

PLANNING BOARD
JANUARY 8, 2001

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.

Wayne Carlson

Mr. Carlson brought a discussion plan for a lot on Green Street that would allow two new single-family homes across from Summer Street. The present house would be demolished to make way for the new subdivision. The rear of the property is bounded by Vine Brook. One of the lots would be approximately 12,000 sq.ft. while the second lot would be around 26,000 sq.ft. The lot is currently overgrown with trees. They must create a cul-de-sac approximately 350 feet in length to obtain the required frontage. They propose to pick up trail and bring back to the property line. It would not connect to anything at the present time but would be there when the time comes that such a trail could be connected.

Chairman Sullivan observed that the trail tracks the boundary of the wetland.

Mr. Browne stated that there is a wall near Vine Brook.

Mr. Carlson added that there are also mature trees along the area. He added that you can see where the wall is located.

Mr. Lester questioned what the minimum frontage is in the district.

Christopher Summers, representing the owner, said the requirement is 80 feet however the lot is shaped like a parallelogram with the angles being such that they would not allow the required 80 x 80 foot perfect square. He stated that what they want is to be able to do a common driveway.

Mr. Lester questioned what waivers would be needed and if they could get the proper roundings required by the Sub Rules.

Mr. Carlson explained that if they were building a road it would come out at 90 degrees to the existing road (Green Street). The front property line of the neighboring lot, however, cannot change. He considered that he could meet the requirements of the Sub Rules, including the roundings, but would need a waiver for flipping the cul-de-sac.

Chairman Sullivan questioned what the impact on adjacent property.

Mr. Carlson and Mr. Summers said they would accept a condition that there be no connection to any other development. They said the development would be away from the existing houses.

Chairman Sullivan questioned if both houses would be inside the RU district.

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Mr. Carlson said they would be and suggested that he could shorten the end of cul-de-sac and show setbacks at a minimum.

Chairman Sullivan stated that less pavement would be best.

Mr. Carlson said they would Wayne consider making it a private way so no cost to the town. This would actually be less cost to the builder.

Mr. Lester asked what was the most they could get if they use only the street frontage.

Mr. Carlson responded that they could get a three family house but it would not look right in this area.

Mr. Lester explained that he was just trying to determine what the maximum built out of the lot would be.

Stefanos Efstratoudakis (Stefco Homes), the prospective builder, said the houses would be approximately 2800 sq. ft. and Mr. Summers added that they would be similar to the houses on Earle Kerr Road and Newport Lane.

Mr. Browne asked if there were any drainage problems.

Mr. Carlson said there are wetlands that have been defined and that line concurred with by the Conservation Agent. This evening they are seeking feed back from the Board.

Mr. Browne said he would like to see the "bulb" of the cul-de-sac moved to the right to open up the area.

Chairman Sullivan said he would not think that they not need to go 500 feet to move the bulb or open up the area.

Mr. Carlson said he would look at the board members concerns. He observed that they could go 30 feet into the other zoning district.

In discussing the width of pavement, Mr. Carlson said the Fire Chief said he would accept 12 feet. He clarified that they cannot construct on the area not developed as cul-de-sac and need to maintain the setback as shown on the plan.

Mr. Lester asked that they demonstrate what they can do with no waivers at all, as has been the Board's practice. He said he is concerned about doing a duplex and asked if such housing must be connected. (Yes, it must be.) He wondered if they would get the same number of houses.

Mr. Carlson said there would be the same number of homes but two single family homes would be a bigger tax value.

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Chairman Sullivan said that weighing the merits of a duplex of two semi-connected houses against two single homes, he did not see any strong issues.

Mr. Browne said the Board could not really tell them to build a two family on existing street frontage.

Mr. Lester noted that there are many lots like this around town. He cautioned that the Board must be careful about setting a precedence. He recalled a similar lot on South Street where the owner tried to get a road in to put a house on a separate lot in the back. In that case he was trying to keep the house but could not get the corner roundings required.

Mr. Browne questioned if they could put the road on the other side of the lot.

Administrator Cronin questioned if they could meet the requirements regarding entering street that are not directly opposite one another.

They would not be able to satisfy the 225 feet distance required.

Mr. Lester questioned the availability of the adjacent large lot.

Mr. Efstratoudakis said that he is not interested in the adjacent land.

Mr. Lester stated that he felt that if the Board were to approve the subdivision they probably would support the concept of not building out the roadway.

Mr. Carlson suggested conditions similar to the covenants of the MacKenzie's property off Spruce Way that the Board approved a couple of years ago.

Mr. Browne advised that they should show a plan of what is to be built and add in easements for the trail and drainage.

The discussion concluded at approximately 8:35 p.m.

Minutes of December 18, 2000

A line was added to the end of page 3 to answer Mr. Browne's question. The response was that there is no need for a waiver of length of cul-de-sac because the road would be under 500 feet in length.

VOTED to accepted the minutes of December 18, 2000 as amended.

Vouchers

VOTED to approve the voucher for Dell to pay \$2549.00 for laptop computer.

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Sign Advisory Board

The Board received requests from Alfred Bonoldi and Jeff Hyman to be reappointed to the Sign Advisory Board. No other applications were received. An article seeking applicants was in the *Medfield* Press for two weeks.

The Board also received a letter from the current chairman asking for quarterly meetings with it to improve communication and understanding between the two boards.

VOTED to reappoint Alfred Bonoldi and Jeff Hyman to the Sign Advisory Board for a term to expire April 2003.

Town Meeting

VOTED to request the Board of Selectmen to reserve three articles for the Town Meeting Warrant (1) Floor Area Ratio change, (2) zoning change to allow the YMCA on the town land in the IE district, (3) zoning article to allow the animal shelter on the Waste Water Treatment Plant property but strongly sp on second

Meeting dates

Since the Town has scheduled a special town meeting for January 22, 2001, the Planning Board will move its meeting to the next week of January 29, 2001.

The April meeting will be scheduled for April 9, 2001.

Informational

Notice of meeting in Sherborn to Board. Pass on to Long Range Planning Committee

Meeting adjourned at 9 p.m.

Respectfully submitted,

George N. Lester, Secretary
Medfield Planning Board

Planning Board
January 29, 2001

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

Chairman Sullivan convened the public meeting at approximately 8:00 P.M.

BRIDLEFIELD SUBDIVISION

The purpose of this meeting is to review the documents approved by Town Counsel and to sign the plans and covenant.

Mrs. Franco questioned the sample deed, which is the deed for lot 11, because it listed the total number of square feet as 3500 and the bedrooms as four. This is cause for concern because there is a total number of square feet and bedrooms limit placed on the entire subdivision. She questioned what protection exists not to exceed the limits set by both the Zoning Board of Appeals and the Planning Board.

Mr. Browne said the Board need some confidence that each deed will have number relative to the square footage and bedrooms for that particular house.

Attorney Schlesinger explained that lot 11 is a special case. He said the Board of Appeals set a limit on each house, except for lot 11, and a total limit for the entire subdivision, including lot 11. He stated that he has referred to the ZBA decision for each deed.

Mr. Browne questioned if each deed would state the specific number of bedrooms and maximum size of the lot.

Mr. Ruggiero explained that the architect must certify the number of bedrooms and size of the house plus list of each used to date when applying for a building permit.

Elissa: Lot 11 is part of the 17 lots

Allan: Now down to 39 lots

Steve: Where in the papers is requirement to do each?

Allan: Have also submitted the form of the deed to Town Counsel

Dick: Lot 11 deed does refer to the Special Permit

Elissa: Lot 11 have some special conditions that other deeds would not have.

Alan: Only specific to lot 11 is the open space area. The rest is the same.

Steve: Where is it clear that the deed will have all the information in it? Want it to be in the deed.

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Alan: It is in the aggregate in the special permit. Have agreed to the form of the deed which contained it. Each deed will be different.

Tim: This will be more structured.

Alan: Items one and four shall be ---- Grantees will be different. The differences

Steve: Want to be sure the deed says what can be.

Dick: Thought reference that ZBA decision

Steve: Covenant specifies ZBA decision

Alan: The real enforcement will be by the bank's attorney who will have to check with the building inspector for the #.

Elissa: Someone ie the building inspector must keep record of the total

Alan: Can add into the deed the number of bedrooms granted is X and the square feet is Y

Wright: Having the numbers with the math is what is important.

Tim: Satisfied (Yes)

Steve: Concern for the trails – raised questions about what we might do as a Planning Board. Planning Board was trying to incorporate Open Space into but the group seems to have gone beyond where we intended where to go. Particularly they refer to a meeting that the report was accepted by that committee. Concern that we allow other committees to take on the authority of this Board. Was not the intent to create a magnate to the area. Were interested in providing for the people in the area who used the area in the first place. Concern that if we approve as stand it could be considered that we are giving up some of our authority.

George: What is in the layout is in the jurisdiction of the Selectmen. The existing street layout is not part of the subdivision. If Open Space says they want to see parking spaces and the Selectmen want then it is their authority.

Steve: We were looking for someone to discuss standards of the trails. Concern that Open Space feels they have the final right to negotiate.

George: Would like their help but not give up our authority. In terms of what is in there it is not that different than what we talked.

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Steve: Concern over the issue of parking. That was not part of our desire. Have not heard from. Prefer not to endorse such an activity.

Tim: As a practical matter of addressing the issue this evening and not implying that we are not behind the parking. Do not want to holdup something over an issue between the Boards.

Steve: concern that by signing we are agreeing with the documents. In the future if know Open Space negotiate then difficult for the Planning Board to do so.

George: Each refers to the "Plan proposed" – just what is that plan.

Dick: the open space input that seemed to be input.. Took the information to the Conservation Commission that accepted. The lender will be concerned about what the cost is to constructing. Trying to get that this is what you are looking.

Alan: Condition #13 requires additional approval. Now need a document that says they have met this condition.

Steve: Must arrive at something. Approve what is

Tim: How do we adjust the document.

Steve: moved to accept document.

LONG RANGE PLANNING COMMITTEE

Robert Tormey, Chairman of the Long Range Planning Committee, noted that the Goals and Policy Statement was established in 1997 and the GIS build-out analysis is due soon. This should motivate people to look at these issues. They would like to get groups to think collectively. Phase One was establishing the Goals and Policies.

Chairman Sullivan: Reason LRPC was established was to update the Master Plan. LRPC did obtain the Goals and Policies. That followed a town wide survey that led to the 1997 Goals and Policies. Then there became a funding issue. Recent events brought this Goals and Policy Statement to light.

Mike Standley stated that now is a good time to look at good planning for the future.

Chairman said that he is concerned that that there is a need to get the "key" players lined up to agree that it is helpful and useful. He expressed concern that it would result in a document that can be used. He expressed concern that after all the effort of going through the process of getting all the Boards together to state their issues that it would come to an end that would result in something that will be used.

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Mike Standley said that LRPC needs Planning Board assistance to help get the other players involved. He said that they never would come up with a final outcome but one that is the state at the time. It would require periodic reports.

Bob Tormey said that it needs to be a living document that would kept up to date. Groups should be responsible to keep it generally updated. He expressed concern as to who would provide the guide lines and policing. He said they are here to look at the process. They wished to solicit the ideas of the Planning Board and the Board's active support.

Mike Standley said they need agreement that it is a more timely thing to do now.

Chairman Sullivan stated that it becomes more useful as time goes on. Before any serious resources are committed, we need to meet with the principals and get their commitment. If we don't get the support from those who will use it the most, then we should pursue the process in certain focused areas such as forums and targeted projects.

Mike Standley added that they want to foster disclosure to bring out certain key issue even if it requires forums or working sessions to determine the need.

Chairman Sullivan said they would need forum to look forward to what the need would be.

Bob Tormey expressed concern for controlling our own issues and also dealing with economic vitality. Thus he considered some analysis to see what the town might be able to do to diversify our tax base. He said that there needs to be central body to help coordinate these bodies. One that would drive to get certain issues address.

Chairman Sullivan suggested that there needs to be someone to identify the issues and get those who should to address those issues.

Mike Standley said they would like to do this as an arm of the Planning Board.

Chairman Sullivan said the environment is ripe so they need to do the political ground work and make sure others are committed and will support this.

George Lester expressed concern that a previous report did not take into account what could realistically happen.

Chairman Sullivan said they could use the local media as ground breaker to get together.

George Lester questioned if the analysis would look at each parcel of land as to what can be done and what is likely to happen by the homeowner.

Mike Standley responded that generally what is done is a summary with loose generalizations.

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Bob Tormey said that MAPC is doing this for all the towns within its jurisdiction.

Mike Standley stated this is the first time we will really have a handle on what could be.

George Lester said he hoped it would take into consideration conservation restrictions and wetlands.

Bob Tormey said that Kristine Trierweiler, Assistant Town Administrator, said there will be some form of presentation of this report.

George Lester said that prior analysis did not account for land that did not perk. Thus, it did not consider what the result would be from the town being sewerred.

