



TOWN OF MEDFIELD

Office of the

PLANNING BOARD

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

(508) 359-3027
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MEETING OF:
July 8, 2020
MINUTES

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

ZBA Members Present: John J. McNicholas, Chair; William McNiff, Member; Michael W. Whitcher, Member; Jared Spinelli, Associate Member

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

Others Present: Dave MacCready, Rob MacCready, Robert Truax, Edward Cannon, David Sharff, Steve Bouley, Rob Gregg, Don Coen, Michael Taylor, Tracey Hogan, David Temple, Matthew Seminerio, Maria Baler, Chris McCue-Potts

Location: Virtual Zoom Meeting

At approximately 7:00 pm, ZBA Chair Jack McNicholas called the meeting to order, noted that the meeting was a joint meeting with the Planning Board and introduced the Zoning Board of Appeals.

Chair McNicholas disclosed that his office space is rented at an establishment that Mr. Dave MacCready owns. Chair McNicholas has consulted with Mr. Mark Cerel, Town Counsel. Mr. Cerel did not feel it was a conflict of interest. Chair McNicholas asked the Boards and attendees if there is any objection to him continuing as a sitting member of this hearing. No objections were given by any board members, applicants, or attendees.

At approximately 7:05pm, PB Chair Teresa James called the meeting to order and introduced the Planning Board.

Chair McNicholas read the following:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this joint meeting of the Medfield Zoning Board of Appeals and Planning Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to or view this meeting while in progress may do so by following the instructions on the agenda and meeting notice. This meeting is being recorded.

Chair James read the following notice into record:

The Medfield Planning Board (PB) and the Medfield Zoning Board of Appeals (ZBA) will hold a joint public hearing starting at 7:00 p.m. on Wednesday, July 8, 2020, at the Medfield Town House, 459 Main Street, to hear the following petition:

- Open Spaces Builders/David MacCready (applicant) and LCB Medfield, LLC (owner) seek the following approvals under MGL Ch 40A Section 9 and Medfield Zoning Bylaw Section 300-5.6 (ZBA Historic Properties Special Permit), Section 300-14.10 (ZBA Special Permit criteria), and Section 300-14.12 (PB Site Plan Approval) for the proposed work consisting of the adaptive reuse of the existing property as a multi-family development (existing two-family dwelling and the new construction of a two-family dwelling and new single family dwelling for a total of 5 units), plus ancillary attached garages, driveways, utilities, landscaping, etc. The property is located at 353-355 Main Street; Assessors' Map 43 Lot 067; RS Zoning District with Secondary Aquifer Overlay.

This legal ad appeared in The Press on June 19th and 26th.

Chair McNicholas outlined the meeting procedures. Chair James said that members of the public are considered "attendees" and although "attendees" do not have access to audio and video, they can see and hear everything. This is done to prevent "zoom-bombing" which could shut the meeting down entirely. Chair James explained that questions/comments from the public can be sent via the Q&A feature on Zoom. The Q&A button is on the bar usually found at the bottom of your screen. Ms. Sarah Raposa, Town Planner and Zoom Host, will receive the questions and direct them to the Board's attention at appropriate points in our meeting. Chair James said during the public comment period, attendees can speak by using the "raise hand" feature and Ms. Raposa will unmute you. Chair James noted, as Chair McNicholas previously said, the public comment period will be at a specific time in the agenda so please sit tight until then.

Chair James said additional public comments, in support or opposition, or technical questions regarding the application, may be submitted by emailing Ms. Raposa, Town Planner. Ms. Raposa's email address is sraposa@medfield.net or the phone number is 508-906-3027. Chair James said neither Board intends on reaching any conclusions tonight. This meeting is meant to provide efficiency in opening the process. Each Board is responsible for separate aspects of the Zoning Bylaw and will render decisions at subsequent meetings.

Chair McNicholas said the Board of Appeals will be responsible for determining whether a special permit is warranted per section 5.6 of the zoning bylaw. There are specific criteria in Section 5.6 that the Board must find in addition to the standard special permit criteria found in Section 14.10 of the Zoning Bylaw. Chair James said the Planning Board is responsible for ensuring that plans for the construction of 500 square feet or more conform to all the Town's Bylaws and regulations pursuant to Section 14.12 of the Zoning Bylaw.

