

2/14/2000

Present: Stephen J. Browne, Tidal B. Henry, George N. Lester, Timothy P. Sullivan, and Christopher R. Summers

Chairman Browne convened the meeting at approximately 8:00 p.m.

### **OLD BUSINESS**

The Board reviewed a letter from Edward J. Musto dated February 7, 2000 and agreed to send a letter to Town Counsel Mark Cerel asking him to respond to Mr. Musto (with a copy to his attorney). The Board asked that Town Counsel remind Mr. Musto that all communication with the Board should go through him since matters remain in litigation.

### **NEW BUSINESS**

#### **Long Range Planning Committee (LRPC)**

VOTED unanimously to make the following appointments to the Long Range Planning Committee: Burgess P. Standley, Margaret Gryska, and Keith Diggans with terms to expire April 2002; Peter Fellman and Robert Tormey with terms to expire April 2001.

Mr. Sullivan explained that he met briefly with the potential members of the LRPC last week and expressed that it is a good group with good ideas. Though the full membership for the committee may go to nine, it is not necessary at this time. (When Town Meeting established the LRPC, it set membership as "up to nine members.") He explained they would like to update the build out possibilities for the town but will wait a year before putting out that RFP. At that time the 2000 census will be completed and provide more accurate information. The LRPC will look at new initiatives for the Bylaws with some thought of considering ways of preserving older more affordable housing in the town. They would also take the work done by Mark Bobrowski and help the Planning Board review that work and put it in a form for Town Meeting. The LRPC would help the Board educate the citizens on the meaning of any changes. He said sometimes the Planning Board does not have as much time to do the research that the LRPC members might have. He noted that the LRPC is not historical in nature but rather concerned with good planning for growth.

Mr. Lester suggested an analysis of growth over a five – ten year period. He also discussed the use of floor area ratio and increased setback requirements as aids to controlling development. He also questioned the potential of the Bayer site (formerly known as Corning).

#### **Proposed Storm Water Management Committee**

The Board reviewed an article proposed by the Water and Sewerage Board for Town Meeting. The article would set up a special committee from various boards to review storm water management and the possibility of one set of rules and regulations for the

town. At present the Board of Health, Water and Sewerage Board, Conservation Commission, and the Planning Board each have their own set of regulations.

Mr. Henry was not in favor of such a committee.

At the same time the Board looked at the new Board of Health Storm Water and Runoff management regulations amended January 2000. Without a copy of the old regulations, the Board was unable to determine what changes had been made.

### **VOUCHERS**

There were none.

### **INFORMATIONAL**

The Board was given copies of the Historic District Commission proposal for the Medfield Town Center Historic District.

The Board was also given copies of responses from various towns to a request for handling the attendance of engineers and attorneys at meetings.

The meeting adjourned at approximately 9:30 p.m.

Respectfully submitted,

Tidal B. Henry, Secretary

PLANNING BOARD  
APRIL 3, 2000

Present: Stephen J. Browne, George N. Lester, and Christopher R. Summers  
Absent: Timothy P. Sullivan

The Board is currently short one member due to the resignation of Tidal B. Henry.

Chairman Browne convened the meeting at approximately 8:00 p.m

**LOEFFLER HEARING**

The Board dispensed with the reading of the legal notice since the Loefflers were the only people present in the audience.

Planning Board Administrator, Norma Cronin, explained that the Loefflers had been to the Zoning Board of Appeals with an application to put an addition on their home at 5 Millbrook Road because they have a nonconforming lot. The ZBA determined that their addition would be more nonconforming to zoning since it would not be the required 50 feet from the rear lot line and as such would require a variance. The ZBA then denied the variance because the property did not satisfy the necessary requirements set out in M.G.L. Chpt. 40A, Section 10. The Loefflers have revised their plan by moving the addition from the rear of the house to the northerly side of the house, showing both an addition and a deck.

M.G.L. Chpt. 40A, section 16, requires that the Planning Board find that specific and material changes in the conditions upon which the previous unfavorable action was based exist before an applicant may return to the ZBA with another application for the same purpose within two years of one that has been denied.

Mrs. Loeffler explained the sizes of each addition.

Following discussion by the Board of the requirements necessary to make a positive determination that the needed changes have been made the Board voted.

VOTED unanimously that the Board could find that specific and material changes do exist between the conditions which led to the ZBA's denial of the previous application and the applicant's proposed new application.

**OLD BUSINESS**

**Southern Acres**

VOTED unanimously to send a letter to Carruth Capital Corporation to inquire of the spring schedule for completion of work at Southern Acres and request a meeting with the developer either for the May 1<sup>st</sup> meeting or the May 15<sup>th</sup> meeting. A copy will be sent to the abutter, Paul Oxford.

**Long Range Planning Committee Report**

Burgess Standley reported that the LRPC is beginning work sessions specific on the subject of "tear downs" in existing areas. The Committee is looking at ways to preserve these homes in an attempt to keep the smaller homes available and provide diversity to the housing market in Town. The plan would seek to preserve homes in a lower price range than is the current building trend in the Town.

**NEW BUSINESS**

**Planning Board Vacancy**

The Board requested the Administrator to send a notice to the newspapers that there is a vacancy on the Board. Interested parties should submit a letter of interest along with their resume to the Planning Board Office.

**Fee Schedule**

The Board reviewed proposed changes in the Fee Schedule for submissions under the Subdivision Rules and Regulations with a concern that the costs should be kept in line with the expenses. The Board would like a separate category and explanation for funds to be utilized for outside consultants.

The meeting was adjourned at approximately 9:50 p.m.

Respectfully submitted,

George N. Lester, Secretary Protem  
Medfield Planning Board

PLANNING BOARD  
MAY 1, 2000

Present: Stephen J. Browne, George N. Lester, Timothy P. Sullivan, and Christopher R. Summers.

The Board is presently short one member due to the resignation of Tidal B. Henry.

The Board reorganized as follows:

Christopher R. Summers – Chairman  
Timothy P. Sullivan – Vice Chairman  
George N. Lester – Secretary

**ANR GRANITE STREET**

Wayne Carlson, Carlson Survey Company, represented the Bibby Trust, and explained that both Mr. and Mrs. Bibby have passed away but it was their wish that a portion of their land be transferred to their neighbors, the Dolans.

VOTED unanimously to endorse an ANR plan dated April 20, 2000 drawn by Carlson Survey Company for The Francis M. Bibby Trust, 21 Granite Street, Medfield, MA 02052 showing lot 1 with 2.3934 ac. and lot 2 (not a buildable lot) with 15,955. s f. Also shown on the plan is part of a neighboring lot with the owners listed as Jonathan P. & Mary E. Dolan. There is a notation on the plan that states that lot 2 is to transfer to Mr. Dolan.

**GRANITE STREET – OPEN SPACE DEVELOPMENT – DISCUSSION**

Present: Richard Merrikin, engineer; Alan Schlesinger, Attorney; Richard Ruggreio, Wight and Company representative; Armand P.O. Janjigian, property owner.

Attorney Schlesinger explained they were before the Board for an informal discussion for an Open Space Residential Development (Cluster) off Granite Street. They have received approval from the Zoning Board of Appeals and will be submitting a definitive plan in mid summer. He said the road loops around providing frontage for 17 lots, which he added conform to the zoning requirements for a cluster development. He then noted some of the conditions of approval the ZBA placed on the special permit: That there be a Conservation Restriction on the Open Space land with public access; limit the gross sq. ft. overall of the houses with the average house being approximately 2,500 sq. ft.; limited the number of bedrooms to a total of 43 – 2.5 bedrooms per house; access to lot 11 would require Conservation Commission approval. Town sewer will be coming to the vicinity, to which they will be able to connect.