Bob Tormey said they will get it so it will plug into the town system and they can do a lot of different scenarios.

George Lester said that the Granite Street development was made possible because of the sewer.

Chairman Sullivan asked if the Board supports the process? (There was no response at this time.)

Mike Standley said they would like the Board to set forth a guideline for the LRPC.

Chairman Sullivan suggested they work on the ground-work. They could use the report to focus on the issues and get the responsible areas involved. He said there is some money available if they need to get consultants.

Mike Standley said this does go beyond land use planning, but the town needs to go beyond such planning.

George Lester said that the build-out analysis should include a disclaimer that no finding should be a determination as to buildability.

Peg Gryska questioned if there was any plan of updating the CAS statement.

Norma Cronin said she is not aware of any action.

She was advised to see what she could find out from EOCD if there is any update.

Chairman Sullivan said it was reasonable and useful in many ways. He also expressed concern about the scope of the project.

Bob Tormey said he would get his hands on and present feed back

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The Board and LRPC then discussed the FAR zoning change.

Norma Cronin explained the Public Hearing for Zoning changes.

Chairman Sullivan felt the League forum would be useful for getting the information out.

Bob Tormey said they are looking at Tubwreck Drive and Hawthorne Drive to see how they fit. They do fit if the requirement of the RU district are applied. They can use those subdivisions as examples of what can be done in the RU district.

OLD BUSINESS

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Nathan Berkowitz – acquaintance of Rad and buyers – before just to be a farm – then they said they could use more money so would like to have a couple of lots – makes sense to sell off a couple of lots – important to allow to do something – 35 horses produce a lot of - could get by with less density – allow something but not the density – trail important to be maintained – the driveway should be the inconvenienced piece – trail used daily or at least several times a week – also many deer prints

WD – seems like a commercial stable

Ted Cannon – private farm at this time

WD – where do you draw the line

Ted Cannon – no active advertising – no sign – no

TS – have a look at that and see what it means

WD – concerns that make less dense – other plans had more houses

WC – had 7 – 6 and 13 houses

TS – explain

WC – nonwaiver plan under cluster zoning showed could put two roads – other way a small cluster at the beginning with open space – this is four houses with one on Pine Street – 4 houses on 20 acres – take one acre out for each house – farm would end up with about 10 acres – idea to keep the facility to work

TS – what is proposed driveway line

WC – gray line is the existing road which will be maintained – perhaps a little wider – have talked with the Fire Chief – concerns of neighbors very valid could put in a couple of speed bumps – better off paved (mud season) – may have to add a couple of feet – need to allow two cars to pass – winter becomes narrower – showed access to property – have to consider 50 foot buffer of conservation – walking trail can go any where – vehicular is different – stone wall on property

Fred Pfishner – could be a culvert or bridge – something larger of what is there now

TS – aware of any other engineering issues –

FP - if road must be built to subdivision standards then there are drainage issues – if as described then drainage is a nonissue- speak

Reviewed lot lines and high points

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MIKE PELKY

A&D parking

Mike – expansion of the business – Tri-Valley space to be used for office storage, office, and mattress space – 475 sq. ft. will be show room – area inside that cannot do anything for – Tri-Valley was using the whole space for service – part open to the public – found out from Tony Calo that needed permission – thought had to meet with the ZbA – Mark Cerel said not if can prove you have the parking space

TS – question can you open with the current parking requirements

Mike – need four more than needed before – Tri-Valley had two employees with customers – should be less traffic – less employees – currently 43 spaces for his area – plus twelve for massage place and then 15 spaces along the laundramat. – nursing home does park there but they are not suppose – me and laundrmat – 1700 sq.ft. plus two

VOTED to determine that the anticipated annexation will be ok

Tim will go to Warrant Committee Hearing

Adjourned at 9

PLANNING BOARD MEETING
MARCH 19, 2001

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

Absent: George N. Lester

LRPC CANDIDATE

Following a letter to the Board, Glenn F. Brown, 1 Lee Road, appeared before the Board to express his interest in becoming a member of the Long Range Planning Committee.

Mr. Brown said they chose Medfield to live in because they liked the town. They wanted to be there home "forever and ever." Now he would like to be part of developing out a master plan for the town.

Chairman Sullivan explained the Board was caretakers of the master plan. The Long Range Planning Committee also helps with the creative content and in some respects acts as the "eyes and ears" for the Planning Board.

Mr. Glenn Brown explained that he would enjoy comparing notes from other towns. He felt that he could bring creative energy to the town.

Planning Board member Stephen Browne noted Mr. Brown's letter and asked if he had any particular interests.

Mr. Glenn Brown responded that he is interested in mansionization. He has seen what has happened in Needham and is concerned.

Chairman Sullivan asked what brought him to Medfield.

Mr. Brown said they liked the size of town, open space, the country side atmosphere, the schools and the fact that it is near Boston. Asked about what he saw as the Town's weaknesses, he responded that the taxes are going up which he attributed in part to a lack of industrial base.

TS – may have more candidates to interview – board would like to join

JOSEPH JENKINS, ATTORNEY – SOUTHERN ACRES

Joseph Jenkins appeared on behalf of Carruth Capital Corporation, developers of Southern Acres, and said the last item to be completed is the wall on Jacob Cushman Drive. The wall is sound structurally. To satisfy the issue of safety he proposed a fence and plantings.

John Hakansson, Carruth Capital Corporation, said a chain link fence would be about the safest.

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Mr. Sullivan agreed that safety is an issue to this effort. He also asked who owns the lot.

Mr. Jenkins said the lot is owned by Parkway Capital Corporation, which has the same shareholders as Carruth Capital Corporation. Parkway owns two lots in Southern Acres, one of which is under agreement, and a commercial park in Westborough.

Mr. Sullivan said there are three main concerns of the Board - safety, esthetics and ownership (long term) of the lot - that need to be settled.

Mr. Jenkins informed the Board that Parkway Capital shares insurance with Carruth Capital, which they will show the policy to the Board. They transferred the property because Carruth was founded to build residential homes. They are no longer to be an active corporation. Parkway just owns real estate of which two lots are in Medfield.

Mr. Sullivan began a discussion on esthetics stating that from the top of the hill could be a potential barrier and the bottom could have substantial trees.

Mr. Hakansson expressed concern that could impede the drainage.

Mr. Sullivan explained that they needed to make it more attractive from the roadside down below. There is a need for more screening and vegetation. They should look at landscaping options and have a plan that the Board could agree on.

Mr. Dickinson suggested the plan might involve regarding. He observed the drainage issues at the bottom of the wall and said that, in his opinion, the catchbasin is too high.

Mr. Hakansson observed that it is a drop inlet.

Mr. Sullivan noted that the Planning Board engineer had not had a chance to inspect since the fall and all the snow.

Mr. Dickinson suggested that the landscaping could maybe create more of a berm at the top instead of dropping off.

Mr. Sullivan observed that the property on top of the wall was level and flat. He said he did not know if it could be built on, but the Board is concerned about the long term state of that property. He added that he understood the engineers have determined the wall is stable. He is concerned that if there is not an active owner at the top, the area might not be maintained. He asked if they have considered conveying the property to the neighbors.

Mr. Jenkins said maybe they could consider the neighbors. He considered that a builder more creative than they are might want it.

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Mr. Browne said that we have been assuming the lot won't be built upon. If a house were built there he wondered if it could meet the *By-Law* requirements. He considered if they wait until they fix the walls differently perhaps it could be built on.

Mr. Jenkins said their goal is to remove it as an impediment and get the roads accepted.

Mr. Browne asked if they have a deadline for work to be done. He also questioned any plans for trees.

Mr. Hakansson reviewed some of what needed to be done to determine a dead line. He said the final coat of Bunker Road has not been put down.

Mr. Dickinson questioned if the engineer's checklist had been completed.

Mr. Hakansson said the work was done.

Mrs. Franco questioned if the security bars were in place.

Mr. Hakansson said he need to speak with Ken Feeny about bars before they are put in place.

Mr. Browne said the Board needed to get a sense of the timing.

Mr. Hakansson responded that everything is done except the paving on Bunker Road.

Mr. Sullivan suggested to get the engineer to inspect.

Mr. Browne said that the Board could not recommend the acceptance of Jacob Cushman Drive until all work is completed.

Mr. Jenkins asked that the Board reduce the bond if they provide a plan.

Mr. Sullivan said that if the plan concerned safety, esthetic, and ownership/maintenance, then it would be in good shape. If someone owns the lot then they will take care of it.

Mr. Jenkins questioned letting the lot go to a natural state, or mow it twice a year.

Mr. Sullivan explained that the Board does not want people to come in within a couple of years to complain about the condition of the lot.

The members expressed concern about the plan working if the lot is owned by an offsite landowner with specific concern for the neighbors.

Mr. Dickinson reminded them that any proposal should include maintenance and a guarantee.

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Mrs. Franco added that would depend on what is put on the lot.

Mr. Jenkins, discussing plantings, said that most nurseries would give a one year guarantee.

Mr. Dickinson said he wanted assurance that they would not just drop the plantings and then be gone. He added that a chainlink fence keep kids out and asked if they could do plantings on the wall to deter people from getting on the wall. He observed that some plantings have taken and that maybe they could mix in more.

Mr. Hakansson stated that it is tough to put plants in because, "It is dangerous." He said he would not put people on the hill with plantings. He continued by stating that the swale is designed to carry water around and into that drop inlet.

Mr. Dickinson questioned wide the swale was, 15 feet. (There was no direct answer.)

Mr. Hakansson stated the trees would be within the swale, which he suggested was not good.

Mr. Jenkins said they would talk with a landscape person. He said they would need permission to get in to do the work.

Mr. Dickinson consider that the surrounding parties would want to see good go in there.

Paul Oxford, 270 South Street at the bottom of the riprap wall, said that the neighbors would have been here but didn't know. He stated that the riprap was not supposed to be put in. He said this is the first time he has heard someone say it was dangerous. He said there are drainage issues and planting issues. The trees near his lot have died. There is an entire section where there are no more trees. He continued that they have been told to put trees in but they have not. There are safety issues with the drainage. He expressed concern that someone could possibly go down into the drain. He said that other members have said this was dangerous. He added that they have removed the French drain.

Mr. Hakansson stated that Mr. Oxford was fabricating things.

Mr. Oxford continued that this has gone on for a long period. It is time to make them do what they are supposed to do. The rocks were not supposed to be there. They have never done what they were supposed to do. He asked that they please do not put a fence up there. There was a chainlink fence around the pumping station but they changed that. He said that plantings at the top would be good. There are still issues with the drainage. He asked the Board to please review the letters he has written. He said he has talked with Mr. Browne. He then said that if we go through another planting season, the trees will die again because of the way they are planted. They do not plant right. He said he would like the opportunity for the neighbors to address some of the issues here.

No further discussion from the Board.

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Concerns:

- Time table for completion
- Safety
 - On the wall
 - Security bars on drains
- Esthetics
- Ownership
 - long term
 - maintenance
- Drainage
 - Swale
 - Drop inlet
- Landscaping
- Plantings
 - Within the riprap wall
 - Along the top of the wall
 - Along the bottom of the wall
 - Trees

WAYNE CARLSON

Pine Street parcel

WC – last meeting discussed - looked closer – met with many of the neighbors – proposed as before – one lot out on Pine Street 20 acres with a stable on it – owners want to make it feasible – necessary to sell off some of the land - private way – town water and sewer – maintain existing paddocks – restrictive covenants – homeowner will own the land but will not be able to do anything on part – five lots, one will not be built on to maintain the stables – show the aerial photo – neighbors saw photo last week – have superimposed the addition plus show the proposed houses – anticipate in 2005 - work around the site to build each house – 6,000 sqft. roughly

TS – mentioned a request for waivers

WC – length of culdesac – no further subdivision – Pine Street covenants as on Spruce Way – private road maintained by the association – no development of the land – continue horse trails (keep houses separate from horses) – keep out of site – property split several times before – some registered

TS – does Norfolk Hunt go through

?? – yes they do – they will have open so they can pass through

WD – another trail to connect

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WC – should wrap in so can use – area where house will be is quite small

TS – if own property and the paddocks – how does that work legally? – similar situations

Ted Cannon – attorney Shinning Valley – concept to take the property subject to easment rights – owner allow them access to maintain the property – could be written so if stop operation a horse farm

TS – liability?

Tcan – no density not increased drastically – not much different that currently – not be appealing for everyone

WD – waiver plan to do a private road without infrastructure – currently in bad shape – was a driveway – road will need to be rebuilt to a reasonable standard

TS – sewer?

