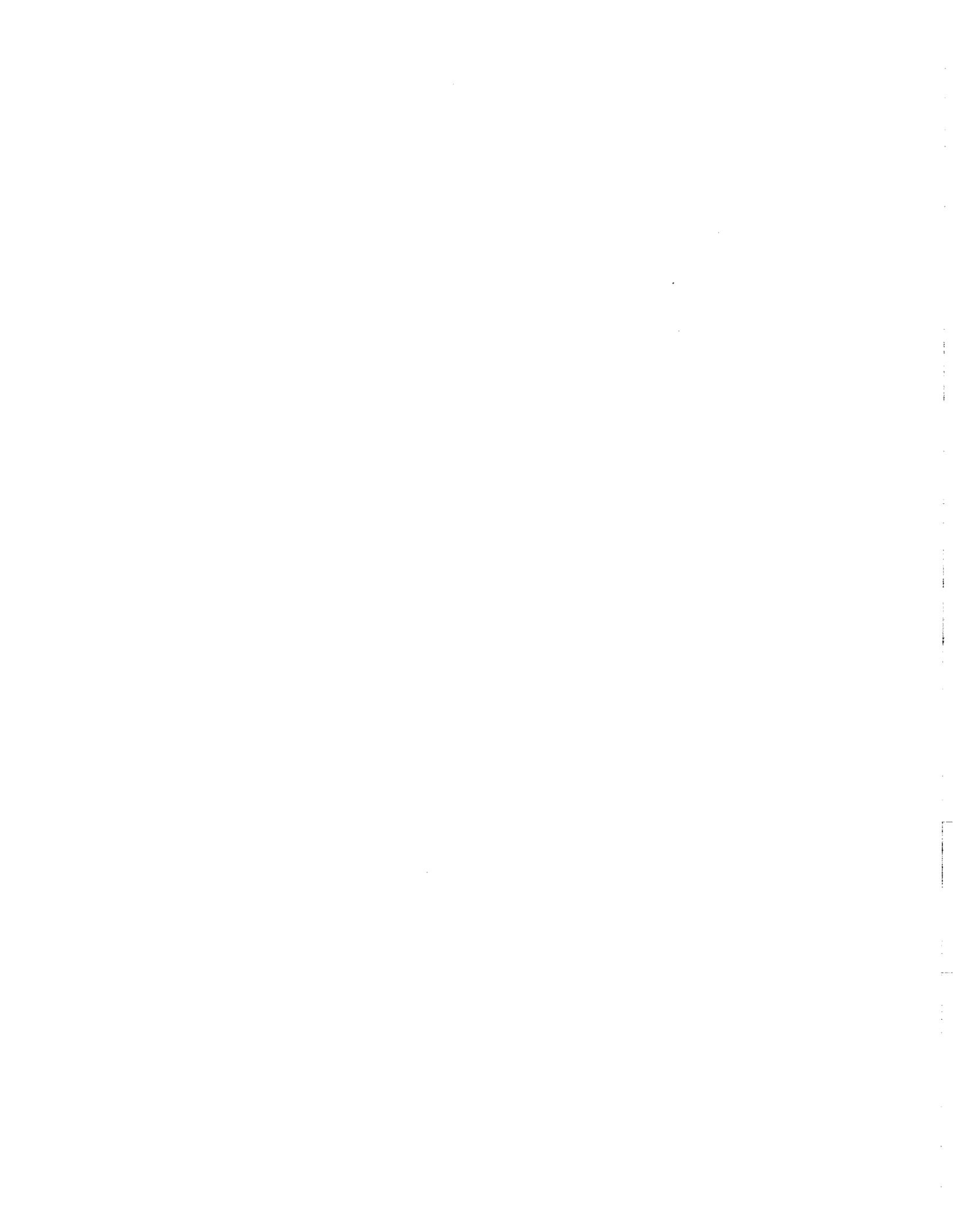
Certified to be an Emergency by this Issuing Authority.