Richard Merrikin continued the presentation by explaining that they do not propose to submit a preliminary plan so they wanted to get the "feel" of the Board on some issues. One of the concerns is the road layout. They could provide two roads but it would cut up the front. They will need a waiver for the length of a dead end street.

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The Board and Mr. Merrikin discussed the need for a waiver and Mr. Merrikin said he did do a plan that would not require a waiver, which he could provide a copy to the Board. He added that their application to the ZBA did not "pin" the road layout as submitted in the application. He continued to say the drainage will conform to the regulations. They propose water quality swales will also satisfies the Board of Health. There will be one sidewalk and "lefty" cul-de-sacs. He questioned the possibility of narrower streets and curbing. The ways would be public. The house would all have low head pumps.

Mr. Lester questioned the impact of the Town Bylaw requiring approval of the Town Meeting to extend sewers more than 500 feet.

Mr. Merrikin said they are only extending it 300 feet to meet the Town sewer.

Mr. Sullivan questioned plans for landscaping of the center island.

Mr. Merrikin said the property is heavily wooded and this area would remain the same. He then explained they would have a swale 8 foot wide and 3 foot deep with dams that would be attractive and meet the requirements. The slope of the land will allow the to keep close to grade. He said they would not cut the trees (beyond those necessary to build).

Mr. Browne questioned the house size which was built into the approval by the ZBA and wanted to know what plan would be implemented to insure that the size would be consistent with the approval.

Mr. Lester said he would prefer more intimate scale roadways with minimum pavement and possibly a hammerhead turnaround.

Mr. Merrikin said he would provide alternative sketches, keeping the 50 ft. ROW.

There was a discussion of a one-way loop road but considered questionable whether it would be followed.

Mr. Lester questioned the possibility of trails such as a loop around the property for people to walk.

Mr. Merrikin said the trail would be just for those living there.

Mr. Ruggreio spoke to say the ZBA has asked that it be available to all.

Mr. Lester questioned the condition on the number of bedrooms.

Mr. Ruggreio said they would have a master plan for the development which would account for all of the bedrooms.

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Mr. Merrikin said there would be different size houses, thus the bedrooms would vary according to the size of the house.

Mr. Lester questioned what issue exists with lot 11.

Mr. Merrikin explained that Mr. Janjigian wanted that lot as part of the agreement. He could access the lot from his own property on Allen Lane.

Mr. Lester said it would be a good idea to see a no-waiver plan as part of the submission.

**OLD BUSINESS**

**Fee Schedule for Subdivision Rules and Regulations**

The Board looked at fees from various towns of similar size and settled on a revised fee schedule to be advertised for public hearing on June 5, 2000.

**Section 5.4 – Table of Use**

Secretary passed out copies of the proposed revision as previously recommended by Attorney Mark Bobrowski when he reviewed the Zoning Bylaw in 1998.

**NEW BUSINESS**

**Abutters' Letter RE: Use of Metacomet Park**

The Board received a letter from abutters to Metacomet Park regarding use of the park.

This area is the jurisdiction of the Park and Recreation Commission and a letter advising them will be sent.

PLANNING BOARD  
MAY 15, 2000

Present: Stephen J. Browne, George N. Lester, Timothy P. Sullivan, and Christopher R. Summers (The Board is currently short one member.)

Chairman Summers convened the meeting at approximately 7:35 p.m.

The Board is meeting in joint session with the Board of Selectmen for the purpose of interviewing candidates to fill the vacancy on the Planning Board.

Selectmen present: Ann B. Thompson, Chairman; Paul B. Rhuda, Clerk; Osler L. Peterson, Member.

**CANDIDATE INTERVIEWS**

**Elissa G. Franco**

Mrs. Franco began by stating she has done some work in the field and has lived in Medfield for the past three years. She is interested in growth. She felt that her background would help her to contribute to the Board. She said she is aware of the commitment involved, that her family has been in town government in Westwood. She stated she is an attorney with a small general practice in civil law. She and her husband decided to settle in Medfield because they felt there was more of a community center with many people involved. She was before the Westwood Board of Appeals once on a variance issue and Westwood Planning Board on various questions.

Mr. Browne explained the Board is charged with making changes to the Zoning Bylaw and asked what her interest would be.

Mrs. Franco said she agreed that periodic reinterpretation of the Bylaws is necessary.

Mr. Lester explained that Mrs. Franco had to have children in the same activities and as a result share times and rides.

Mrs. Franco assured the Boards that she did not call Mr. Lester for any favors. She added that she also grew up with Mr. Sullivan's wife.

Mr. Lester asked what she saw as the challenges to the Planning Board.

Mrs. Franco viewed rapid growth as a challenge whereby it is necessary to balance between the rights of property owners and the Bylaws.

Mr. Sullivan asked if she was favored a liberal or conservative interpretation of the Bylaw.



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Mrs. Franco responded that it depended on the specific Bylaw, some can be interpreted liberally where others when safety is an issue must be dealt with a stricter interpretation.

Board of Selectmen Chairman Thompson asked if she attended Town Meeting and Planning Board meetings.

Mrs. Franco said she is a regular at Town Meeting but has not attended any Medfield Planning Board meetings.

Selectman Rhuda asked what she saw as a public safety issue; how she perceived the character of the town; and what her feelings are concerning "cluster development."

Mrs. Franco responded that traffic in the Town is an important concern. The character of the Town is what made her decided to move to Medfield. In response to the question of "cluster development," she responded that it is necessary to look at the whole picture and decide if it fits where it is proposed. It should be a benefit to the town and have safe guards to protect the town.

Mrs. Franco said her father is the current Town Moderator in Westwood, a position he has held for many years following his several years serving on the Planning Board.

Selectman Rhuda asked what was her opinion of cul-de-sacs and how did she feel about through streets.

Mrs. Franco said she likes cul-de-sacs and through streets depend on the specific cut through because it is difficult for the neighbors. She said there would need to be specific reasons to allow a cut through. She indicated that she has read the Zoning Bylaw.

Mr. Sullivan asked how she felt about preserving open space.

Mrs. Franco said it would be a way to preserve the town.

There were no further questions.

Chairman Summers thanked her for coming.

**Wright Dickinson**

Mr. Dickinson said his experience serving on the library project committee was a very positive experience in which he got a lot back from. He has taken time to regroup and now has the time to make another commitment to serve the town. He is in commercial construction.

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Mr. Sullivan observed that the Planning Board, unlike the library building committee, is judged by what it has done incorrectly. He then asked what characteristics of the Town brought him to Medfield.

Mr. Dickinson said he lived in Newton but wanted more space. His broker brought him to Medfield. He liked the rural community and the friendly people so he decided to settle here.

Mr. Browne said the Board is looking to update the Zoning Bylaw and Subdivision Rules and Regulations.

Mr. Dickinson said he could be helpful doing that. He said he did not mind doing tedious jobs. He is used to writing contracts, which he does on a day-to-day basis. On the library committee he worked with the architect coming up with the proposal to present at the Town Meeting. There were several documents that he would correct. He had to stay on schedule and budget.

Mr. Lester asked that he tell the boards about his day job.

Mr. Dickinson said he graduated from Wentworth and has been working for Kaplan Corporation since 1983. They are general contractors. He is accustomed to managing contracts of \$10 million a year and 4-5 projects at a time, each different. He said his work does not include residential construction. He has helped his parents build homes.

Selectman Thompson asked where he envisioned himself ten years from now.