Chair James explained that in past practice, when applications required both Planning Board and ZBA approval, each board would hold its own series of meetings to review the application. Since the same set of plans need to be approved by all relevant boards, the ZBA hearing would be continued until the Planning Board was ready to finalize the elements of the site plan for example: building configuration, parking, circulation, lighting, grading, landscaping, et cetera. The ZBA would then make its decision based on the revised site plan and then the applicants go back to the Planning Board for their final decision. It can be confusing but based on the language of the zoning bylaws; this is the process that needs to be followed. Chair James said site plan approval can only be granted after any zoning relief is sought. Chair James said stormwater will be reviewed by the Board of Health as Board of Health have more stringent standards than those found in the zoning bylaw. The Board of Health's engineer will also include the zoning bylaw, in particular, the lot coverage limitations of the Secondary Aquifer Overlay District, in their technical review. Chair James also said that any impact to the proximate vernal pools will be reviewed by the Conservation Commission.

Chair McNicholas said under state statute, there are required time periods in which we will file our individual board decisions with the town clerk. If the Board approves the application and a townsperson feels aggrieved by the decision, there are certain statutory time periods in which to appeal to court. If the Board denies the project, the applicant will also have the right to appeal the decision in court. Chair McNicholas said that if any

townsperson wants to appeal the decision, the Board urges them to promptly consult an attorney to be advised on the proper process as the time periods are short and strictly enforced.

At approximately 7:22 pm, Mr. Edward Cannon, attorney for the applicant, thanked the Boards and Ms. Sarah Raposa for attending. Mr. Cannon introduced the applicants and explained that this meeting is to give an overview of the project. Mr. Cannon said the objective is to redevelop the Clark Tavern, one of the most historic buildings in town. Mr. Cannon said the parcel to be discussed is the last piece owned by LCB and the hope is to construct 5 dwelling units (2 duplex and one single family). Mr. Cannon said that Ms. Leslee Willetts, Conservation Agent, would like the applicant to file with the Conservation Commission. The Conservation Commission meeting will be a public hearing and the applicant plans to comply with the Conservation Commissions requirements. Mr. Cannon noted the construction is no near the vernal pool that was in question with the LCB's former proposal. Mr. Cannon reported that the Historical Commission is in support of the proposed project and Mr. Fred King, owner of abutting land, is generously considering adding 3 visitor parking spaces on his land (via license) for the Peak House. Mr. Cannon said that due to change of building plans another public hearing will need to be advertised.

Mr. Rob Truax, GLM Engineering, reviewed the existing site conditions plan with the Boards. Mr. Truax reviewed the land grading and the layout of the 5 proposed units. Mr. Truax said there are 2 driveway points; one to the easterly side with garages on the lower elevation for units 1 and 3 and one on the westerly side with garages at grade for units 2, 4 and 5. Mr. Truax said all setbacks are met and porous pavement will be used to allow for maximum drainage. Mr. Truax said the soil was tested and is good for recharge. Mr. Truax said there will be town water and town sewer at the site accessed via Main Street. Mr. Truax showed the vernal property on the plan and noted the pool barely comes on to the site. Mr. Truax said they will be working with the Board of Health as well as filing with the Conservation Commission.

Mr. David Sharff, architect, presented the background of the existing building. Mr. Sharff reviewed drawings/rendering with the Boards. Mr. Sharff noted the historic dance hall at the Tavern with the arched ceiling. Mr. Sharff said the plan is to keep as much of the ceiling as possible; most likely ½ of the ceiling will be preserved. Mr. Sharff discussed the relationship with the proposed new buildings in relationship to the Peak House and the modifications made to the plans per the Historical Commission's suggestions.

Mr. Greg Sullivan, Planning Board, said he likes the look of the project and approves of the turning of the garage so that it does not face Main Street. Mr. Sullivan said he likes how the historical structure stands out more and the new building look like "outbuildings. Mr. Sullivan said the landscape plans will play a big part of the design and would like to see the defining of the street edge and property lines.

Mr. Rob MacCready, applicant, agrees with Mr. Sullivan and said as the landscape plans develop further, they will be shared with the Planning Board and the ZBA. Mr. Rob MacCready said there is a "period correct" landscape designer for the Peak House who has volunteered to help out with the landscape design of the proposed development.