Signatures:

*Susela A. Willett*  
Chairman (or designee) Conservation Agent

August 22, 2019  
Date

**A copy of this form must be provided to the appropriate DEP Regional Office.**





**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**WPA Emergency Certification Form**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**C. General Conditions**

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.
  2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
  3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
  4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.
  5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.
  6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.
  7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.
- 

**D. Special Conditions**

See conditions in Section A-6.

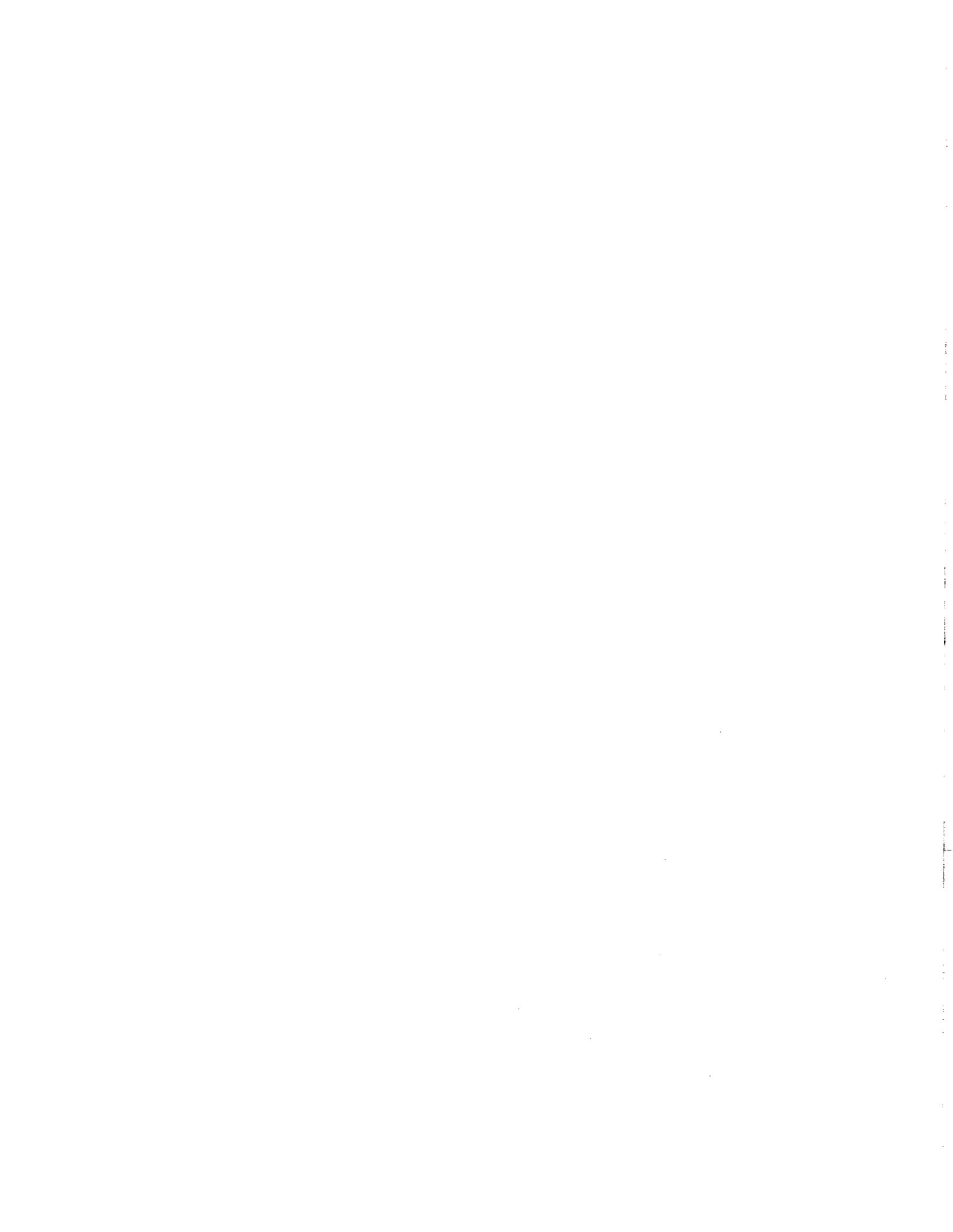
The Medfield Department of Public Works representative shall appear before the Conservation Commission on September 5, 2019 for a final report of the emergency work as completed.