Mr. Dickinson said he is fairly rooted here. Next year all three of his children will be in school. He could possibly move within the town but he plans to stay here. He added the schools are terrific.

Mr. Sullivan spoke of the Town's purchase of land to maintain open space and asked Mr. Dickinson's view.

Mr. Dickinson responded that each parcel needed to be viewed separately. He said he has been in favor of the purchase of land for open space. He is against tear-downs. He would like to maintain the rural setting of the Town.

Selectman Peterson thanked Mr. Dickinson for the library and questioned what main characteristic he would want to work on.

Mr. Dickinson said he would like to improve the downtown. He said he did not like the looks of the Post Office – specifically the building materials. He added he did like the clock outside Town Hall.

Mr. Rhuda asked what changes he would like to see if he were on the Planning Board.

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Mr. Dickinson said he did not know enough about the general direction now.

Mr. Rhuda questioned how he felt on dead-end streets, cul-de-sacs.

Mr. Dickinson stated that he does not like the look of cul-de-sacs. He would not want to live on one. He also considered that through streets are a problem because people speed through on them.

Selectman Rhuda asked his opinion of cluster development.

Mr. Dickinson responded that some aspects are "wacky." He said he did understand the idea to control development and not clear cut.

Mr. Lester said the Planning Board must say no sometimes to developers.

Mr. Dickinson said he accustomed do saying no to contractors. He added that he does not have a problem standing up and making a point known.

Chairman Summers thanked him for coming.

Selectman Thompson asked if the Board wanted to vote now or wait a week.

Mr. Sullivan said there are two very capable candidates with good interaction. He could support either one. One candidate is more able to contribute immediate. The other experienced in the field. There is an opportunity to provide a mix of the Board by adding a female member.

Mr. Browne said he could go along with what was said and would recommend Mr. Dickinson to the Long Range Planning Committee or Associate Planning Board Member for Site Plan Review.

Mr. Lester said he would add that Mrs. Franco is qualified and Mr. Dickinson impressed him. He would recommend Mr. Dickinson as Associate Planning Board Member for site plan review because of his experience.

Mr. Summers said he agreed. He felt that Mrs. Franco would add more balance to the Board. She is a qualified woman. He recommended Mrs. Franco.

Mr. Rhuda polled both Boards for the vote as follows:

Planning Board	-	Mr. Lester	-	Mrs. Franco
		Mr. Browne	-	Mrs. Franco
		Mr. Sullivan	-	Mrs. Franco
		Mr. Summers	-	Mrs. Franco
Selectmen	-	Mrs. Thompson	-	Mr. Dickinson
		Mr. Peterson	-	Mrs. Franco

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Mr. Rhuda - Mrs. Franco

Elissa G. Franco was elected to the Planning Board until March 2001.

**SOUTHERN ACRES**

Present: John Hakansson

Mr. Hakansson reviewed work that needed to be completed at Southern Acres specifically noting the following:

- ❖ paving
- ❖ the sidewalk at the entry way
- ❖ curb patching
- ❖ a slight amount of water at the intersection of Loeffler lane and Inness Circle
- ❖ landscaping to be completed
- ❖ some trees to be replaced
- ❖ catch basin hoods have been ordered and will be contracted out
- ❖ there is general clean up
- ❖ a driveway to be elevated
- ❖ loam Bunker Road hammerhead
- ❖ top roads
- ❖ reseed the drainage swale at the bottom of the rip rap wall

He said two of the four drop inlets have been installed that the two additional drop inlets at the rip rap wall have not been installed yet

PLANNING BOARD  
JUNE 5, 2000

Present: Stephen J. Browne, Elissa G. Franco, George N. Lester, and Timothy P. Sullivan  
Absent: Christopher R. Summers

8:00 p.m. Vice-Chairman Sullivan convened the meeting with a welcome to new member, Elissa Franco.

**SUBDIVISION RULES AND REGULATIONS – FEE SCHEDULE REVISION**  
**PUBLIC HEARING**

Mr. Sullivan read the legal notice as it appeared in the *Medfield Press* on May 18 and 25, 2000, and then explained the procedure for the hearing. He then explained the background leading to the proposed changes. The fees have not been reviewed for several years. The last change in fees was 1989. We looked at fees from other towns. We looked at what the philosophy of the fees and what they should support e.g. the actual costs of review, maintenance of the office.

Mr. Browne added that the combined cost for the preliminary plan and the definitive plan now total the same. The Board also wanted to be sure of a fee to cover the cost of retaining counsel for hearings. This is proposed in the form of a deposit account that the unused portion would be refunded. The Board also reviewed the cost of small developments versus large development.

Mr. Sullivan continued that over the last five to ten years there have been projects that have taxed this Board significantly – problem projects. The cost should be born by the developer. Before the fee was small. He considered the proposal to be fair and equitable.

Mr. Lester also said the Board looked at other towns and considered the proposed fees to be reasonable with the other towns.

PLANNING BOARD  
JUNE 26, 2000

Present: Stephen J. Browne, Elissa G. Franco, George N. Lester and Christopher R. Summers

Absent: Timothy P. Sullivan

The meeting was convened at approximately 8:05 p.m. by Chairman Summers.

**SUBDIVISION RULES AND REGULATIONS – FEE SCHEDULE – PUBLIC HEARING** – (cont.)

This is a continuation of the public hearing begun June 5, 2000.

The Board reviewed modifications to the change as suggested at the previous meeting.

Mr. Lester stated that the modifications accurately include changes and comments of those present at the beginning of the hearing and moved for approval. Mr. Browne seconded the motion.

VOTED unanimously to amend the Subdivision Rules and Regulations Fee Schedule as follows:

SCHEDULE A.

FEE SCHEDULE

	<u>Residential and Industrial Development</u>	<u>Fee</u>
1.	<u>Form A – Plans Not Requiring Approval Under Subdivision Control Law</u>	\$250 for each additional lot meeting the requirements of Section 6.2 of the Bylaw \$100 for each additional lot or parcel that does not meet the requirements of Section 6.2 of the Bylaw
2.	<u>Preliminary Subdivision Plan</u>	\$1,500 for submission \$500 for each proposed lot
3.	<u>Definitive Subdivision Plan</u>	\$3,000 for submission less amount paid for preliminary plan \$1,500 for each proposed lot less amount paid for preliminary
4.	<u>Site Plan Review</u>	<u>Multifamily</u> \$500 for submission plus \$500 per unit each revised submittal \$ 750 <u>Industrial &amp; Commercial</u> up to 2 acres \$3,000 over 2 acres (per additional acres) \$ 500 each revised submittal \$ 750

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5.     Engineering, Legal Consultation, Fees  
          (separate bank account)
- 1-10 lots     deposit of \$4,000  
11+ lots     deposit of \$10,000  
Site Plan Review - deposit of \$4,000  
Subdivision and Site Plan Review  
Applicants will be charged for Board's actual cost of independent professional services for inspection and engineering and legal consultation. The above deposits are to be replenished when 75% has been used. Balance of the deposit will be returned upon completion of the project. The Board will provide the applicant in advance with established billing rates for engineering and legal services.

NOTE:     For each resubmission of any DEFINITIVE PLAN owing to noncompliance with Medfield's Land Subdivision Rules & Regulations, Zoning Bylaw or engineering deficiencies relating there to and/or showing significant changes to lot layout, road layout or site plan, and requiring review by the Planning Board engineer, an additional fee of \$750. In addition the stated per lot fee will be charged on affected lots. Other noncompliance review is subject to regular reimbursement of engineering costs as described in Item 5.