Ms. Sarah Lemke, Planning Board, said the criteria for site plan approval notes driveways for a multi-unit development must have 10 feet from the property line. Ms. Lemke asked how much space is on the west side. Mr. Truax was unsure but he will find out. Ms. Lemke asked where the snow storage will be on the east side of the property. Mr. Truax said near unit 4, by the side of unit 5 and on the side of unit 2. Ms. Lemke said there should be as little as possible snow storage in the front and would rather see the snow storage behind unit 3 or next to unit 5.

Mr. James Brand, Planning Board, said he likes the garage changes and asked if the 3 proposed visitor parking spaces are dedicated to the Peak House. Mr. Truax said he did not know. Mr. Rob MacCready said he believes

they will be mixed use parking with a time limit. Mr. Brand said he agrees with Mr. Sullivan's comments about the street scape and would like to see the stone wall in front of the Peak House continued someway.

Ms. Sarah Raposa, Town Planner, asked how many parking spaces each unit has. Mr. Truax said each unit has 2 garage spaces and 2 in front of each garage; total of 4 spaces.

Chair James, Planning Board, asked if trash services will be shared or individual. Mr. Rob MacCready said there are no plans for trash removal at this point and association documents will dictate trash removal.

Mr. Paul McKechnie, Planning Board, said he is looking forward to reviewing the landscape plans. Mr. McKechnie asked for the tree clearing plan; wants to know how much of the site will be cleared. Mr. McKechnie also asked about the snow storage plans; specifically on the east side and suggested the entrance to the garages be moved to the back of the dwelling.

Chair McNicholas, ZBA, agrees with all of the Planning Board members comments and confirmed that LCB owns the parcel. Mr. Cannon said Open Space Builders are under contract with LCB for the parcel subject to permitting. Chair McNicholas said he had a conversation with Mr. Mark Cerel, Town Counsel, regarding the historical preservation bylaw. Chair McNicholas said there needed to be clarification on the dimensional requirements Chair McNicholas stated that there are no dimensional issues with this particular project and the seeking of a special permit can move forward.

Mr. Michael Whitcher, ZBA, believe the proposed project will be a nice asset to the town. Mr. Whitcher asked if the 3 parking spaces from Mr. King will be deeded. Mr. Cannon said the parking spaces will be licensed; not deeded through and easement.

Mr. McNiff, ZBA, asked approximately how long the project will take to complete. Mr. McNiff asked about the impact to traffic during construction. Mr. Rob MacCready said approximately 12 to 18 months once permits are received. Mr. MacCready said the intersection of Main and Pound is busy and there will be a water and sewer tie in but with appropriate police detail; the impact will be minimal.

Mr. Jared Spinelli, ZBA, asked about lighting of the homes. Mr. Spinelli wants to make sure there will be no over lighting to disturb abutters. Mr. Truax said down lighting and landscape buffers will be used and they are happy to accommodate any neighbors concerns.

Ms. Sarah Raposa, Town Planner, introduced Mr. Steve Bouley, Tetra Tech, and explained the peer review process. Ms. Raposa said due to the altering of the plans after the Historical Commission meeting, Mr. Bouley has not started the review. Mr. Bouley said this is a unique project and he is looking forward to working on it.

Mr. David Temple, Historical Commission, read a letter in support of the Historical Commission.

Mr. Rob Gregg informed the Boards of the status of the Peak House Heritage Center nonprofit organization, agreement with the Medfield Historical Society, and the many landscape improvements at the Peak House.

Mr. Michael Taylor, Historic District Commission, said he supports the proposed plan but is unsure that the property is being preserved. Mr. Taylor asked how much of the existing property is being preserved. Mr. Sharff said as much of the frame as possible but the property needs to be built to current building code. Mr. Taylor asked of the post and beam construction will be dismantled and then materials will be reused to recreate a new structure. Mr. Sharff said he sees the plan as a hybrid of old and new coming together. Mr. Taylor as if any of the interior design will be preserved. Mr. Sharff said there are no interior features left; the property has been stripped down over the years. Mr. Taylor said he is concerned that cutting the dance hall ceiling in half is not

preservation. Mr. Taylor said he is not saying he is against the project. Mr. Taylor said that if the property is not being preserved; it should be stated.