WC – on town sewer – present barn is on septic – distance approximately 2,000 feet – would be private – last house 1.5” forced main

SB – will be recusing self – when approved Spruce Way – said trail and opened up and this plan will get trails back into operation – the proposal would be that the trails be maintained in existing condition

WC – only one area new for rerouting of the area to consider the housing – reasonable signage

SB - there is access from Deerfield – owners will want some kind of marking

WC – is a bridge there – previous owner scraped out a lot of the area

TS – questions from the floor – concerns when still informal (abutters)

Bill Trigatis – 315 North St.- abutter – would like the Board to be apprised of history – part of Jack Lewis Estate – broke up and wanted to preserve the land with limited street frontage – this will be the first time before more than one house be built on – designed so only one house be put on each piece.

Leisle Shore – 315 North St. – beautiful map – Jack Lewis’ visison – much of the open space beyond is owned by others – Jack could have built streets but did not – when Mr. Raduanno developed for a horse farm – since the people have bought – could be considered commercial because of the number of space rented out – haven’t objected until now – reason for bylaw which allows more to be built – one house partially within the 200 feet – honor Jack Lewis’ gift to Medfield

PLANNING BOARD
APRIL 9, 2001

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

Chairman Sullivan convened the meeting at 7:30 p.m.

STREETS FOR ACCEPTANCE

Mark Cerel, Town Counsel, said that he has reviewed all the paper work and plans for Clayton Street and it appears ready for acceptance from his standpoint. However, with regard to Southern Acres, he said he understood there are construction problems. He added that the easements are in place and the plans have been prepared. He stated that the town could be faced with huge problems if we were to accept the streets because the problems would become the town's problems.

The Board had requested its engineer, Dale MacKinnon, to inspect Southern Acres during the heavy rains and report back, which Mr. MacKinnon did with a letter stating he inspected the site on March 31, 2001. At that time pavement and bituminous concrete had settled in Loeffler Lane over about 100 feet of a drainpipe. Road construction of Bunker Road had created a low point in lot 16 that was holding water to a 5 foot depth. The stilling basin below the South Street and Loeffler Lane intersection had some sediment. He noted concentrated flows draining onto Loeffler Lane from apparent watertable springs that meet the surface of the slope face along Loeffler Lane. These are only his observations at the time of the storm and do not include his inspection for street acceptance which also showed deficiencies.

Chairman Sullivan stated that there are also sprinkler heads in the right of way according to a letter from Superintendent of Public Works Feeney.

Mr. Cerel said that we are aware of at least one such sprinkler that they must remove. He expressed concern that drainage problems are on going and need to be resolved before he can recommend acceptance.

George Lester added his concern about the water coming out the sides of Loeffler Lane.

Mr. Cerel noted that none of this took into consideration the issue of the rip rap on Jacob Cushman Drive.

Chairman Sullivan explained that the Board was always going to hold back acceptance of Jacob Cushman Drive anyway. The Board had already advised the developer as to that intent.

Wright Dickinson said he had inspected the site, mostly looked at rip rap area of Jacob Cushman, but he did note that the curves for the handicap ramp on Bunker Road were not properly installed.

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Mr. Cerel pointed out that Dale's letter was only for the rain. There is an area that needs to be dug up and redone properly.

Chairman Sullivan explained that the intent of sending Dale was because of the knowledge of problems with heavy rain at Southern Acres. He sent Dale for insight into what was happening and found that there was much more additional concerns happening.

Mr. Cerel asked if the developer was made aware of this meeting and is not present.

Norma Cronin, Planning Board Administrator, explained that their attorney was advised of the meeting and did not consider they could add anything.

Elissa Franco noted that before we were looking to accept all but Jacob Cushman Drive.

Mr. Dickinson observed that the drainage at the bottom of Jacob Cushman Drive looked fine. He said he could not imagine a child getting into the drop inlet structure. He said that there are sink holes at the top of the rip rap that must be repaired.

Mr. Cerel said he has concerns from a liability standpoint as well as it being an attractive liability.

Chairman Sullivan said the does not expect the town to take ownership of that lot. Concerning the rip rap wall, he said we do have engineering reports from reliable engineers that it is structurally sound.

Mr. Cerel said that he is concerned that the rocks are not that large and can be easily moved or become dislodged.

Chairman Sullivan noted that the Board has asked for verification that there is insurance on that lot. The Town does not need to be a party to that lot. It has multifaceted problems.

VOTED to recommend acceptance of Clayton Street

VOTED not to recommend acceptance of the streets in the Southern Acres subdivision as they appear in the warrant (Loeffler Lane, Planting Field Road, Inness Circle, Bunker Road, Jacob Cushman Drive).

DALE STREET OVER 55 HOUSING PROJECT

Rick Merrikin, Merrikin Engineering, explained that he was present to discuss the plan necessary to show lots for each of the units at subject project. He said they would be showing the private yards, common area, and driveway. At present not all the units are built and, thus, he would come back with the others when they are finished.

Chairman Sullivan asked what was the area of the lots.

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Mr. Merrikin said the units are as shown in the original plan but he did not have all the areas figured out at this time.

Mr. Cerel reminded the Board that the ZBA has a lengthy detail of what is necessary, thus, the Board should compare the plans to those approved by the ZBA. He added that we will need to keep the driveway private.

Mr. Lester questioned why the project did not go through the subdivision process such as the Granite Street project.

The Dale Street project was approved as a Comprehensive Permit.

Mr. Cerel reminded the Board members that they want to review to be sure that the conditions are as set forth by the ZBA.

Mr. Lester said the Board needs Town Counsel to say what the correct procedure is.

Osler Peterson, ZBA member, was present and thus explained some of what the state required the developer and the ZBA to do through the approval process.

Mr. Merrikin explained that everyone can go on their neighbor's lot for the purpose of painting their own house.

Chairman Sullivan questioned the bulge on the plan.

Mr. Merrikin answered that it is a turnaround.

Mr. Cerel explained that it is a safety requirement of the Fire Chief.

Mr. Merrikin stated the "road" is 38 ft. wide in order to fit in the space. He also explained that the center would be an island. He added that they will be back for additional lots because they are not prepared at this time.

Mr. Cerel stated that all units must be on the plan to satisfy the requirements of the ZBA. They cannot convey the units out until all are shown on a plan

RM – will pave this week – will put them in

MC – must be in and laid out

RM – can stake them – presenting them tonight – getting one person

MC – temporary occupancy is being issued

Left plans for review.

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ZONING BYLAW HEARING

8 pm – Legal Notice read by TS

TS – final public hearing on the proposed BY-Law changes –

Article 18 – FAR article – concept in wording that achieves the goal intended and is the best balance of those people effected – 2nd hearing the PB conducted – LRPC also held two meetings and League of Women voters held a forum

Bob Tormey – brief synopsis – when town becomes built out then mansionization occurs – other towns looked at to what was happening – already have FAR – tool to address the concerns – look at exterior face of the house – specifically looking at knock downs – (taking down 50% or more and putting up a much larger homes) – RU and RS most vulnerable and could be developed and larger houses put in that are not to scale to – few homes that cannot add on – good chance to avoid what has happened in surrounding towns

TS – town officials and board members comments first

GL – summarize what the responses were of other towns – some more radical than what we are doing – this appeared to be more measured

BT – some of the larger towns required an architectural review of the site to fit into the rural town – some towns addressed the set backs – cue from Weston and Newton to consider the bulk of the house as it appears

TS – many towns do not have a FAR in their bylaw – that provided a tool for this task

BT – latter feedback from Needham – set backs have not had much effect

TS – other officials – questions

Osler Peterson – 10 Copperwood Road – RU district – 30 for single family and 25 for the two family – is that the size of the lot –

BT – 3600 for the single and 5000 for the two family – example of

Ed Beard – Summer Street – “story above grade”

BT – in the Building Code – if level lot then fine – if floor standing on is above ground then above grade – sometime some basements or garages can be a story above grade

Ed B – would a walk out basement count

BT – if walkout along two walls

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ED B – “within the horizontal - where would this apply

BT – comes from the Mass Build Code – no beams supporting but the floor counts – counts twice

Ed B – intent of the By-Law – also multifamily dwelling – only the use of one and two family – .35 stands for multi

OP – will you need to get a survey done to determine where you are – if within

BT - areas where a problem would be on significant slope, also wetland area where built up – can get a sense from the grading of the site – people need to be aware including builders

GL – question of who decides what the call – BI could decide what is necessary – bottom line the BI makes a decision

MC – well advised on many issues to get a surveyor

GL – present that to BI

Mary Cusano – 16 Oak St. – split level home – lower level included

BT – may be – need to take the average – if enough built up grade to the front and side – case by case basis – in most cases they would not be included

Mary – in current they are counted – two family – her house is 2500 plus the garage

SB – explained the math – ratio but not a fixed number – that one just met

Ed Strom – 6 Cedar lane – over hang – do you draw a line down and measure

BT – if no foundation under then not count

Ed Strom – buildings around will be included – gazebo – small roof over a deck - difference of different buildings

TS – definition according to the Mass Building code – also in the the existing bylaw

Tom Sweeney - awning ? appealable –

BT – comment was about the variance

MC – always an appeal to the ZBA

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TS – need a vote for a recommendation to the Town meeting

VOTED Close hearing on this article

VOTED unanimously to recommend passage

GL – commend the LRPC for their hard work

TS – seconded and thanked – declare open

Article 19 – read – to allow the BS to negotiate with the YMCA to establish a facility in that district

GL – town already have negotiated – this allows zoning

MC – town negotiated but found not allowed in the district – town needed to put before the town to allow – looked for easiest way to do this and looked as a permitted use in all districts in all but A and I – E – look at highest and lowest use districts (IE) lowest thus changed to yes

SB – as a matter of logic does make sense to make this kind of change

Pat Casey – Chairman of the long term lease with the Y –

MC – land effected is either town own land which the town must enter into agreement – or other area along west mill that is not built out.

TS- questions

OP – different approach – like that a lot of things are by SP which gives control – agree with MC – could make a SP against the Board – don't think Residential districts

MC – cannot make that kind of a change this year – locked in for this year – do have control of site plan approval process that deals with concerns

TS – practically impossible in the other areas do to lack of land – suggest cover all districts in SP –

OP – should consider everywhere

SB – need to wade into the thicket – here trying to accommodate things that are coming up – commit if necessary when reviewing for next year

Deb Berro – 10 Copperwood – unfair to the neighborhood as a whole – multitude of recreational areas that can go in this area – need more than blanket approval – putting a neighborhood a risk – if look at the variety of uses etc.requires either a SP or not permitted at all – carving out one instance where not allowed elsewhere.

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Pat Casey – SP only – in case of the Y would have to be commensurate with a possible long term lease.

VOTED close public hearing on Article 19

GL – has there been any other proposals

Pat Casey – none for at least 5 years

Mike Sullivan – some proposals before but not materialized

TS – look into SP for next meeting

MC – could change the one item for the one district

VOTED to recommend passage as stated

Open hearing on Article 20

TS – clarify article – to allow a use Medfield 2000 Animal Shelter adjacent to Treatment Plant

MC – support from Tmeet that authorized agreement – this use allowed in all the higher use district by SP – probably goes back to time where a sprawling vet hospitals – need to make available to other B districts if someone wishes to open

SB – requirements of set backs already in the by—law

VOTED to close the public hearing A20

VOTED to recommend passage as stated

Open hearing on A21 – tattoo parlors/body piercing establishments

TS – explained to bring Bylaw up to date relevant to Mass Court Decision which allows such establishments – this will know where they may be

MC – basically courts throw out prohibition – legal akin to adult entertainment – unless specifically zone can go anywhere a business can go – originally was only going to go with existing – then decided to add specific for this use and put where appropriate in the IE district – not fit in the down town area – balance the interest

TS – similar to Adult Ent

MC – this is broader – Ad Ent sub district

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GL – what is the difference between body piercing – can get ears pierced at medfield day

MC – came down about the time the warrant began – need to be proactive particularly with a vacancy in the downtown area

V OTED to close hearing on A21

VOTED to recommend approval.

Concludes that hearing

BUNKER ESTATES AT SOUTHERN ACRES

Mr. Sullivan read the legal notice as it appeared in the *Medfield Press* on March 22 and 29, 2001. He explained that the Board would allow the applicant to make a presentation and then consider questions if time allows.

James Tetreault, Thompson Liston Associates, explained that this is a three lot subdivision at end of Bunker Road in the Southern Acres subdivision. It does not extend the existing pavement but does extend the ROW. Other plans would have extended the pavement. The Shell Oil easement will remain. All of the lots will be sewered and on town water. They have been to the Board Of Health and will try to satisfy them.

Steve Pflug, Thompson Liston Associates, added that they would be seeking waivers for construction of the road so that they connect to the existing road by driveways. They would extend the sidewalk to the end where the driveway goes off lot B. Basically the waivers would be for the road construction.

Mr. Tetreault said they could do a "no waiver" plan as shown on sheet 6. The waiver would be from creating the turnaround.

Chairman Sullivan questioned concerns for drainage and wetlands issues.