Fees are to be paid at time of plan submission or when request for setting or reducing surety is made. There will be no charge for discussions with the Planning Board regarding a development prior to submission of a plan for approval.

**CLAYTON STREET**

Jay Butler, 1 Clayton Street, spoke on behalf of the residents of Clayton Street to ask what issues still exist before the street can be accepted by the Town.

Chairman Summers explained that he and Mr. Lester met with Town Counsel, Mark Cerel, and Superintendent of Public Works, Kenneth P. Feeney, the previous week to determine what issues remain. During that meeting they determined that several issues are outstanding: the exact location of the sewer, the condition of the sewer, the need to obtain easements for the sewer from the property owners, the condition of the road, the ownership of the road, the need for as-built and acceptance plans. In 1995, Planning Board engineers, Whitman & Howard Inc. (now known as Earth Tech, Inc.) prepared a list of deficiencies, which the Board reviewed. Mr. Summers said the Public Works Department will camera the sewer again this year when they do other such work in Town. The Water and Sewer engineer will then compare the results with those of 1995 to determine what options are available. The Board discussed the need for residents to assist in completing some of the work such as obtaining the easements and getting the plans completed.

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Former Planning Board member John Gagliani attended the meeting and explained that the developer lost some of the lots to Ben Franklin Bank and the Bank then sold the lots. (Records show the bank was actually Needham Cooperative Bank that foreclosed on the development.).

This subdivision was approved in the late 80's at a time of considerable development within the town.

In summation:

the Board/Town will:

- ❖ obtain copies of all the deeds for Clayton Street in an effort to determine who owns the street
- ❖ camera the sewer to determine its condition and possible solutions to the problems
- ❖ review the 1995 punch list for work to be completed on the street and determine how much the public works department is capable of completing
- ❖ contact the County Engineers to see what work they might be able to assist with in providing as-built and/or acceptance plans

the abutters will:

- ❖ work on obtaining easements once the exact location of the sewer is determined
- ❖ try to make contact with the original engineer who did the plans (Though the company is out of business, the engineer may still be in the area.)
- ❖ provide as-built and acceptance plans if the County is not able to do the work

Mr. Butler asked how much such plans would cost.

Steve Pflug, an engineer present for another appointment, suggested approximately \$10,000.



PLANNING BOARD  
AUGUST 7, 2000

Present: Stephen J. Browne, Elissa G. Franco, George N. Lester, Timothy P. Sullivan, and Christopher R. Summers

Meeting convened by Chairman Summers at approximately 8:05 p.m.

**CLAYTON STREET**

Present: Five residents of Clayton Street (Mr. Boyd, the fifth resident, arrived half way through the discussion.)

Chairman Summers updated the residents on action since the June 26<sup>th</sup> meeting:

- ❖ Letter was sent to the Norfolk County Engineers requesting their assistance with as-built and acceptance plans but no response was received.
- ❖ The Public Works Department advised that the camera work of the sewer was completed. The Water & Sewer Department engineer, SEA, is still reviewing the film and comparing it with the one of 1995.
- ❖ The office has located one of the engineers who worked on the original plans of the subdivision: James A. Reger, lives in Bellingham and works for Bay State Realty Trust on Main Street in Millis.

Elissa Franco reported that she reviewed the deeds and it looks like the residents own to the middle of the road, which will make the process of acceptance easier. The Town would be able to do a taking. The town will need easements over property where the sewer is located.

Secretary Cronin explained the history of the banks and bankbook. The Needham Cooperative Bank foreclosed on the property. However, the Benjamin Franklin Savings Bank held the bankbook for the bonding company out of Florida. When the bonding company failed, the State of Florida claimed the bankbook

PLANNING BOARD  
SEPTEMBER 6, 2000

Present: Stephen J. Browne, Wright C. Dickinson, Elissa G. Franco. George N. Lester, and Timothy P. Sullivan

Chairman Sullivan convened the meeting at 8:00 P.M. and welcomed the newest member, Wright C. Dickinson.

**GIAMMARCO HEARING**

Following the reading of the legal notice that appeared in the *Medfield Press* on August 17 and 24, 2000, Patrick Giammarco, the applicant, explained to the Planning Board that he was before the Board of Appeals on Zoning for a special permit for a swimming pool and additions to his house. Decision #821, dated June 29, 2000, denied his application. He wishes to return to the ZBA with an application only for the swimming pool, which he said will meet the required setbacks. Mr. Giammarco's lot is nonconforming with current zoning. He has removed the proposed additions to the house to the house that were part of the original application. Since he would be returning to the ZBA in less than two years, he must have a determination that what he is proposing has specific and material changes from his first application.

Abutters asked if this was the proper forum to discuss a fence.

The Board advised that they should address that issue to the ZBA. This Board is only charged with determining that specific and material changes have occurred since the denied application.

VOTED unanimously to find that specific and material changes have occurred in the application to allow the applicant to return to the ZBA in less than two years.

**ANR PLAN - SANDERS WAY**

VOTED unanimously to endorse an ANR plan entitled "Plan of Land in Medfield Massachusetts" dated July 26, 2000 and revised to August 8, 2000 drawn by DesLauriers & Associates, Inc., Franklin, MA showing lot 4B to be combined with lot 4A and lot 5B to be combined with lot 5A on Sanders Way.

**CLAYTON STREET**

Chairman Sullivan explained that this is an informal meeting to bring the residents and the Board up to date.

Mr. Lester continued. He said the Board has received the report from SEA engineering that identified 3 defects in the sewer: a dent, a separated joint, and a broken area. The third was not viewed in the original filming in 1995. All of these can be fixed with liners so the street will not need to be dug up. Superintendent Feeney can do the work as part of regular sewer repairs. The report resolves the question over the road and the sewer and leaves the engineering and legal

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documentation to be completed. He stated he talked with Town Counsel who said the Board/Town couldn't proceed without a comprehensive agreement between the homeowners and the town. He suggested the homeowners meet with Town Counsel Cerel and that he would be willing to attend that meeting to help work out the agreement.

Mr. Quimette said that Mr. Cerel did not need to meet with them until the as-built and acceptance plans are drawn.

October 25, 2000

## Joint Meeting of the Planning Board and Long Range Planning Committee

Following a legal notice, which appeared twice in the *Medfield Press* on October 12 and 19, 2000, the Planning Board and Long Range Planning Committee conducted a public meeting for the purpose of discussing proposed *Medfield Zoning By-Law* amendments intended to discourage the building of excessively large houses in existing built-up neighborhoods.

Planning Board members present: Wright C. Dickinson, Elissa G. Franco, and Timothy P. Sullivan

Long Range Planning Committee members present: Peter J. Fellman, Margaret Gryska, Burgess P. Standley, and Robert F. Tormey, Jr. (Keith R. Diggans arrived later in the meeting)

Planning Board Chairman Timothy Sullivan convened the public meeting at approximately 7:37 p.m. with an explanation that the combined Planning Board and Long Range Planning Committee called this meeting for the purpose of discussing "mansionization" and ways of limiting its impact on Medfield. He explained the procedure for the evening would allow the Long Range Planning Committee to present a draft proposal of *Zoning By-Law* changes followed by a period of questions and answers first from other town boards and commissions and then the public in general. He then thanked the Long Range Planning Committee for all its work as well as the public for their attendance.

Robert Tormey, Chairman of the Long Range Planning Committee (LRPC), explained that the LRPC has been reviewing the subject of mansionization with a look at the long range effects it would have on the Town and the need for preserving the quality of the Town. This evening they are looking for input from the public regarding the concerns of the entire town related to two changes in definitions and one regulation of the *Zoning By-Law* as they relate to mansionization.