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**E. Appeals**

The Department may, on its own motion or at the request of any person, review: an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department's review shall be conducted within seven days of: issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.





# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
and Medfield Wetlands Bylaw, Chapter 290

## A. General Information

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Town of Medfield

Name

R.Kennedy@medfield.net

E-Mail Address

459 MAIN ST

Mailing Address

Medfield

City/Town

MA

State

02052

Zip Code

508 889 3956

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Department of Public Works

Firm

Robert Kennedy

Contact Name

R.Kennedy@medfield.net

E-Mail Address

55 North meadows Rd

Mailing Address

Medfield

City/Town

MA

State

02052

Zip Code

Phone Number

Fax Number (if applicable)

## B. Determinations

1. I request the Medfield Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED

JUL 18 2019

BY: [Signature]



**WPA Form 1 - Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Upham Rd  
Street Address

Medfield  
City/Town

43-001  
Assessors Map/Plat Number

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Stone masonry catchment known as  
Bakers Pond

- c. Plan and/or Map Reference(s):

Title	Date
Title	Date
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The Department of Public Works  
is proposing to perform maintenance  
on stone wall. The work would involve  
removal and replace of existing stones  
and pointing cracks before they grow.



# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

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3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

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# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Town of medfield  
 Name  
459 main ST  
 Mailing Address  
Medfield  
 City/Town  
MA 02052  
 State Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

Pat Kennedy  
Signature of Representative (if any)

7/12/19  
Date



MARTHA COAKLEY  
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION  
10 MECHANIC STREET, SUITE 301  
WORCESTER, MA 01608

Distributed: September 6, 2019  
 Board of Selectmen/Town Administration  
 Warrant Committee  
 Town Counsel  
 Building Commissioner

(508) 792-7600  
(508) 795-1991 fax  
[www.mass.gov/ago](http://www.mass.gov/ago)

RECEIVED  
TOWN OF MEDFIELD, MASS  
2019 SEP -6 A 11:35  
OFFICE OF THE  
TOWN CLERK

**Notice of Planning Board Hearing**

**Relative to Proposed Zoning By-Law Amendments  
Pursuant to M.G.L. c. 40A, § 5**

The Planning Board of the Town of MEDFIELD will hold a public hearing to discuss proposed amendments to the town's zoning by-laws. The public hearing will be held as follows:

**Place:** Town Hall, 2nd Floor, Chenery Room  
**Date:** Thursday, October 3, 2019  
**Time:** 8:05 pm

The subject matter of the proposed amendments is/are as indicated below (*attach additional sheets if necessary*). The complete text and maps relative to the proposed amendments are available for inspection during regular business hours at the following place(s):<sup>1</sup>

- Place:** Planning Department, Town Hall, 459 Main St., Medfield, MA
- Place:** Town Clerk, Town Hall, 459 Main St., Medfield, MA
- Place:** Medfield Public Library, 468 Main St., Medfield, MA
- Place:** [www.medfield.net](http://www.medfield.net) > Planning Board > Proposed Zoning Bylaw Amendments (Contact Sarah Raposa, Town Planner, with any questions or comments: [sraposa@medfield.net](mailto:sraposa@medfield.net) or (508) 906-3027)

Article Number ###	Subject Matter of Proposed Amendments Sufficient for Identification
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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);

<sup>1</sup> **Note:** The above information is *strictly required* by M.G.L. c. 40A, § 5.  
09/06/2019

- 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](http://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](http://www.town.medfield.net). All interested persons should attend the public hearing.

SARAH T. LEMKE, CHAIR  
MEDFIELD PLANNING BOARD

MEDFIELD PRESS

September 13, 2019

September 20, 2019