Mr. Tetreault responded that it is an issue to some extent and they are in a catch 22 situation trying to satisfy the concerns of the Planning Board and its engineer, Dale MacKinnon, as well as those of the Board of Health and its engineer, William Domey. Mr. MacKinnon suggested they fill in over by Caprio's and pick up the drainage by Bunker Road. It is difficult to do that and still comply with the BOH. It is impossible to comply with the increase off site. He asked to be able to talk with Mr. MacKinnon. He said he believes they can satisfy what the Board is looking at. He added that he probably agrees with Mr. MacKinnon.

Chairman Sullivan questioned what would happen if they were to contour the drainage to the northeast.

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Mr. Tetreault responded that water would collect.

Mr. Browne asked if they could move water off site for just the triangle area which was part of the Southern Acres subdivision

Mr. Tetreault explained that they needed to do some grading to comply with the BOH as to run off.

Chairman asked what they had heard from the BOH.

Mr. Tetreault explained that they prepared the plans to allow water to collect in this location. The BOH asked for information regarding the volume be put in table form. He said they would also have to do a different kind of test. In addition there was a line not completed in the form that they would have to complete.

Chairman Sullivan questioned if the BOH had significant concern.

Mr. Tetreault responded regarding the depression that is also of concern to the BOH stating that Mr. MacKinnon thought it better to eliminate that depression. He said he needed to be able to contact Mr. MacKinnon to discuss this issue.

Chairman Sullivan questioned if there were wetlands along the east boundary of the property.

John Hakansson, the applicant, said there are no wetlands on the property but there are – wetlands further down. He said he walked the property with the Conservation Agent, Leslee Willits.

Mr. Tetreault said that right now that area acts as a retention basin. They propose to create two small areas for retention. He talked about the soil there saying that the perk tests were all in the single digits. He showed the boundary line between a type B and type C area.

Mr. Lester questioned what does that mean when a storm like a couple weeks ago comes along.

Mr. Tetreault responded that basin one would be 1+ feet deep and the 2nd basin would be 2 feet deep. They did slower perk calculations for increased room.

Mr. Lester suggested that they clear the area and grow different vegetation which would grow back thicker.

Mr. Tetreault said that would assume realistic growth over time.

Mr. Lester said one of his concerns is that people know they will have this.

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Mr. Tetreault said it would be shown as an easement on their deed.

Mr. Lester questioned if they considered a drywell combination.

Mr. Tetreault explained that all three roofs are to go to drywells. DEP regulations say do not have to cover 3 lot subdivisions. The BOH wanted a different kind of test to determine perk.

Mr. Dickinson said that if they fill in an area then the natural retention area will go down into the larger areas.

Mr. Tetreault said he would like to work it out one way or the other.

Chairman Sullivan asked for insight into the driveway layout, specifically how it will join the hammerhead.

Mr. Tetreault explained that the hammerhead was approved in the Southern Acres subdivision. Superintendent Feeny did not want any driveways to be a straight on continuation so that there is a place to put snow and still not block any driveway.

Chairman Sullivan said there appears to be a width of road that is quite wide

Mr. Tetreault explained that road is 50 feet wide at one area to accommodate fire trucks.

Chairman Sullivan expressed concern for an absolute minimum of impermeable surface.

Mr. Tetreault said they have narrow driveways.

Chairman Sullivan questioned if there are clusters of trees between the houses.

Mr. Tetreault explained that the darker green areas of the plan show remaining vegetation and the lighter green areas show where there would be changes.

Mr. Hakansson said he does not plan to clear-cut.

Mr. Pflug explained that they allowed 13 feet of fill over the Shell Oil pipe line. They do have rights to grade over the easement.

Mr. Tetreault said it is eight feet of fill in one spot. He added that the slope is a 1:1 slope behind lot C, which they could make 2.5 to 1.

Mr. Dickinson expressed concern that the abutters property is up to the pond. He asked if there could be more buffer between the abutters and the ponds.

Mr. Tetreault explained that the area in the upper right is cleared area now. To make a greater distance between the ponds and the abutters would make the detention basin a

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foot deeper. Mr. Hakansson plans to alter as little as possible. They would have liked to leave the basins smaller but they need them to be larger to satisfy requirements.

Mr. Lester observed that they only need to catch what comes from the yard.

Mr. Tetreault said they needed to catch the area off the lot and to infiltrate a certain amount of the water. He added they needed to pickup from the Morgan lot.

Chairman Sullivan asked what were the characteristics of the Monohan property that led to the design of the detention basin on the upper right.

Mr. Tetreault said the house is back. There is a low spot just off the site. They need to build up slightly to keep the water on site. The water channeled down by the stone wall but he will look at it better.

Mr. Dickinson asked about easements around the ponds.

Mr. Tetreault said they are not expecting machine maintenance but rather manual maintenance. They will not be receiving street runoff.

Mr. Pflug said that an easement would notify the homeowner that there is a facility to be maintained.

Mr. Dickinson said that the Markmans are concerned about their land below.

Mr. Tetreault said they looked at the rates of flow to all areas. They now need new numbers for Mr. Domey. All the computer model show that the runoff to the Markmans should be similar to what they experience now.

Chairman Sullivan asked if there were any questions from the public.

Steve Boston, 22 Loeffler Lane, asked about the depression near his property and looked at the plans to see the grading. He asked what is the lowest level for the depression and the location of the street. He explained that water came back up to his driveway.

Mr. Tetreault answered that the depression is at elevation 231.2. Near Mr. Boston's property and over to the hammerhead the elevations run 236 to 237 at the hammerhead. They still have the bottom at elevation 231. They will need to dig out a little over the side. They are trying to satisfy the BOH. Hopefully they will agree with Mr. MacKinnon that a part of the subdivision was from the previous subdivision.

Chairman Sullivan questioned if the area is dry.

Mr. Pflug said there is still a little water in the depressed area from the storm at the end of the month. It is a couple of feet deep.

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Mr. Browne asked if the street could have handled the last storm.

Mr. Tetreault said that it picks up a drainage area and the water would flow to the catchbasin. Typically it could pick up 2 cubic feet per second.

Mr. Caprio, 1 Bunker Road, asked if the elevations of the back yard were lower than the catch basin.

Mr. Tetreault explained that they could not create a situation where there is more runoff than what is there now.

Mr. Caprio said that the majority of his back yard is below.

Mr. Dickinson observed that the grading may need to go closer to the house.

Mr. Tetreault explained that they do not have the ability to commander Mr. Caprio's property.

Mr. Hoekstra, Westview Road, said that his lot is about the highest in the general area but not high and dry. His sump pump ran for a week. There are a lot of woods between his house and the proposed development. He is concerned about any fill that will alter the flow. He reiterated that he has the highest lot but he still pumped for a week in the recent storm. He added that if he sees changes he will get expert help and will be a "troublemaker for you."

Mr. Tetreault explained that the ground water table tends to follow the contour of the soil.

Mr. Hoekstra said that the ground water is literally percolating upward. Westview Road is wet.

Chairman Sullivan said we have evidence of springs in the area.

Mr. Boston said that water percolates in his driveway.

Mr. Tetreault said there seems to be a dividing line. Mr. Boston's lot is in the area similar to Southern Acres, more clay.

Mr. Boston said he is within a few feet of the depression.

Jerry Morgan, Westview Road, asked if they were raising the elevation of the houses.

Mr. Tetreault responded they are slightly.

Mr. Morgan asked that they walk down in back where it gets wet. He said he knows he will get run off.

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Mr. Tetreault said the land is at the 250th contour. The new house is at elevation 240.

Mr. Morgan said that where the trees and grass are it will get wet if they get more fill. He asked why the detention basin is needed. He pointed out that is set right up to his wall.

Chairman Sullivan stated that drainage is a very important issue.

Ed Russell, Westview Road, said he is not an abutter but would like to know why the Board would grant a waiver on the cul-de-sac. "Why not put in the cul-de-sac? Why have extended driveways? Is the minimum frontage being waived?"

Mr. Tetreault explained that the waiver is from construction of the roadway but it would still show the way. There is no waiver from frontage being requested. They are trying to create as little impervious land as possible.

Chairman Sullivan explained that the issue is drainage. Impervious surfaces increase water runoff. They try to discourage the turnaround because it adds to the impervious surface. They could still put in three houses without the waiver.

Mr. Russell asked if the drainage field could be put toward the pipe line?

Mr. Tetreault said they can look at it. It may be possible. There would be 18 inch excavation at rear basin. They are trying to do the barest minimum excavation so as not to increase ground water. The soil tests here have been much better than at Southern Acres. They do not show modeling. There is no visual observation of water. The 18 in. excavation is being conservative.

Mr. Lester explained that the basic analysis the Board does is to make the developer show a plan that shows no waivers. The initial discussion here showed four lots if the Board waived the cul-de-sac but that plan did not work under the no waiver concept, so they had to stick to the three lots. They established as of right they could do three. In a small subdivision, the Board would prefer limited pavement.

Mr. Russell felt that the drainage field is approaching his area and that if it were in a cul-de-sac it would drain into the street.

Mr. Hakansson said they would be picking up water from them.

Mr. Tetreault added that would be with the extra pavement. They could not pick up the other water. They can only use water on site.

Mr. Browne referred to section 5.2.3.1.h of the Subdivision Rules and Regulations noting that it relates to a buffer zone around detention basin.

Mr. Lester expressed concern for a buffer along the property line.

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MR. Hoekstra questioned if the town could dump water into the streets. He added that some water will end up in the storm drain.

VOTED to allow the applicant to talk with Dale MacKinnon after Mr. Browne explains the Board's concerns to him.

VOTED to continue the public hearing to May 21 at 8:15 pm

LRPC

VOTED to appoint Glen Brown for one year
Peter and Bob for three year

PLANNING BOARD
MAY 7, 2001

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

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

REORGANIZATION

VOTED unanimously to reorganize as follows:

Chairman	Stephen J. Browne
Vice Chairman	Wright Dickinson
Secretary	Elissa G. Franco
Member	Timothy P. Sullivan
Member	George N. Lester

Mr. Browne thanked Mr. Sullivan for his service as chairman, noting especially that he involved the Long Range Planning Committee with the work of the Board.

APPOINTMENTS

Green Street Discussion Plan

Rick Merrikin explained that he inherited this project from Wayne Carlson. The owner wishes to subdivide the property into two lots with a driveway.

Mr. Browne questioned if the street could be moved back, away from Vine Brook. He also observed that they needed to flip the layout of the cul-de-sac to satisfy the Subdivision Rules and Regulations.

Mr. Merrikin explained further the lots would not have a common drive. Frontage would be on the new street, since the *By-Law* requires access over frontage. He suggested that, if the Board would waive the construction of the cul-de-sac, then they could move the houses around a bit and away from Vine Brook. He also pointed out that there is a hill in the middle of the property. He added they could possibly donate the wetland portion to the Town.

Mr. Sullivan asked why they could not do a common driveway.

Mr. Merrikin explained that people probably would not want to share a driveway with their neighbor. He added there really are just two driveways.

Mr. Sullivan expressed concern that there would be a lot of pavement and how that pavement would look.

Mr. Merrikin suggested they could have a common section and then break off into separate driveways.

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Mr. Lester said the issue seems to be the need to show a left hand cul-de-sac. He said the Board has waived construction before, but the actual ROW was not deeded to the Town. He explained that they would need the full land to satisfy the *Zoning By-Law* requirement for frontage.

Mr. Browne asked if they could do the proper switch for the cul-de-sac.

Mr. Merrikin said he was not sure. He added that it not be as good. They will end up with a strip along Vine Brook that would be continuous to the park. They could make it a temporary turn around with the intent of continuing, which would give a right-of-way that would end at town land. They would give that area to the Town, which would create a piece of new town land. They could also go over to the existing town land. He said there are no prohibitions of building on a temporary cul-de-sac. He asked for the Board's thoughts.

Mr. Lester felt the idea of giving land to the Town is commendable. It would add to access to Hinkley pond.

Mr. Merrikin said the other option would be to build a duplex, which he didn't think would be best for the neighborhood.

Mr. Browne observed that the Board did agree that a duplex may not be the best solution. He explained that the Board has required people to show that they can do the development without a waiver first and then they could seek to have construction waived along with the build-out. Regarding the donation of land, he said they may not want to donate all pf the area to the Town but could put a conservation restriction on it

Mrs. Franco asked why the Board would not want two driveways.

Mr. Sullivan responded that due to the complexity of the access along the street. He added they prefer to limit pavement.

Mr. Merrikin asked how much detail would they need to show what they could do by right.

Mr. Browne answered that just what is presented would be enough. The drainage would be based on the definitive plan.

Mr. Merrikin said they would like to keep the area as natural as possible.