Burgess Standley continued that the LRPC noticed changes and received reports of neighboring towns in which smaller houses in established neighborhoods were being torn down with much larger ones replacing them. He added that in Wellesley some builders have gone to the extent of turning the houses sideways for maximum size, leading to garages being placed along the street side to allow for entry. He stated that the LRPC was interested in preserving the diversity of homes in Medfield that give stability to the neighborhood. Thus the LRPC examined the *Zoning By-Law* and found that a few changes to the *By-Law* could contribute to stabilizing established neighborhoods.

Peter Fellman added that the Floor Area Ratio (FAR) had been around since 1975. Many of the homes in Medfield were built under this concept. There is no change proposed in the RT and RE zoning districts. This will not limit the ability to add garages, dormers, etc. unless otherwise limited by the *By-Law*. One of the concerns is that "development rights" to build bigger homes are what are occurring at the sale of property. The change is designed to say

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that in areas where there are 900 – 1200 sq.ft. houses, having 4000 sq.ft. houses is not in conformity with the neighborhood.

Mr. Sullivan advised the group that there were examples in the back of the handout. The intent is to eliminate the extreme. He asked if there were any questions from other town boards or officials. Hearing none he opened the questioning up to the general public.

11/20/2000

Present: Stephen J. Browne, Wright C. Dickinson, Elissa G. Franco, George N. Lester, and Timothy P. Sullivan

12/04/2000

Present: Stephen J. Browne, Wright C. Dickinson, Elissa G. Franco, George N. Lester, and Timothy P. Sullivan

Meeting convened at approximately 7:30 p.m.

### MEDFIELD STATE HOSPITAL PROPERTY

Present: Osler L. (Pete) Peterson, Paul B. Rhuda, and Ann B. Thompson – all members of the Board of Selectmen; Town Administrator Michael J. Sullivan

Paul Rhuda, Chairman of the Board of Selectmen, explained that Drew Leff, Consultant for the State Division of Capital Asset Management, has done concepts for zoning overlay districts and is working on one now for the State Hospital site. The thought is that he would draw up a proposal and then the Town would hire a consultant to review. He said it is important that the developer give the 37 acres of land and the water tower to the Town.

Michael Sullivan added that the Town has a total of \$45,000 for review. He added that it is best that the State's consultant present a plan and then have it reviewed with the interest of the Town in mind. This would save time and money.

Tim Sullivan questioned what if the project falls out of DCAM's control on June 30<sup>th</sup>.

Pete Peterson replied that the State legislature would get control. He added that they must sign off on the project.

Steve Browne said it is an excellent deal. The Town cannot look for much better. Now, it needs to perfect the deal.

Paul Rhuda reiterated that Drew Leff will do a plan for the State and present it to the Town. The Town needs to hire someone to review the proposal.

Wright Dickinson stated that the Town needs a Request For Proposal in order to hire such a consultant or possibly two consultants. He added that the Town needs a time line as well.

Tim Sullivan said they could hire a consultant to draft zoning and a second to review it.

Wright Dickinson asked the Selectmen if they needed a collective response this evening.

Paul Rhuda said that they would like to be able to go back to the DCAM and let them know the consensus of the Board. He added that it is easier to have them draw up the proposal because they have done this many times and then we tighten it up. This would also cost less.

Wright Dickinson asked if we could get progress information from Drew Leff.

Paul Rhuda explained that Mr. Leff wants to come in and sit down with the Planning Board.

George Lester asked if this would be taken up at the regular Town Meeting.

Paul Rhuda and Ann Thompson responded that they would prefer it be a special Town Meeting.

Ann Thompson said she did not see how it could be ready by May or June.

Mike Sullivan said that we might be able to get it through the State Legislature to keep control within DCAM so long as there is progress being made.

Paul Rhuda said it could take a miracle to have it ready by June 30<sup>th</sup> or close enough for the Legislature.

Ann Thompson expressed concern that it is tough for a Town Meeting in the summer.

Wright Dickinson asked what if we come up with an overlay district and the State fails to agree.

Pete Peterson replied that zoning overlay would be the deal.

Elissa Franco questioned if they were going forward with the plan.

Michael Sullivan said we would establish a review process.

George Lester questioned if we had a final agreement with the State.

Michael Sullivan said we have a Memorandum of Agreement. We would sign a final agreement after the Special Town Meeting. The State wants the zoning in place first.

Wright Dickinson had additional concerns and explained that we need to get information to the public in a clear manner so that they understand what is necessary, what the options are, and what the consequences are. He felt a PR person would be valuable.

Pete Peterson



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Present: Stephen J. Browne, Wright C. Dickinson, Elissa G. Franco, George N. Lester, and  
Timothy P. Sullivan

Chairman Sullivan convened the meeting at 8:00 p.m.

**APPOINTMENTS**

**Town Counsel Mark Cerel**

Mr. Cerel stated his main purpose for being here was to discuss the Sign By-Law. Small businesses need to carry on through their signage. He explained that he looked over the By-Law to see if there was an easy way to fix it but it is not simple to correct. Some of the problems center around the total sign surface area allowed for a sign, window signs in general, and location of some other signs. He expressed concern for the way the By-Law is being enacted today and added that personnel are exacerbating the situation. He questioned if there is a need for a sign advisory board and suggested the By-Law needed review. He recommended a public hearing to take in comments on the Sign By-Law. He noted the problems usually arise when the Zoning Enforcement Officer comes around to check and enforce the regulations. He felt people should be able to express their concerns and suggested the Board focus on the By-Law over the next year.

Mr. Cerel reminded the Board that the Use Table in the By-Law also needed work.

Chairman Sullivan agreed that it would be a good idea for a public hearing with input to learn where to address issues.

Mrs. Franco asked if we could get a list of violations.

Mr. Cerel said that violations tend to happen in a rash. He added that the Enforcement Officer is paid per violation. He continued that new businesses are having a problem because the By-Law uses such a rigid formula to determine the size of signs.

Chairman Sullivan asked if MEMO had any suggestions?

Mr. Cerel advised the Board not to count on MEMO to take the lead. The problems are usually with non-Memo businesses. He felt that we would get response to a public hearing at which time we should get input.

In response to a question of what happen with people on Park Street after last year's attempt for signage there, Mr. Cerel stated that the By-Law change attempted last year was spurred by one person and there was a lack of communication between that person and the rest of the business. He considered that there must be a tasteful way to handle the issue of signs to direct people to business – e.g. Millis and Westwood have small signs directing people.

Mr. Lester questioned if there was a way to regulate the style of signs? Ben Franklin Savings Bank was regulated in the site plan review process, but is there a way to regulate other signs that do not require site plan review?

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Mr. Cerel suggested setting up appropriate guidelines.

The Planning Board Administrator will call Norfolk for possible input.

Chairman Sullivan expressed concern about the way the Sign By-Law is being applied and wanted the Board on record as being in support of local businesses.

Mr. Cerel said he would assist where possible.

Mr. Lester said he liked the idea of directional signs.

Chairman Sullivan asked who controls the public right-of-way?

Mr. Cerel responded that is the responsibility of the Selectmen.

Mr. Lester questioned if starting a program that would allow signs in the public ROW.

Mrs. Franco suggested the Board could control the style of the signs.

**Ralph Costello**

Mr. Costello explained that Unique Homes owns seven properties in the RU zone on Spring Street that they would like to combine into one residential use. He is looking for suggestions concerning his plan. The Spring Street property has 400 feet of frontage running from number 88 to number 108 Spring Street. The railroad is to the rear of the property and Curve Street backs up against the property. They would raise the homes that are currently there to build the new development.