Mr. Matthew Seminerio, 339 Main Street, asked if crosswalks and sidewalks have been considered. Ms. Raposa said there are no current plans; but the town is always looking for suggestions. Ms. Lemke, Planning Board, said she is always in support of sidewalks however she will need to get more familiar with the site during a site visit. Ms. Lemke said she doesn't believe there are currently sidewalks on that side of the street to extend and believes a walking path to the Peak House from the proposed development would be helpful. Mr. Gregg believes the 3 proposed parking spaces will greatly help the Peak House. Ms. Raposa said the committee for the Peak House will be coming to a Planning Board meeting to unveil their landscape and objective plan when/if they plan on expanding operations.

Mr. Don Coen, 368 Main Street, said this is a positive plan and appreciates the sensitivity to the architecture. Mr. Coen is looking forward to the landscaping plans and hopes the large trees on the site will be saved.

Ms. Christine McCue-Potts, 7 Curve Street, asked if this project is eligible for historical tax credits. Mr. Rob MacCready said only if the units were rentals and that is not being considered. Mr. Sullivan, Planning Board, said there are quite a few hurdles to get over regarding preservation and this project would not qualify. Mr. Taylor said the property would need to be on the National Register of Historical Places and be within a Historical District to qualify for tax credits.

Mr. Cannon asked if either Board will be reviewing stormwater. Ms. Raposa said the Board of Health will review the stormwater. Mr. Michael Clark from EBI will do the review because the BOH is more stringent than the what is required in the zoning bylaw.

Mr. Cannon suggested scheduling a site visit after the next rounds of hearings because abutters will be re-noticed. Ms. Raposa agreed. Chair McNicholas feels the next meeting should not be a joint meeting. Chair James agreed.

ZBA - Mr. Whitcher made a motion to continue the ZBA public hearing to Monday, August 3, 2020 at 7 pm. Seconded by Mr. McNiff. Roll Call Vote: MW=yes, WM=yes, JM=yes. The Vote: 3-0.

PB - Mr. Sullivan made a motion to continue the Planning Board public hearing to Monday, September 14, 2020 at 7:30 pm. Seconded by Mr. McKechnie. Roll Call Vote: GS=yes, PM=yes, JB=yes, SL=yes, TJ=yes. The Vote: 5-0.

Administrative

PB Minutes

Mr. Sullivan made a motion to approve the Planning Board minutes of June 15, 2020 as drafted. Seconded by Mr. McKechnie. Roll Call Vote: GS=yes, PM=yes, JB=yes, SL=yes, TJ=yes. The Vote: 5-0.

PB Vacancy

Mr. Sullivan drafted a letter of resignation and circulated to the planning Board members. Ms. Lemke said Mr. Sullivan will be greatly missed by the Board. All of the Board agreed that Mr. Sullivan's insight will be missed.

Ms. Raposa said the resignation of Mr. Sullivan and appointment of Mr. Meehan (to fill the remainder of the term) has been submitted to the Board of Selectmen. Ms. Raposa asked Mr. Sullivan to write the letter of resignation and submit to the Town Clerk and the Board of Selectmen. Ms. Raposa said the ad for 1-2 associate members was released on June 30, 2020. Mr. McKechnie made a motion to recommend to the BoS the

appointment of Mr. Meehan to fill the remainder of the term vacated by Mr. Sullivan. Seconded by Ms. Lemke. Roll Call Vote: GS=yes, PM=yes, JB=yes, SL=yes, TJ=yes. The Vote: 5-0

Inclusionary zoning

Chair James believes our inclusionary zoning should be discussed and possibly revised at a future meeting. Mr. Brand and Ms. Lemke agree.

Special Town Meeting

Ms. Raposa said there is a possible Special Town Meeting in September. Ms. Raposa said that is too soon for any Planning Board articles to be advertised for public hearing. Ms. Lemke said any food truck decisions that could possibly expire need to be revisited. Ms. Raposa said the food truck decisions will be added to the September 14, 2020 agenda.

Ms. Raposa said she received the letter of certification from DHCD confirming two years of safe harbor through May 7, 2022. Ms. Raposa said the town of Medfield is at 9.62% on the Subsidized Housing Inventory.

Adjournment

PB – Mr. Sullivan made a motion to adjourn this Planning Board meeting at 9:36 pm. Seconded by Mr. McKechnie. Roll Call Vote: GS=yes, PM=yes, JB=yes, SL=yes, TJ=yes. The Vote: 5-0.

Respectfully Submitted,

Marion Bonoldi, Recording Clerk