Notes:

- Two lot subdivision
- Reverse the cul-de-sac to comply with the Sub Rules
- Consider donation of land to the Town or a possible Conservation Restriction
- Possibility of waiving construction of the ROW

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- Private vs. public roadway
- Permanent vs. temporary cul-de-sac

DALE STREET

RM – figured out how to do the plan – Dave spoke to Mark – will show all of the lots even though the foundations are not on – if necessary to come back with an ANR – most of the stuff in the decision will go on the plan

SB - ?Mark want on the plans

RM – looking for comments - ?signature block – date approved would be ZBA – decided was a subdivision – explained there was a layout at the ZBA but not with the – was like a site plan – decided to do it as lots – done as a comprehensive permit

EF – it is really a special section of the law

RM – ZBA could sign it?

Norma – other Dale Street Comprehensive was granted by the ZBA and plan endorsed by the Planning

SUMMER MEADOWS

SB – discussion of requiring conditions in the deeds so as to maintain conditions of approval (Newport Lane) – have since tried to be sure that all conditions are recorded so not a problem – now a problem – summarize letter Levin and Levin re. Lilac Lane and the 25 foot buffer and protecting trees – need to be sure that all the steps are taken so all people have

GL – give to Mark

TS – show the Board will pursue it – retain a specialist to review plans to be sure that “things” are on the plan – part of the fee should be for an attorney to review the plan before endorsement

Norma – explained history

SB – should be clear

Norma – boiler plate conditions

SB – need to be sure have all that we need

GL – ask Mark to write a letter back disputing the Town’s right – need to be on record – write a strong worded letter

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ASK MARK

SB – letter

WD – letter of concerns to the developer

SB – had

TS – have Mark review this

EF – cc building department

TS – boiler plate – could be useful would be a brief 3-4 pages of the key process of what will see as a planning board member – what needs to be done in the various cases – flag areas of problems – concerned with the revolving membership – not always here long enough to correct the mistakes of the past – put together a Planning Guide for members

SB – emphasize what can do to strengthen the boiler plate

WD – would benefit from more open discussion to have a consensus on subdivision ideas on what could come forward

EF – if will be on agenda – have Norma send minutes of when last here

WD – if know it will be before the Board can discuss – need to know what the idea of other board members are interested

SB – need to look at the public interest

TS – help to get a better plan –

WD – better if to discuss later that meeting while still fresh in the head

SB – issues on the Green Street – could take the road in from another direction – question if can put the two roads opposite

WD – need to check the major points

TS – minutes would be very useful to help in remembering

Norma – reminder

TS – will help with the primer

COPELAND LETTER

PLANNING BOARD
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TS – attorney Copeland called – concerned double jeopardy – concern that a ZBA and a Planning Board issue and need to post more bond – is there a way to help out so can get the deal done

DRAINAGE

SB – Bunker Road issue – walk with Domey and Dale – concern then come back with a BOH approval and may not be acceptable to PB – Domey did get rid of one buffer – no disturb zone around detention basin – third will look to have a better flow – trying to bet PB's view of drainage out there and respected – Domey believes a lot in detention basins – Dale says not the best way any more because spill over and there are better ways – can't or shouldn't tell Domey what to do – figure out what we want to do about detention basins for the future

WD – in Newton all drainage structures inspected by the same individual – full time person doing that – structures underground – never really seen any working - problems with some of the honeycomb projects underground – issue is how do you monitor working – issue is if not installed properly then can clog and must be dug up

TS- any resources that cover this issue? – lack alternatives

WD – not very many alternatives out there – if limit the size and force to use honeycomb structure – may limit the size of development

SB – amazed at the detention basins opposite Bubbling Brook

WD – comment – creation of additional wetland - disrupt the wetlands to do it

SB – go into Hawthorne – main features are detention basins – seem to be finding a mechanical way to allow development

WD – granite street – island in the middle is not going to be the green that we thought we would get

TS – can we limit the size of the basins and the impact on the developability of the land

SB – have this comprehensive plan on drainage – could require a separate lot for detention basin – could require have strict

GL – not qualified to engage in the discussion of the size – but ugliness is there – when got involved were new state requirements that went into effect – was a new concept

SB – when first came on was told we do not want underground structures

TS – could fail at some time and the questions of who is responsible for the fixing – need to discourage development of undevelopable land

PLANNING BOARD
MAY 7, 2001

GL - ?joint meeting with the BOH agent

SB – need cooperation

TS – schedule a meeting with BOH to share concerns – work solutions

SB – bring Dale in for discussion to see what other towns are doing and let him know our feelings

GL – some have lot by lot dry wells

WD – owner of that lot is responsible to maintain – need someone good to inspect

SET UP MEETING WITH DALE – see about June 11th

WOODCLIFF

GL – built a house on a lot – fire road land court ROW – building is right up next to the easement – what was the gravel trail now runs along the side of the house – people could become intimidated – need to get it back to what was suppose to be (LOT 2) – send the BI out to view to see where the house is – HAVE BI CHECK

SOUTHERN ACRES

WD – landscape plan – worth about \$9,000 - \$10,000 – nothing taller than 8 foot – could upgrade to larger would increase cost but improve

10:15 p.m. ajourned

PLANNING BOARD

MAY 21, 2001

Present: Stephen J. Browne, Wright C. Dickinson, Elissa G. Franco, George N. Lester, and Timothy P. Sullivan (until 9:10 p.m.)

Woodcliff Hills

Mr. Browne asked that the Superintendent of Public Works, Ken Feeney, look at Vine Brook Road where people may have installed sprinklers in the ROW.

The Village at Medfield – Dale Street Comprehensive Subdivision

The Board endorsed subject plans following the receipt of a memorandum from Town Counsel Cerel that he had reviewed the plans and they are satisfactory.

Summer Meadows - Lilac Lane

GL respond that developer does not get bond back without work complete.

SB would like to meet with Mark to be sure that we get signoffs etc. so we do not have issues later. Letter from Levin and Levin will not be addressed according to Mark. Will discuss.

TS do need to have a formal response so not carry on in the future.

GL for showing a reasonableness pruning or death of tree – but so long as a valuable tree should remain. Same issue in the buffer area.

TS address the broader issue that developers not interpret for only during development but to be continued.

CONTINUATION OF THE BUNKER ROAD HEARING

SB implication is that we are guaranting approval

JH apologized. Did not intend.

VOTED to extend to July 13, 2001

Continue to June 25, 2001

JH did receive info from Bill Domey

LOT 2 WOODCLIFF HILLS

GL Appears to have been staked off. Looks like he is acknowledging the existence.

SB but does not allow room for the plantings required.

PLANNING BOARD
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TS still are issues of the buffer.

SB read the BI letter. Reviewed the plan accompanying the letter. Notify the developer that there is a buffer zone requirement.

TS they need to know. ROW is a land court issue. To what standard is that held.

SB requirement for the 37 houses that were approved.

GL question will be how come the building inspector approved.

SB notify the developer and see how he will remedy the problem. Issue of the house on the other side – fence, gazebo and swimming pool are all on the ROW.

GL was established as a fire road.

TS is it maintained.

SB yes, by the trustees

GL will discuss with Mark

EF becomes a title defect if does not comply.

SOUTHERN ACRES

JJ discussed the riprap wall and landscaping – John also talked with Mr. Oxford who asked for a couple of more pine.

SB read the letter from Mr. Oxford to Attorney Jenkins.

JH have a forsthyia bush -

JJ 27 white pines etc. as shown on the plan - Mr. Oxford said he would give them access

JH white pines are 7-8 feet ; others are 3" caliber

TS one issue was esthetics at the base – requested trees that would be a bit larger to fill that space. Given the scale of the riprap wall we do need more substantial trees.

JH not too many nurseries stock such trees.

TS put 12 footers on the bottom of the riprap

JH need to replace some that are there. There are existing trees there.

PLANNING BOARD
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JJ what is the tallest stock tree you can get (John)

JH (could not hear answer)

Viewed pictures by Wright

WD trees are now at the top berm of the swale at the bottom of the swale – need to screen more from the street with bigger trees

JH will see what is available –

JJ want to be able to tell board what can plant

JH need to have Mr. Oxford water

TS get a professional to plant so they will do what is required

WD what is the plan for the grassy area at the top beside the trees

JH go back to a natural growth

SB how restrict access

WD some neighbors objected to the fence – could stagger the forsythia to get fuller.

EF still have 5 new trees on the bottom – will that fill in the gap in the pictures

WD spots along the top of the wall that appear to be filtering through – a few sink holes along the top of the wall – pointed out the sections

JJ is this landscape plan acceptable

TS need to determine what height for the bottom

SB have an offer to make no less than 10 feet and plant in the proper soil – have abutter spend some time watering

JJ can't make him do that

EF could hire someone to go in and take care

JH will have a two year guarantee

TS please add that to the plan -
if grows natural to a certain degree it will take care of it self –

PLANNING BOARD
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EF what will happen to the lot

JJ will keep it insured – could give landscape easement over the abutters – same if the town wants it – if 10 years from now someone wants to put in then maybe – do not look at this with future plan

Kevin Hern – not sure forsythia will block kids from coming down – suggest something thorney – something more significant

JH – last direction was as shown

KH – concern that more plantings – concern about how the riprap and top lot will be maintained

SB developer will be willing to provide a landscape easement to abutters – have some control over but not the landscaping – have concern for the safety issue – would like more measure – could you get back with additional

JJ forsythia is there

TS would be good to intersperse a few barberry (thorney shrub)

JH how many are you talking

EF if there is a fence people could climb.

SB what is the reasonable number of plants

JJ a few on each corner and then in between

TS how about 10 to 20

SB speaking about paving –

JJ April 2nd from Earth Tech – pavement and trench has been done – replaced the curbing but need to back it up

Bunker Road – low point is addressed in the Bunker Subdivision

JH included Bill Domey and Steve Browne present

SB remove because of that

JJ sediment at bottom of Loeffler was from the South Street reconstruction (JH)

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JH did look at would be doing more harm than good to remove the silt behind Mr. Maider's house

JJ Conservation has given a certificate – Wilson do have to have a botanist go in where still need

Water flowing off side entrance

JH said will put a drain in that area – water coming off is designed to go across the sidewalk – will put in a subdrain – saw the pictures – Sept 1999 HNTB opinion was that the water would go across the sidewalk

SB – expectation that the pictures are permanent

JH that is how the subdivision was designed

SB are you saying we should expect that every winter

JH that is what would be – built to design and backed up by the engineers you brought in – this is before topcoated –

SB what did he say in writing

EF what is the drain you will put in

KH – looking up the hill on the left

JH also the sidewalks in the subdivision do not get plowed – just saying it was what was discussed and told by the independent –

WD doe you have to do repairs to the walls (Loeffler)

JH did need to rebuild a six foot section

KH different parts of the wall come down year after year.

JJ not being taken by the town

JH haven't fallen down

KH there are signs of water channeling through and signs of the wall buldging out

TS according to Weston Nursery there is evidence that the walls are bulging

JJ question if that is a planning board issue – easements were obtained to handover to the homeowner – Carruth has maintained and not charged – at some point they will ask the homeowners to take over – eventually will give all the infrastructure to town

PLANNING BOARD
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TS who will be the trustee when turned over

JJ the 40+ homes will be responsible – will seek who will be the trustee chosen from among the homeowners

SB if we were to accept the walls are not then the sidewalks are

(9:10 p.m Tim Sullivan had to leave)

JH said built according to the design and the engineer

WD much is getting hit in the shade – catch some of the water before it goes across

JH there is a sprinkler system in the entire area. If we put a swale in it would rip out the sprinkler system – putting it a drain

JJ – channel down hill

WD will have to put some bit of the swale - ?get progressively worse as it goes down

JH – Mr. McElroy said that is what needed to be done.

WD just trying to prevent slip and falls

JJ boil down the list – landscape ok

SB – landscape ok – did say would get done by June

JH – still need to do replacement trees – wanted to do them all at the same time

SB haven't gotten the signoff from Ken or Dale because the streets would not be accepted – that is normal

WD do we need another engineer

JH

JJ will talk with Thompson Liston

SB – agreed by the Board that the landscape plan is acceptable

GL what is the plan for ownership

JJ Parkway Capital

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GL transfer to Homeowners Association

JJ they are a member of it – Homeowners Association does not have a responsibility nor do they want it

SB talk with the abutters about easement

JH will be like a little patch of woods.

GL: offer

JJ own for ever – give to 5 and 8 or landscape easements to either or give to the town
Goal is to have the street accepted

WD do we need a letter

SB we do not have the right to say who will own it

JJ will have to determine

SB is there more that needs to be addressed

KH the trees and the drainage were his concerns – Weston Nursery letter is a concern

JH the walls were there when I arrived

JJ haven't had much trouble maintaining

SB – will give a plan about what to do about the icing problem

JJ would like to come in soon for a bond reduction

SB should complete the rest of the check list – have been consistent over the past years to keep what may be necessary to have the money to fix – would not to ask for in a couple of weeks

JJ the impotest for solving the wall problem

SB don't come back soon to get the bond reduced because of the wall

JJ why – if finish work should get done

SB – inappropriate to reduce soon – not consider that there is enough

WD – the solution to the wall is trees and plantings plus other plantings –

PLANNING BOARD
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JJ if redo the bond could itemize - will get the work done.