George Matarazzo, a Landscape Planner with offices in New Hampshire, presented plans showing different views of the proposed development. They propose 43 homes that would be called Olde Village Square. The goal was to design a village community similar to the neighborhood. To accomplish that goal they have designed a townhouse community, sensitive to detail and elegant building. The community would be a mix of single houses and townhouses to create a village effect. Circulation through the "village" would be by "some kind" of pavement. The plan includes a square 300 feet long and 125 feet wide. The concept is a community laid out in small areas with a motor court behind the homes so that no garages are visible from the street. Townhouses that would look like houses would be along Spring Street. Each such building would have four units. They would add a fence along Spring Street. The single houses appear along the upper part of the plan. Although they would not restrict the age of homeowners, the market for the units would be to empty nesters since the plan is not geared to children. Each house or townhouse would have its own garden etc. with the buildings having different façades such as stone, brick, and wood. The appearance will be toward single-family homes which will allow flexibility in the market. As Unique Homes builds the units, the homebuyer could design their own interior. He stated that the whole proposal is within the requirements of the By-law, which he also stated does call for attached buildings. In this proposal, the buildings would attach at the motor court and the garages would connect with a little roof that would create a pedestrian

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entrance. There will be private little spaces throughout. The proposal would feel more like a single-family house than a townhouse. A second sketch showed the entrance off Spring Street. The property across the street from the site has an evergreen hedge along the front thus having the entrance at this location would work out best considering the impact of headlights on that property. They propose a brick wall with iron works along the Spring Street side of the project but no walls that would completely block out the project. They are attempting to achieve a sense of open space. The back of the development will be 50 feet from the railroad track and the sides will be 20 feet on any side. There will be adequate room for emergency vehicles.

Mr. Costello estimated the units would be 1800 – 2400 square feet built on two levels. He said the southeast corner of land could be enhanced and maintained. It could continue as a drive or emergency exit or entrance.

Mr. Matarazzo added that they could put a sidewalk there.

Chairman Sullivan asked what they would be doing with those areas around where there are abutters?

Mr. Costello responded that they are committed to a fence around the property and would also provide screening around areas including the Hinkley side, railroad side and the two other properties. He said he would be open to ideas and suggestions from the Board. He added that he would provide a heavy stand of pine trees on the perimeter. Many of the trees have reached the maturity that is good for replanting. They wish to conserve as many trees as they have and need trees around the open area.

Mr. Matarazzo explained they did experiment with other schemes such as a building in the middle, like Medfield Gardens, but none of them achieved their goal of community.

Chairman Sullivan asked that they leave materials for the Board to review at a more leisure time.

Mr. Matarazzo responded that they are on computer so he would be able to get plans for the Board.

Mr. Costello said they have eliminated the predecessors of this plan and have come up with this plan after a number of configurations.

Mr. Lester questioned if they would be adding more parcels.

Mr. Costello responded that any addition would only be the Hinkley property. To allow for that possible expansion, he has planned a driveway that could go in that direction. The other two properties on the south side of the project are not available. If they became available, they could be considered.

Mr. Matarazzo felt the area along the railroad is unique and could accommodate a pedestrian walk way to town.

**Wayne Carlson**

Mr. Carlson, Carlson Engineering and Surveying Inc., appeared before the Board for an informational discussion of a possible project off Pine Street.

Attorney Edward (Ted) Cannon reiterated the informational nature of the appointment and added that they have been in front of the Conservation Commission to assist in laying out their plans. He indicated that they have several alternatives to discuss and felt this would be a more productive approach in determining what they will do for a final project.

Mr. Carlson began by stating that the twenty plus acre site is located at 82 Pine Street (formerly owned by Radauano). He has completed a perimeter survey to help delineated the wetland area. He pointed out a brook nearby which places them under the jurisdiction of the Rivers Act and added that the Conservation Commission has agreed to the boundaries. Presently there is a 35 horse stable on the site. The present owners would like to keep the barn but need resources. To achieve they are looking at an open space concept with the barn facility, including open paddocks, and six house lots under cluster development with the remainder being open space. An alternative project showed two roads with four houses between them and a total of 15 lots with the barn being eliminated. Given the size of the property they could actually fit 25 lots. Sketch "C" would utilize the two road concept and build according to the requirements of the RT zoning district. This would allow nine lots and still have some open space but would require taking down the existing stable.

Chairman Sullivan questioned what the motivation is between the different plans.

Mr. Carlson responded that plans "A" and "B" involve open space. He then continued with his last concept that would develop an area of estate homes. He added that the owners would like to keep the existing stable and add a barn. They would create five lots, one being the barn. This plan would require 1300 feet of roadway with common driveways. Under this plan one house would be on Pine Street with the remaining houses being estate type homes in the rear. The front area would remain mostly land.

Mr. Carlson continued that there is only a barn there now. He explained the houses would be 6000 sq. ft. plus homes. He considered the last proposal would probably be the best for the neighborhood. The lots would be over 100,000 sq.ft. They would seek to use the existing way and not do a full build out of the roadway, thus keeping it as a private way. He added that Mr. Cannon is looking into land court issues. He considered that they still would need to develop the layout. Under this proposal the paddocks would remain, which the owners would like since their business is horses. In addition they would provide a path that would run along to North Street as well as define the cart path.

Mr. Lester questioned if there was Town of Medfield land near.

Mr. Carlson answered that it is one parcel removed. He added that they would do a trail within their jurisdiction. They can also continue an easement along the pond but cannot change the stream.

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Mr. Lester asked if they could make a public trail to North Street.

Mr. Carlson said they could not go to North Street but would make the trails on their property available.

Mr. Lester asked if they would be able to meet the corner roundings requirements and if they could make a full 50 foot layouts.

Mr. Carlson said he would do the math on the roundings and noted that the plans are done on a 60 foot scale that shows they can do the 50 foot layout.

Chairman Sullivan said the Board would appreciate copies of the plans if possible, which Mr. Carlson did leave.

Keith Diggins, member of the Long Range Planning Committee (LRPC), noted that the proposals would require waivers and asked what benefit was there to the Town to grant the waivers. Would there be paths or land given to the Town? With the grant of waivers there are savings to the developer.

Mr. Carlson responded that the reduced plan would provide reduced density that would result in less cost to the town in students. When the roads are reduced, they become the responsibility of those living there and not a cost to the town. In addition they can provide trails to the property line. Under this plan they would be able to build larger homes that would bring in higher tax revenue.

Mr. Carlson said these homes would tie into the existing sewer. They would covenant the lots so there would be no further subdivision allowed. He has explained that to the owner the importance of providing trails. He then asked if there is there a consensus of the Board on what they have seen.

Mr. Lester said that the one clearly most attractive to the town would be the last one presented. Since it included open space and trails.

Chairman Sullivan agreed with Mr. Lester. He felt it offers the town more benefits that the town doesn't always have the luxury of obtaining.

There was a discussion of the first plan versus the last plan and the question of how much open space would be available. Under cluster development only 25% is required. The remainder of the open land would not be part of the open space in the cluster development.

Chairman Sullivan suggested they develop that plan more for their next meeting with the Board on January 22<sup>nd</sup> at 8:15 P.M.

Mr. Carlson offered to get half size copies of plans to the Board.

**Long Range Planning Committee**

Chairman Sullivan stated the purpose of the meeting with the LRPC is to discuss the updated, revised copy of the proposed *Zoning By-Law* change on mansionization.

Robert Tormey, Chairman, stated that all members of the LRPC are present. They are proposing only changing one section of the By-Law and have that proposed definition which was reached with much give and take. He considered that the intent is still intact with the only real difference to exclude attics, which are inconsistent with what they are trying to do. He added that they are not trying to regulate the interior of a house. They took the feed back they were given from the open meetings and realize that there is concern that the Bylaw would be too restrictive. They felt it would be better to encourage people to build up and not out.

Mr. Browne asked what they considered to be an attic.

Mr. Tormey said it would exclude all attic space, which they considered would be half a story.

Mr. Brown questioned if it is clear what an attic is. He added that we need to show the intent.

Mr. Fellman said there is no definition of attic in the *By-Law*.

Mr. Tormey said there is no definition of basement either. It is just what the implication is.

Mr. Browne expressed concern that these areas are not clear.

Mr. Tormey stated that they had long discussions about garages and arrived at the consensus that if they do not include garages they will not be doing enough, since a garage is part of the modern home.

Chairman Sullivan realized that trying to keep the change as simple as possible becomes tricky. To declare a garage doesn't count when we are trying to look at the visual effect on the area is difficult. He added it would likely be where the success or failure of the change will fall. People are concerned about what they can do with their property.

Mr. Tormey said there is concern for people with non-conforming lots and the possibility of special permits when people want to do very basic things to their home. He said the LRPC is powerless there. To allow special permits in these cases would amount to spot zoning which would cause conflicts.

Mr. Lester considered that the standard is for a variance and asked the Administrator who explained the difference between seeking a special permit, variance, and a finding from the Board of Appeals, which she also works for.

Mr. Tormey clarified that the issue is not a non-conforming lot but non-conforming building. They are trying to present a uniform by-law that will be fair to all.

Chairman Sullivan questioned if the *By-Law* should define attic.

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Planning Board Administrator, Norma Cronin, suggested relying on the definitions from Mass Building Code which the Building Inspector uses.

Ms. Gryska observed that the changes are not going to do that much. The more vocal people showed up at the meetings. She said they would like to simplify the definition so that it is easier to understand. She added that it doesn't do a whole lot when you run the numbers.

Mr. Browne stated that the complaint was in the RU areas but expressed concern for the RE district.

Chairman Sullivan noted that the RE district does not have any changes in the rate but is still governed by stricter change in definition and wondered if it would be politically better to draw the RE in a little bit. People see this as picking on the little guy and not affecting the bigger lots.

Ms. Gryska said the basic idea was to check on small property. Property rights do infringe on other people.

Mrs. Franco noted that the proposal is still changing some of the restriction through the definition.

Mrs. Gryska said the Planning Board needed to make the submission to get the proposal on the warrant.

Chairman Sullivan asked the Administrator procedure.

She responded it would be best submitted that way. She also asked the Chairman of the Board of Selectmen, Ann Thompson, who was also present, what the deadline would be for the submission.

Mrs. Thompson responded that the gist of the article should be in the beginning of January.

There was a discussion whether to hold another public meeting. The Board questioned if it would bring in any additional people and decided to rely on education through the news media. There will be a required zoning hearing prior to the town meeting, probably sometime in March.

Mr. Tormey noted that Nation Public Radio did a segment on the issue, noting that the professor from Rutgers used the term "trophy" houses. NPR used segments of interviews with Town Administrator Michael Sullivan and builder Scott Colwell.

Mrs. Thompson questioned if they are including barns in the FAR definition.

Mr. Tormey responded, "Yes, accessory buildings are included."

There was a discussion of the first line of the definition of 2.1.22 (FAR) as proposed.

Mr. Tormey said they tried to address the garage, basement and attic issues. This definition is excluding all basement and attics but does include covered porches.

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Chairman Sullivan advised the LRPC to seek Town Counsel's input. He also thanked the LRPC for all their efforts.

**OLD BUSINESS**

**Southern Acres Report**

Chairman Sullivan stated that there is still work to be done off the punch including the installation of security bars.

The consensus was that the Planning Board engineer was satisfied with the reports submitted by the developer's engineers regarding the riprap wall.

Mr. Dickinson suggested the developer chink a section 10 feet by 10 feet in area that the Board could look at. Chinking of the entire riprap was recommended by Earth Tech, Inc.

Mr. Browne recommended holding the developers surety until the Board is satisfied they have a workable solution.

Mr. Lester said that the project needs major landscaping so as not to detract from the surrounding property and suggested the Board require a landscape plan as well as a fencing plan. He added that the developer must resolve the question of ultimate responsibility of the lot and the riprap wall.

Ms. Cronin informed the Board that the developer has brought in acceptance plans for the streets and will be seeking such at the annual town meeting.

Meeting adjourned at 10:10 pm.

Respectfully submitted,

George N. Lester, Secretary



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Present: Stephen J. Browne, Wright C. Dickinson, Elissa G. Franco, George N. Lester, and Timothy P. Sullivan

Chairman Sullivan convened the meeting at 8 p.m

**APPOINTMENTS**

**Bridlefield Subdivision**

8:15 p.m. Chairman Sullivan reconvened the public hearing and asked if there were any further comments on the plan before closing the public hearing.

Mr. Ruggerio said that Mr. Janjigian has agreed to an easement over his property in Walpole. He then turned to discussion of the trails suggesting that they identify the trails by markers on trees. He also suggested that they keep the trails narrow. He said they had shown their plan to the trail consultant who was satisfied.

Seeing no further comments the Board:

VOTED unanimously to close the public hearing portion of the subdivision review.

The Board received a letter of approval of the subdivision from the Board of Health.

Town Counsel Mark Cerel is still reviewing the Declaration of Trust.

Board members asked how the BOH approval affected the project.

Patrick Burke, CDW Consultants, explained the detention pond in the center will have 4:1 slopes but the volume will remain the same. The detention pond to the rear of the project will be slightly larger.

Mrs. Franco questioned what will happen to the driveway to lot 11.

Alan Schlesinger, attorney, explained the driveway is there. The Conservation Restriction still allows the driveway to go over the lot but Mr. Janjigian will still bring the driveway in from Allen Lane.

Mr. Lester said that the conditions should be reviewed by Town Counsel so as to reflect the Board's intent.

Mr. Browne stated the conditions should include that there be no connection to any other streets or property except that lot 11 may be connected to Allen Lane. (Copy similar text from Woodcliff Hills decision)

Mr. Lester noted that the Board must find that it is in the public interest that access to lot 11 to be best from Allen Lane

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There was a discussion of the street name for the subdivision. Administrator Cronin reported that the Board has not received any comments from Richard DeSorgher or the Committee to Study Memorials regarding a street name despite letters and phone calls to Mr. DeSorgher. Mr. Ruggerio reported the same.

VOTED unanimously to accept the name of Bridlefield Lane as one name for the entire street layout.

Mr. Lester questioned if the trails would be given to the Town.

Attorney Schlesinger explained that the Homeowners Trust is set up for owners. The Conservation Restriction includes the rights of trail, which state that the homeowner can't block the trail and the people can enter the trail.

Chairman Sullivan suggested granite posts to mark the corner of the lots.

Mrs. Franco said that the Conservation Restriction gets recorded.

Chairman Sullivan expressed concern that people tend to expand their land because they don't know where their line actually is located, thus, the need for some sort of markers to designate the property owner's land from that of the open space.

Mr. Ruggerio agreed that the rear property line should be marked with something permanent and said they can come up with an idea.

Mr. Dickinson asked if there was a way to police the trees to be sure that trees are preserved.

Attorney Schlesinger responded that they need wording that can be followed. He noted that the lots are small 12,000 sq.ft. lots that would require some clearing to get houses on the lots.

Mr. Lester expressed a desire that the Hemlock tree be preserved.