STANDARD APPROVAL CONDITIONS

SB this is a list to work from in deciding what will – could return requests by June 11th
Another that sort of came in are drainage issues

EF Dale

NC Dale is coming on July 9th.

Ajourned at 9:35 p.m.

PLANNING BOARD
JUNE 11, 2001

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

Absent: Stephen J. Browne

SHAWS

Jim O'Neil introduced himself and others for Flatley/Shaws

Initially Shaws went in smaller than most other Shaws. Need to expand. Blockbusters has moved down so Shaws can move (9000 sq.ft.) into that space. Need ZBA variance for parking because will not have all the spaces. Reduce to maintain green space. Adding parking in the back for employees. Have stayed out of the unpaved areas in back near the residential. Additional spaces at the Town end of the parking lot, but will ask not to put those spaces in to keep green. Will change the fire lane out front. Fire Chief OK. Added islands in front so no one can park there. Enhancement of the store front. Will be filing with the ZBA and work at the same time as site plan with Planning Board.

GL - how many parking spaces losing?

JON - have 441 and will have 440 but will be adding additional space - actually go down to 414 - Bylaw requires 480 - question of the areas open to the public - first 18 inches of shelves are considered open to the public - one space per 120 sq. ft. - 24 spaces for 48 employees - 23 required for Blue Moon - Decelle is in the calculations (not a lot of area open to the public) - Blue Moon hours are not the same - never seen the parking lot full - if some drop off cars were not there then would be even better

GL - studies about the parking

EF - change to exit or entrance (none)

JON - change of facid, firelane, some space for employee parking back,

TS - encourage employees to use the area behind the building - stripe

JON - variance for parking stall - size of the current stall does not meet the required now - would continue to maintain the same size (9x18 vs 9.5x18 - can pick up 18 in the back

GL - area behind - is it wetland

JON - no, ledge - concern for the residential neighborhood - front corner is an area where trees and picnic area

TS - Fire Chief's concern?

PLANNING BOARD

JUNE 11, 2001

JON – no concern about the fire lane – asked for a barrier so people would not park outside the barrier – asked that the fire hydrants be moved out off the building – no concerns about access

TS – concern for cars cuing up

JON – Chief not concerned – not changing size of the lanes – was a pressure (water) at one time which they will satisfy

WD – have you contacted other realtors

?? – not formally talked with them – have a good relationship

GL – objective data on the parking would be helpful to the ZBA

?? – will take readings over a 7 day time frame and different hours

TS – lighter traffic during the summer – need to take that into consideration

JON – will work both Boards at the same time

Discussion about the path to take ZBA/Planning

?? – see Canton store for idea – it is slightly bigger than proposed here

(8:25p.m.)

ANR PLAN – EASTMOUNT

Rick Merrikin need to provide for a driveway so land swap

SHINING VALLEY FARM

WD - Public meeting – no one has shown – read the Legal Notice At 8:15 p.m. – no one has appeared

TS – information from Dale MacKinnon and Board of Health – can approve or deny - moved deny plan based on the denial by the BOH report and Dale's report

GL – in absence of a favorable

SO VOTED unanimously

Leslie Shore – wetlands issues refer to Conservation Commission first

WD – not contingent upon Conservation Commission approval

PLANNING BOARD
JUNE 11, 2001

OLD BUSINESS

Copeland letter –

TS - ? legal use of the letter

GL – legalistic answer requires

TYPE Letter and have approve

WOODCLIFF

One step out the door and hemlocks

Have BI check that the step is only

GL – this will confirm that you will do the following on the plan –

WD – ask for location plan

GL – granite marker at Boyden to mark trail

- ask Fire Chief to check since this was fire access

SUMMER MEADOWS

Planning Board Administrator Cronin reported that Chairman Browne called the office to state he did go out to Lilac Lane following up on complaints received from abutters. He stated that while he was there he was able to speak with the developer and expressed concern for the incomplete work at the site: trees that still needed to be planted, absence of any loam, drainage systems incomplete, plantings missing along the entrance way, an electric pole that needs to be removed (to name a few). He advised the developer that much work needs to be completed before any surety could be reduced.

Planning Board Engineer, Dale MacKinnon, has been to reinspect and report

Concern for landscaping, drainage issues,

Need to take aggressive action – sooner than later

9:30 p.m end

PLANNING BOARD
JUNE 25, 2001

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

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

SIGN ADVISORY BOARD CANDIDATE

The Board reviewed a letter from Thomas J. Roycroft, Jr., 11 Brastow Drive, expressing interest in serving on the Sign Advisory Board. The Board will invite Mr. Roycroft to its next meeting.

WALPOLE AQUIFER DISTRICT

The Board of Appeals has referred a letter from the Board of Sewer and Water Commissioners of the Town of Walpole requesting consideration of adoption of regulations that would afford for protection for the Walpole Aquifer District.

The Board will seek input from Medfield Water & Sewer.

Consider the possibility of Walpole providing trails connecting to the Bridlefield Subdivision.

SUMMER MEADOWS – LILAC LANE

The Board reviewed two additional letters received from Mr. Simpson, 22 Summer Street, expressing concern for runoff onto his lot, including during the last heavy rainstorm.

The Board also reviewed a letter from its engineer, Dale MacKinnon, regarding observations made on a Site Inspection to the development. In this letter Mr. MacKinnon noted that some of the grading on the site is different than shown on the definitive plans and indicated his concern that in larger storm events, this may cause water to flow into the lot of 22 Summer Street. In addition he listed other work to be completed on site.

The secretary reported that Mr. Simpson also sent his letter of the 18th to the Board Of Health.

The Board will send a copy of inspection to the developer and ask for completion by July 20th or the Board will "take what ever action is appropriate."

The Board will also send a copy of letter and report to Mr. Simpson.

BUNKER ESTATES AT SOUTHERN ACRES

VOTE unanimously to continue the Bunker Estates at Southern Acres Definitive Subdivision hearing to July 9th at 8:15 p.m.

PLANNING BOARD
JUNE 25, 2001

WOODCLIFF HILLS SUBDIVISION

Scott Colwell, developer, submitted a plan to the Board showing plantings and the trail in the easement along lot 2. He also requested a meeting on site with a representative of the Planning Board to review sidewalk concerns along Vine Brook Road.

The Board will request a meeting with Mr. Colwell.

Elissa Franco will look for a copy of the ROW in land court.

Meeting was adjourned at approximately 9:00 p.m.

Respectfully submitted,

Elissa G. Franco, Secretary
MEDFIELD PLANNING BOARD

PLANNING BOARD
JULY 9, 2001

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

Meeting convened at approximately 8:00 p.m. by Chairman Browne.

BUNKER ESTATES

VOTED to continue the public hearing for Bunker Estates at Southern Acres Definitive Subdivision to August 13, 2001, as requested by the applicant.

VOTED to extend the time in which the Board has to make a decision on Bunker Estates at Southern Acres Definitive Subdivision to August 17, 2001 as requested by the applicant.

RANDY SMITH – MAIN STREET PROPERTY NEAR FRIENDLEY’S

Mr. Smith and his engineer appeared before the Board to discuss possible uses for property at 609 Main Street. Mr. Smith said he has a mortgage on the property. He said he would be looking for the state’s comprehensive permit. He would gear the project to the over 55 population. He provided the Board with drawings of proposed houses. He said he is faced with a lot size of 1.91 acres with 150 feet of frontage. Lot is very long and deep. His proposal is for a total of 22 units. He said he would be looking for a density variance. He added that he wants to work with the town. He would like a feel of what the town would want. He stated that the house is in the Historical District. He added that the house has nearly been condemned on several occasions. He said he could demolish the house or give it to the Town to move because it is not structurally sound.

Scott Humphrey, Engineers of Boston, explained that the foundation is fieldstone and in a state of disrepair. There is no concrete floor in the basement. The sheeting is board and not plywood. Many of the nails are rusted. He said the strongest structural component is the gypsum boarding. It is questionable if it can be restored. The house would need to be framed before moving. Mortgage and money is a no-win situation. This is just an idea, neither a formal or informal plan. Currently there are people living in the house.

Chairman Browne questioned if the house was not moveable.

Mr. Humphrey explained that someone would need have to X frame the floors and the walls of the house to move it, which could be costly.

The Chairman questioned how long Mr. Smith has had the mortgage?

Mr. Smith replied about 5 months. He added that he has had discussions regarding the house that were not known to him before. He said he has until August 10th to decide what he wants to do. He added that this property could be a win-win situation for the Town. He said the property does border a commercial strip mall plus Friendly’s Restaurant. He

PLANNING BOARD
JULY 9, 2001

continued that the Bylaw doesn't allow variances. He asked for a feel for what the town would want and asked for discussion from the Board.

The Planning Board Administrator, Norma Cronin, advised him that such discussion begin with the Affordable Housing Committee and advised him to contact Michael Sullivan for an appointment.

Town Counsel, Mark Cerel, explained that a 40B Comprehensive Permit would supercede local zoning. The time frame for such a permit is at least a year. Restrictions for over 55 housing are limited by the state and can only require that one person be at least 55 and not exclude younger people.

Mr. Smith questioned if Medfield had an over 55 district.

Mr. Cerel said the Town had discussed an overlay district in the past

Mr. Browne explained that a zoning change to include an over 55 overlay district would require approval at the next Town Meeting in April 2002. The Town has not gotten an overlay district approved recently. Town has not been antidevelopment or antiaffordable housing. Other affordable housing was not in an historic district.

Mr. Smith wondered if they could work something out at the April 2002 town meeting.

Mr. Browne explained that the Board's track record for zoning changes has not been too good. The likelihood of passage might be slim.

Mr. Cerel noted that Medway just passed such a district.

Mr. Browne said that, given that the property is located in a historic district, it may be that they are only able to maintain what is at the site.

Town Counsel advised that the Town also has a demolition delay bylaw, which could hold up work for a year.

Mr. Humphrey stated that the house would need a foundation put underneath and would have to be moved. The house is close to the road and there are traffic problems near the area.

Mr. Browne added that there are also issues about sight distance if the lot is to be developed according to our sub rules and bylaw.

Mr. Smith offered that they could possibly donate land to widen the road.

Mr. Brown stated that sight distance is a concern. Another issue is that a road must be directly opposite another road unless it is 225 feet away.

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Mr. Humphrey said that the lot is directly across from Causeway Street and would need a blinking light.

OLD BUSINESS

Lilac Lane

Mr. Ricciardi said he was here to discuss the completion of Lilac Lane. He said he was not aware that the final occupancy permit would be held up because of incomplete work. He said he would have timed the completion of the street differently. He explained he had a conversation with Chairman Browne about increasing the bond by another \$5000 to work toward getting the occupancy permit. He stated he has never intended not doing the work. He said he wants to determine a way to get the occupancy on the third house. He has notified the asphalt paver. He added that he believes he can get the road in within two weeks. He then added that the trees are available on a three-day notice. Then he can make a planting schedule in the two weeks. The meets and bounds and hydroseeding could be done.

Mr. Browne said that he did talk Saturday, a week and a half ago, with Mr. Ricciardi, prior to the Building Inspector's letter, and Mr. Ricciardi did agree to increase the bond because of the Planning Board's engineer's letter. At that time Mr. Ricciardi said the final coat on the roadway could increase the grade. Mr. Browne said there is no way the Board can tell the Building Inspector what to do. The Board can, in the negative, point out something that is needed. He advised Mr. Ricciardi that he would need to deal with the Building Inspector directly.

Mr. Ricciardi said the BI has listed some items that the Board must approve. He said that the two building inspectors have basically agreed that the house is ready for occupancy with a number of issues to be cleared up. They cannot give an occupancy permit without the work being completed. He said he will do the work required by the BI. The road work is that of the planning board.

Mr. Cerel explained that he met with Mr. Calo, the Building Inspector, and Norma today regarding Lilac Lane. Mr. Domey (BOH) required that concrete gullies be placed for the drainage. The Board needs to see an engineer's plan which the BOH also required. When the Planning Board engineer inspected the site, he could not locate the manhole for these gullies.

Mr. Ricciardi said he has submitted the plan and will get it.

Mr. Dickinson questioned both structures on each side of the road and reviewed the subdivision plans. He asked again if the required plans were submitted to the BOH.

Mr. Ricciardi responded that the plans were done.

Mr. Cerel said the Board needs to see the plans.

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Mr. Dickinson explained the Board is concerned about drainage, especially to 22 Summer St.

Mr. Cerel said it is a public health and safety issue.

Mr. Ricciardi said he has put them in. They were done greater than Mr. Domey required. He said that the low spot remains.

Mr. Dickinson said the owner of 22 Summer Street said that in recent storms he has had water to within 10 feet of the foundation of his house.