Attorney Schlesinger stated that it is located in the center island and thus easier to preserve.

There was continued discussion concerning preservation of the trees to which Mr. Ruggerio explained that they must follow the landscape plan, which would not allow them to go into the darker area shown on the plan.

Mr. Lester asked that the grant of the Conservation Restriction be for the right of the people of the Town to go on the land subject to review of Town Counsel.

Attorney Schlesinger said that matter is already in the language.

Mr. Browne asked that the Board see the final copy of the Conservation Restriction before signing the plans.

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Mr. Lester asked that there be posts to designate entrances to the trails. He also questioned who is the grantee of the easements.

Attorney Schlesinger said the towns have to accept interests in the land.

Mr. Lester asked that there be a condition that the trail in Walpole be deed.

Attorney Schlesinger questioned that the deed would need to be accepted by what town. He added that they will give it but they do not have control over it being accepted.

There were no further comments

VOTED to approve the plan subject to drafting, listing the conditions as stated above and review with finalizing in a form acceptable to Town Counsel.

**BUNKER ROAD PRELIMINARY PLAN**

Steve Pflug, Thompson-Liston Associates, presented the plan for the applicant, John Hakansson. He reviewed the location pointing out the hammerhead at the end of Bunker Road. He explained that the properties are 4.2 acres of land which was landlocked. The proposal is to extend Bunker Road to a full 500 foot length. The project includes a portion of lot 16 of Southern Acres that was ANR'd out. The plan is for three parcels without the turnaround fully constructed. They propose to construct driveways off the turnaround. The land is hilly. The Shell pipeline goes through the property. At the present the property is completely wooded. They propose to clear a minimal amount of land to construct houses. The property generally slopes down toward the gas line and slightly down from Bunker Road. They will grade driveways so as little as possible drainage goes out onto Bunker Road.

John Hakansson said that the Conservation Agent, Leslee Willitts, saw no wetlands within 100 feet of the property.

Mr. Lester questioned how this plan differs from other plans.

Mr. Pflug explained that they brought in a couple of scenarios for discussion, including one with four lots, and this one seemed to be the best.

Chairman Sullivan questioned if they had the land under agreement that was formerly part of the Southern Acres development.

Mr. Hakansson said it was part of all the discussion plans.

Mr. Browne questioned if they would be seeking waivers for length of cul-de-sac.

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Mr. Hakansson responded that he talked with Superintendent of Public Works Feeney who suggested bring driveways off the end of the turnaround.

Mr. Pflug said they met with the Board Of Health last week and they seemed generally favorable.

Mr. Hakansson observed that Mr. Domey, the Board of Health agent, seemed opened to no detention basin.

Mr. Pflug said they propose dry wells for drainage from the roofs which would allow minor increased run off.

Mr. Lester questioned what would be the effect on the natural flow to the back properties.

Mr. Pflug stated they needed to satisfy the BOH requirements, but feel they can do that. He added that there is a natural depression that will take small amounts of water.

Chairman Sullivan noted that the existing hammerhead had excess surface and questioned if some of the impervious area of the hammerhead could be reduced.

Mr. Hakansson offered to do what they can if portions are not needed.

Mr. Lester expressed concern that it be standard enough for a fire truck to make a turn around.

Chairman Sullivan asked that it be kept to the minimum once the needs are met.

Mr. Lester added that there needs to be space for snow storage so that it does not fill driveways, but agreed that less pavement is better.

The Chairman asked if the applicant had a problem with any of the items raised on the Planning Board engineer's report.

Mr. Pflug said they did not see a problem.

Chairman Sullivan questioned waivers.

Administrator Cronin stated that the Planning Board engineer had called and asked her to relay his concerns about a waiver for construction of the roadway where six houses are on the street.

Mr. Browne considered it to be a discretionary matter to be considered each case on its own merits when reviewing plans.

Mr. Hakansson explained that a full build out of the road would result in the loss of many trees.

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Peter Markman, 63 Granite Street, explained that they have a pond set down about six hundred feet below the proposed sub-division. He pointed out the drainage and asked that they comment on what they perceive would be the impact of the subdivision on the pond and their wetlands.

Mr. Pflug said he had a feeling that there would be a minimal impact on the pond because they are not clearing the land. They are taking care of the roof drainage. The shaded area will not be touched only area in lighter green will be cleared.

Mr. Hakansson pointed out that they have a minimum of 50 foot backyard that they are required to maintain.

Mr. Pflug said he anticipated about a 65 foot buffer. They would leave the area over the gas line untouched. From the center of the gas line over it is maintained as forest

Mr. Hakansson added that the corner of the right lot on the plan is already cleared out.

Mr. Pflug noted that there is a stone wall around the back of the property.

Mr. Hakansson said he would keep hay bales nearer the perimeter where he would be working.

Mr. Lester explained that they must demonstrate that there will be no material impact of flow offsite. What exists now must be maintained after development. Detention ponds hold the flow.

Mr. Markman said he is concerned because drainage does feed into the pond.

Mr. Lester explained that the technical decision on that comes from the BOH.

Mrs. Markman asked that they try to leave trees.

Mr. Hakansson explained that the clear cutting at Southern Acres occurred before he was hired. He prefers to leave trees and does not want to clear cut

Mr. Markman asked if they do not build the cul-de-sac would they leave more trees.

Mr. Browne responded yes.

Steve Boston, 22 Loeffler Lane, Showed pictures off Loeffler Lane and stated that water flows from his property into this area. The pictures were taken in May during a rainstorm.

Chairman Sullivan observed the need not to exacerbate that condition.

Mr. Boston said it needs to be protected early so not a problem later.

The pictures were returned to Mr. Boston.

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Chairman Sullivan explained that this is a preliminary plan and as such the only time the Board will be able to look at the plan before the deadline for a decision arrives.

Administrator Cronin read the letter from the Board Of Health that discussed the project but neither approved nor denied the project.

Mr. Browne noted that the project was an excellent effort but without BOH approval the Board should deny the plan.

Mr. Lester stated he was impressed with this plan. He added that the way the law is written there is no incentive for the Planning Board to approve a preliminary plan. He stated that he would be inclined to consider the waivers but not having an actual BOH approval the Board could not approve the plan.

Mr. Browne cited previous negative experiences from approving a preliminary plan with conditions.

Mr. Hakansson said he is confident he can address the issues.

VOTED unanimously to deny a preliminary plan entitled "Bunker Estates at Southern Acres Preliminary Subdivision Plan of land in Medfield, Massachusetts" dated November 21, 2000, concerning three lots on approximately 4.64 acres of land off Bunker Road because it does not have Board of health approval and does not satisfy the requirements of the Land Subdivision Rules and Regulations of the Town of Medfield (list the area of waivers requested)

## **OLD BUSINESS**

### **Woodcliff Hills Estates**

VOTED to release lots 21-39 at Woodcliff Hills Subdivision since the developer has posted surety.

Mr. Browne recused himself as he is an abutter to the property.

### **Southern Acres**

The Board reviewed the engineer's report of December 13, 2000.

Chairman Sullivan said he viewed the site and questioned that perhaps the drains at the foot of riprap wall are very wide. He suggest at least one bar be placed over it.

Mr. Dickinson said the catchbasin at bottom of hill is high and not doing anything as far as drainage. It should be lowered.

The Board said to send Carruth Capital a letter regarding the above issues.

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**Minutes of 120400**

VOTED to accept the minutes of December 4, 2000 as written.

The meeting was adjourned at approximately 10 p.m.

Respectfully submitted,

George N. Lester, Secretary  
Medfield Planning Board