Mr. Ricciardi said that Mr. Calo (BI) asked for a berm area to keep water from running off from Lot 3 on to another Summer Street property, which he did do and there has been no more water onto that property.

Mr. Dickinson expressed concern for the Pine tree which was to be preserved on Lot 1 because the lot has been graded up several feet around this tree and there is not much space around the tree. He stated that the grading in the area is not done correctly and said he is concerned for the life of the tree, among other issues.

Mr. Cerel recommended that the Planning Board engineer quantify the cost of completing the project based on his inspection.

Mr. Browne stated he does not expect that the work would be less than we are holding.

Mr. Cerel stated that there is nothing that says that the developer's liability is limited to the bond. It is not limited to the bond. The third lot is still an asset. The developer should get the work done to reduce what needs to be completed, or the Board should look at the remedies. It could attach the property.

Mr. Ricciardi noted that Mr. MacKinnon did a list of costs.

Mr. Browne observed that there are now issues raised by the BI which includes some grading issues. That was his original punch list. Now there is a new letter of June 26th that addresses more issues. He then asked for a proposed schedule to get the work done. He said he does not know where the work stands. Will there be asphalt in 2 weeks? Will there be tree in 2 weeks? He noted that the developer has stated to him before that the trees would be coming but they are not there yet

Mr. Ricciardi said that he did loam and seed. He expected to close on the house and thus have capital to put in the trees. He has gone to his distributors and the trees and the asphalt can be done together in the same two weeks.

Mr. Browne said the Board does not need to take any action. If the work is done within the next few weeks, then the Board could look at reducing surety. He added that there is

PLANNING BOARD
JULY 9, 2001

no desire on the part of this Board to do work if the developer is going to do the work as he should. The Board will meet in two weeks and then look at what is done.

Mr. Dickinson observed that getting the surveying done and as-built plans completed will take time. Grading will change the as-built plans and needs to be stepped up.

Mr. Ricciardi expressed concern that when Mr. MacKinnon looked there was only half the loam that is there now.

Mr. Dickinson said he has been out there since some grading was done and it does need to be raked out. He noted that we have had some rainstorms since.

Mr. Simpson, 22 Summer Street, explained that when tropical storm Allison came through, Lilac Lane was like a water trough into his back yard. In addition he had runoff from Summer Street. The drainage basin behind his house filled up and spilled over into his backyard. Now that loam has been spread there is an even greater slope into his backyard. The water did seep away recently because it was absorbed but he was concerned about what would happen if the ground is frozen and a heavy rain occurs.

Mr. Browne asked what was his experience before the development.

Mr. Simpson said that the prior owner had the driveway regraded and he got water onto his property so they regraded again so it would slope to the other side. The water still comes in. The same happened after Allison.

Mr. Cerel stated that by law there cannot be an increase or decrease of the runoff when building a subdivision.

Mr. Browne said that the grading is not according to plan.

Mr. Cerel added that Bill Domey (BOH agent) usually requires the basins to be over designed in the first place. Probably the basins are not according to plans. Perhaps they may be clogged.

Mr. Simpson questioned if there was a lip build up in front of Lilac Lane.

Mr. Cerel explained that the road should be designed so keep water from coming in from Summer Street.

Mr. Simpson said there is a drain on other side of the street.

Mr. Ricciardi said that is a dry well.

Mr. Cerel explained that drainage should be channeled to the two basins. If that is not happening, then it needs to be regraded.

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JULY 9, 2001

Mr. Edward Callow, 10 Summer Street, said that the water is coming down into his yard. He said the lot has been built up four feet and added that water is coming off the garage.

Mr. Browne questioned if that was built up in the "no disturb" area. (Yes)

Herbert Burr, 16 Summer Street, said his lot is up against the first house and has been there since 1958 and this is worse than it has ever been.

Mr. Dickinson explained that having some grass growing will help some of the problem.

Mr. Callow said that water is coming off the garage right down into the Simpson's backyard. This is increased because build up around the foundation of the subdivision lot.

Mr. Dickinson asked Mr. Ricciardi if what he put in was according to plan.

Mr. Ricciardi explained what happened. Mr. Callow wanted a 25 foot setback instead of the 12 feet required by the zoning. It looks like a wetland buffer. He said the Board should go back to the transcript of the meetings.

Chairman Browne said that it was the intent of the Board that there be a "no disturb" area and it be maintained permanently, including the contour. The Board did receive letters indicating that the Board wanted this only temporarily during construction. That was not the intent of the Board. The intent was for a permanent 25 foot "no disturb" zone.

Dr. Villa, One Lilac Lane, spoke that this proposed buffer zone constitutes half of his backyard. He said it is unreasonable if he can only use half of his backyard. He said that it was clearly meant for only during construction. When construction was completed it was not to be applied. He said that he has consulted with several attorneys. He said there may be a discrepancy but they need to go by what is written and that is that it was only to exist during construction.

Mr. Cerel explained that Massachusetts law states that if someone creates drainage onto an abutters property, they are liable.

Mr. Villa said a gutter is creating the problem.

Mr. Cerel stated that they should resolve the problem. There may still be liability for developer and you if you are flooding out a neighbor you may share in that liability.

Mr. Browne said it is not clear that the intention for the "no disturb" was for during construction. It would make no sense if only during construction. He continued to Dr. Villa that if the contours of his property have been altered, he may have a liability.

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Dr. Villa suggested that if the problem is a downspout he could modify that and not have water going into Mr. Callow's yard.

Mr. Callow told him to cut the grade down. He also questioned the location of the house.

Dr. Villa responded that it is what the Board approved.

Chairman Browne explained that the Board does not have a say over the location of the house except for the no disturb area. He suggested that he work out with Mr. Callow the contours of the backyard.

Mr. Cerel noted that Mr. Callow is a contractor.

Mr. Ricciardi tried to explain that he changed the garage around. He added that there has been friction between Mr. Villa and Mr. Callow. He said he would get together with both of them and work something out.

Mr. Callow said there is too much water in one place.

Mr. Dickinson said that is the spot where it is most severe.

Liang Chen, 74 Green Street, explained that his backyard is against the property. He has a swimming pool. He is concerned that it was a clean area but he now has dirt coming into his backyard. He has a fence and he is concerned for the trees and the dirt. He added that the water and dirt could push his fence down. He has noted an increase of water to his area since the development.

Mr. Ricciardi said he would get his engineer, John Glossa, out there to prove that there is a structure in the ground. He said it needed to go to subcontractor.

Mr. Cerel suggested he have Mr. Glossa check the elevations so paving is done properly.

Mr. Dickinson reviewed what need to be done: satisfy the grading according to the approved plan, satisfy the requirements of the BI, have your engineer complete the as-built plans, and put a value to the punch list of items to be completed.

Dr. Villa expressed concern that the pond that drains slowly. He said it takes a week for the water to disappear.

Mr. Cerel responded that it depends on how it was designed.

Mr. Dickinson questioned the low spot.

Mr. Cerel asked what the final grade called for.

Mr. Dickinson said for the low spot to remain.

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Board members, abutters, and the developer all carried on a discussion around the table.

Mr. Dickinson suggested possibly putting stone in the low spot.

Chairman Browne wrapped up the meeting stating that the developer has a list of want must be accomplished. He suggested they could also look into a French drain on the downspout.

Robin Stuart, 16 Juniper Lane, questioned the significance of the dates mentioned – July 12th and 20th in letters and discussion with the office.

Chairman Browne explained that the July 20th date is the date the Board chose for work to be completed. The July 12th date is the date after which the Town may have more options for remedies.

Mr. Cerel added that the developer would be in default after July 12th and the Town could take what steps necessary.

Mr. Browne said the Board would prefer the work be done by the developer but will look again in a couple weeks to see what has been accomplished.

Mr. Dickinson said that the amount of regarding that must be done is a concern.

Mr. Cerel said it will be an issue with the BOH also.

Mr. Dickinson said they would need to run regarding by Bill Domey.

Mr. Cerel suggested that they get an engineer involved. If they do the field work on their own they will be responsible.

Dr. Villa questioned the loam washing away.

Chairman Browne said the developer will need to meet the requirements of the sub rules regarding loam.

Mr. Cerel added that some of the loam would be between the buyer and the developer.

Chairman Browne explained that the Planning Board's authority was the roadway. He said he would be monitoring the development.

Mr. Cerel reminded the developer that Mr. Browne is only one member of the Board and without any authority.

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Elizabeth Estates

Present: Attorney Joseph Jenkins and John Hakansson, builder

Attorney Jenkins questioned if they needed to put in street bounds since the street will not be accepted.

Chairman Browne said the bounds would have to have been waived.

Planning Board Administrator, Norma Cronin, said the bounds were not waved.

Attorney Jenkins said they had not anticipated the bounds.

Chairman Browne advised that they should do the bounds.

Attorney Jenkins said he was not aware that they needed to do the street trees because there are so many trees within the development.

John Hakansson said he will put in a reasonable number of trees.

Chairman Browne said that would be acceptable.

The Board agreed to have the Tree Warden check to decide if trees were needed.

Mr. Hakansson said he will add the necessary trap.

Attorney Jenkins added that they will do as built plans and get them to the Board.

VOTED to reduce surety at Elizabeth Estates at Southern Acres to \$12,000.

Southern Acres

Present: Attorney Joseph Jenkins and John Hakansson, builder

Mr. Dickinson said that he looked at the trees and one was dead.

Attorney Jenkins said they have a warranty good for two years and showed the Board a copy of the warranty.

Mr. Hakansson said he might wait until August to replace the tree since that is a better time for planting trees.

Mr. Dickinson said that one tree up top of the hill is gone, a red leaf.

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Mr. Hakansson said that he put more trees in than was asked for but he will walk the property.

Chairman Browne noted a memo from Dale MacKinnon regarding the trees on Monks Way, which indicated some trees on the west side of Monks Way that the Board might want to consider toward the tree count.

Mr. Hakansson said he would replace all dead trees.

Mr. Dickinson questioned sagging on top of the rip rap wall.

Mr. Hakansson said it is not a smooth area there.

Mr. Dickinson said it is summer and the area is growing in.

Mrs. Franco observed that it does look better. The front has a lot of green.

Ms. Cronin reminded the Board usually they keep some surety until street acceptance.

Mr. Browne said the streets could not be accepted before next year's town meeting.

Attorney Jenkins said they would have to discuss the sprinklers in the Town ROW with the Board Of Selectmen.

Mr. Dickinson questioned the stone wall drainage along Loeffler Lane.

Mr. Hakansson said they did the drainage they way Superintendent Feeney required it to be done using subdrains into the system. There is a problem with water in the winter but it is built to the design of Ken Feeney.

VOTED to reduce surety to \$12,000 at Southern Acres subdivision.

NEW BUSINESS

Bridlefield Subdivision

The Board reviewed a request from CDW Engineers to change the pipe size at subject subdivision, including Dale MacKinnon's report. As per Dale's request the Board will ask for Superintendent Feeney' input. The engineers should work out the problem.

Meeting adjourned at 10 PM

Respectfully submitted,

Elissa G. Franco, Secretary

PB Mtg 8/30/01

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

Also present: Town Counsel Mark Cerel

Meeting was convened at 7:30 p.m.

VOTED to go into executive session for the purpose of discussing possible litigation with the intent not to return to open session.

Roll call:	Wright Dickinson	yes
	Elissa Franco	yes
	George Lester	yes

Mr. Cerel noted that the meeting was posted as an Emergency Meeting.

The discussion is regarding possible litigation by the Board regarding Summer Meadow Subdivision/Lilac Lane.

Mr. Cerel said that the Board should consider the cost of finishing the development as what it would cost the Superintendent of Public Works to go out to bid to complete the work.

He provided the Board members with a working draft of the complaint to be filed in court. The complaint would seek to attach the remaining house. He said that it would be difficult to try an exparty attachment since the developer has been in default since June. He said that the Building Inspector would not be issuing an occupancy permit since the plumber has not completed the work. He said he would finalize the complaint and file it on August 31, 2001, if everything is ready. He proposed that the Court would serve Mr. Ricciardi with notice and the case would be marked up for the 14th of September. He continued that the development is not built according to plan and therefore there are increase costs to repair.

Mr. Dickinson said that at the site visit on Tuesday, August 28th, they found silt in the basin and that along with the road pavement is causing some of the problems with drainage onto Mr. Simpson's property at 22 Summer Street.

Members agreed that they have been concerned since spring. They have had on going complaints. Work has been at a standstill.

VOTED whereas the Planning Board has been concerned about the development at Summer Meadows/Lilac Lane since spring, whereas work has been at a standstill at the site, and whereas the Board has received numerous complaints regarding the development, therefore the Planning Board declares that Paul Ricciardi/Valre Realty Trust is in default of the covenant signed January 24, 2000.

Roll call: Wright Dickinson yes
Elissa Franco yes
George Lester yes

VOTED whereas the Planning Board is holding cash surety in Needham Cooperative Bank savings account number 2-015665 in the amount of \$25,600 and that said amount is less than the cost of corrective measures necessary to complete the subdivision according to plan as estimated by the Board's engineer to be \$46,112.00, therefore the Board instructs Town Council to commence litigation.

Roll call: Wright Dickinson yes
Elissa Franco yes
George Lester yes

Respectfully submitted,

Elissa G. Franco, Secretary
Medfield Planning Board

9/10/01

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

Chairman Brown convened the meeting at 8 p.m.

GREEN STREET DISCUSSION:

Richard Merrikin, Merrikin Engineering, presented for discussion a two lot subdivision on Green Street near Hinkley Pond.

He said they will probably formally submit a plan within 30 days.

The Board said they would want to protect the wetland area around Hinkley Pond and suggested that they talk with the Conservation Commission. It may also may be in the interest of the Town to own some of the land.

8:15 P.M. BUNKER ESTATES AT SOUTHERN ACRES

James Tetreault, Thompson Liston Associates, recapped changes made in the plan since their last meeting with the Board. Before there were 3 lots with a couple of detention basins and a depression on lot A. Since then they have had a few reviews with the Board Of Health and met on site with our engineer, Dale MacKinnon, and BOH engineer, Bill Domey, and did testing on the site and made subsequent changes. He pointed out the existing pavement of Bunker Road and the proposed three lots. The darker green areas shown on the plan are not to change, but the lighter green areas will change. The proposed retention basins are gone. To satisfy the BOH they will install 5 dry wells – one on lot A, and two each on lots B and C. They will also install two catch basins with sumps. Another big area of change is the depression area on lot A will be filled in with stones so there will be some volume capacity. The bottom of the depression is at elevation 231.2 and will go to 234.8 with the stones. It will also move a little closer to the abutter and then go into an underground stone chamber. A pipe is set slightly above the area so water will infiltrate. Only in a heavy storm will it seep out to the street to the Bunker Road drainage system as located in the Southern Acres Subdivision (triangular lot was part of Southern Acres) – by infiltration, 5 drywells are able to reach the BOH standard of no increase thus eliminate the basins which were not liked by abutters – letter from Dale : #1 pipe will be in the stone – concern that someone be able to locate later such as a riser coming up to be seen; #2 – can do washed stone; #3 – don't think that will get anything because the pipe can't carry water out. It will only go out after rising up to meet.

Tim – could be additional infiltration into the pipe

JT – can do #3; #4 – deed restrictions – can do- proper designation of responsibility – asked for questions for the Board

SB – commend for addressing the detention basin, concern before for the buffer area, thus eliminating issues.

JT - fantastic soil on this site although not in the area – MR.D's required testing showed better tests

TS – level of the depression ? above the road

JT – pipe at 234 – depression 231.2 – pipe will flow down hill to catchbasin – road at 237 – would dig up in the grass area of the ROW

TS – input from the neighbors?

JT – not heard from them – concern that not have water into the Caprio property – well within the down slope 235 at the property line and falling – the existing lowest point is 231 – overall shift left and raise – but fill with stone and pipe so still function as infiltration into the ground – driveway goes up to house – basement around 235 – will still be a low point and fill but not have pool there

Jhak – pretty balanced site so not need to bring in fill other than washed stone

WD – low point going closer to the abutter

JT – will be raised with an outflow pipe – before the stone gets in will remove the top soil so get a better effect – will work fine – the pipe will take it away –this will be included within the lot owner of lot A – owners responsibility for maintaining

WD – you worked out wrapping the pipe with

JT – Mr. D asked they show all the areas of the drywells – show a crosssection – only need to add what Dale added tonight

WD – concern about getting at it to clean it

JT – not far below the surface – someone could actually reach down

WD – drywell with gallies?

JT – will have 4 feet of stone around – precast concrete (beehive)

SB – asked for a couple page record of what was done for future reference

JT – will give

WD – how far from the house on lot B is the drywell – will it be under the foundation?

JT – 18 feet to the edge of the stone– six feet diameter – still have 15 feet to the house.

SB – have BOH approval – agree to do all four of Dale's questions

JT – yes

SB – waivers on the plan?

SPflug – read the waivers as on the plan – utilizes on BR are slightly different so waiver to connect up to those –

SB – questions

VOTED to close the hearing

GL – commend them for their responses through the process – like concept of getting away from detention ponds – also like self-enforcement idea

Move to approve plan subject to conditions of Earth Tech report of Sept. 10 and agreed to by the applicant tonight plus subject to the Standard conditions – except 7 to the station 4.52 (verify that) – except 9 (trails) – plus waivers on the plan

SB – restrictions are intended to be permanent

VOTed unanimously

Bridlefield Entrance Plan

Dick Ruggerio and Steve Burrell

Entrance way want to dress up – have been plotting out where the houses will fit – have hired a land planner to help keep natural characteristics of the site – trying to keep a lot of the vegetation between each house lot – displayed plan for entrance – stone wall 30 in in height and split rail fence which will carry through into the subdivision – will use some of the fencing where trail entrance is – would use design throughout the community – can still keep some of the natural characteristics (stone wall) – have real estate trailer there but will move into the model home in about 4 months – begin development of entrance in the spring –

TS – show how picture fits into plan above

Sbur – will have an association which will maintain

TS – will include the paths ?

Dru – will need to go back and check who will maintain – may be the conservation commission

Sbur – tried to meet with conser earlier – have set the back corner lots – will mark out with concom direction the actual location of the trails

GL – was some trail in back

Sbur – will incorporate the existing stone wall – will keep new as natural as existing

TS – drywall would hold up over time

Sbur – do that on site all the time – can use existing site

TS – will the oval be hanging well off the post

Sbur – looking just to do some sort of a marker rather than in the stone wall – want a marker for the community

TS – good sense if to come up with a logo that is distinct but not to large – concern for upcoming targaret

WD – old stone wall

Sbur – in disrepair and so fix

WD – trail backs up to the stone wall

Drug – yes

Sbur – put trailer only temporarily – out by the first of the year and then can clean the whole area up – wanted to share with the Board at this time to assure the Board's agreement – want to keep as much of the natural that is there

TS – property owners would handle

SB – general concensis that Board is in agreement

Sbur – will be getting invitation to the ground breaking during day – larger gathering when have model home up

ANR Plan – Boyden Road

Stephen Browne recused

Neil Roche – old ROW (33 foot) – half is on lot 2 – area of encroachment with a fence – selling lot 2 on Friday of this week – excluding the area from conveyance – want to remove it from lot 2 while do internal negotiations – 16.5 feet on each side

WD – this takes the pressure off fixing the problem (developer)

NR – have been negotiating with the other owners but not succeed

GL – what is the status on the ground

NR – 8-10 feet passable

GL – Scot did the gravel – have been contacted by the trails committee about encroachment – concern that the ROW is preserved

NR – understand it is an old way – think it goes to Rocky Woods

SB – land court ROW

NR – lots are not

SB – there are plantings across the ROW – goes against the requirements of land court and subdivision approval

NR – no portion of our lot is land courted

SB – subdivision approval refers to maintenance of the ROW – question of how this will be dealt with to get proper resolution of the RPW

NR – now are trying to solve the immediate problem – if end up by owning the lot – ie. The fence not removed then they will have to take legal action against the person who placed the fence there. Owner wants to maintain the fence there.

SB – may be turning over to the encroacher and then be their problem

NR – submitting the plan to avoid litigation at this time and sell an expensive piece of property – Hoover did not build the fence and pool nor did the current owner. – own the fee with a subject to the ROW

GL – why not just knock it down

NR – will not happen unless a court order

TS – question of “squatters rights”

GL – cannot have adverse possession against a municipality

WD – what about the trees that were suppose to be along the ROW

NR – planning Board required trees and they have been

GL – trees are in the middle of the ROW – need to be diveret to the side to walk – after the first house was built with a gravel way – said need to maintain the ROW through there – the trees are not on the side of the RW – in the back they encroach in the middle – new line of trees not where should be

NR – Langs have a pump house and pool on ROW

SB – does new owner aware that the town can make them move the trees

GL – historically this was a fire access road – assume would be wide enough to get fire truck back there – trees make it too narrow

NR – if the trees need to be removed then the new owners will have to deal with

SB – will the new owners and their attorney cooperate – appears to be giving the new lot to the encroacher

NR – has indicated

WD – takes all the urgency

TS – when plan submitted and have until 27th to sign plan – doesn't understand all the legalitys – would like to hear from TC

NR – not a subdivision – P plan

SB – approval not any new subdivision without the pb approval

NR – issue is it is not a subdivision under 81 P

GL – legal analysis may be correct – closing within 5 days is not binding on us

NR – have been trying to satisfy and don't see settling by Friday

GL – concern about the legal liabilities of Town –

NR – by delaying this causing undue harm

TS – we are being brought into this the last minute

NR – sound like the attorney for the people who put on fence

TS – not the town's problem

NR – what was Mark's approval

Norma – viewed without consideration of subdivision approval

GL – Scot never came back to discuss beyond the plan to put the trees in

NR – more concerned about trees than signing the plan

GL – unresolved issues over the ROW – Scot knew the Board has had concerns but has not come in to resolve

NR – what he has not done is cause an abreach of the peace by moving the fence – only way to physically remove the fence is by a court order – did not put fence there – town is not the only people with a right – probably to relocate

SB – what is your client doing to protect the area of the ROW – trees across the ROW – issue of access – law abiding citizens do not walk where there appears to be private

GL – not operating in good faith to come in and say we will maintain

TS – ROW by the Trustees for a fire road for the trustees – intent as a fire land – don't see how this manuver help sell – need more information

NR – what action has the town done to take the fence away

TS – informed Hoover Realty – have the means to handle it

GL – conservation commission has met with the owners of the fence

NR – you are unreasonably delaying the sale of the lot – it is an 81 P plan

TS – there are extenuating circumstances

EF – way to talk with Mark before Friday to see if he still has concerns

GL – feel – not comfortable taking any action without fully exploring the ramifications oto the town – have not seen cooperation from Scot – if create then convey to the Langs then it is not your problem – want full explanation of the ramification – there is a 21 day time line – not aware of any obligation to reduce – if there was cooperation before maybe we could try to work with this – do what you have to do if you want the closing on Friday

NR – asking you to sign it under the statute – if want to take 21

TS – move to continue to September 24th review of the ANR plan

GL – would be willing to take into consideration

Norma – could meet Thursday –

GL – willing to listen if new information

All four members have a conflict Thursday night for potential

SB – is the applicant willing to make representation that will not transfer

EF – the only area that will be under his control will be 5jjj sq.ft.

NR – what asking

SB – would you be willing to make a resolution and not transfer the property to the neighbor

NR – don't know what the other issues are

GL – driveway across the way

NR – have a right to do that – other trees blocking there

GL – cannot plant trees to block – move them over to the side so a side yard – trying to exclude people from row

NR – would not convey the 5?? Over to anyone until discuss

EF – problem is that you do not have control over the property

SB – acknowledging that you have control

NR – would have to check with his client first –

SB – no one believes that you built the fence

GL – town's interest – the way the trees are planted it narrows what people could use – if restored to get fire apparatus

NR – when was the last time a fire apparatus in

GL – not issue

NR – can put up any kind of signs that you want

SB - may be a breakthrough – acknowledging that it is a row way and can be used and can put up signs – would keep the lot? And not transfer until resolved

TS – still need more time to discuss – move the motion

EF – pursue any kind of speedy

TS – Mr. Roche meet with his client and discuss what has transpired and the Board have time to think and talk with Mark Cerel – should be a solution with that approach

EF – think can resolve more quickly

GL – willing to listen to concerns/proposals – not appropriate to make a commitment to meet on Thursday

NR – have said we would not convey the lot

GL – would only have the parcel where the fence – troubles is the area that

NR – want to discuss a row rather than sign an 81P plan – interested in closing in a timely fashion

GL – should have come in 3 weeks ago – asking for cooperation

NR – suppose town attorney advising to sign would you

GL – under what authority do we have to sign the plan in less than 21 days – inconsideration of some cooperation

Voted unanimous to continue to Sep[tember 24th

TRAILS

Sb – these are the recommendation – committee will continue – open space – friends of forest and trail concerns center around maintenance

What are the concerns that the PB can incorporate in their approval

TS – item 5 shows there has been some effort – recc – one of their headings should be maintenance – that they remain open and usable

WD – comment #2 – could be better defined so not just a couple of boards – structural and building codes that may need to be considered - #6 under construction – buffer of evergreens is that the level

GL – is an example of what could be but could waive – if not there as a starting place to go down from – theory was - good effort now – don't have to be as detailed as road construction – hit on the points so can vary the specifications

TS – would be nice if a marker that is widely recognized

WD – have been talking about Granite posts and not pressure treated – general mapping requirement –

GL - require that it be shown on a subdivision plan

Move Oct. 15th to October 22nd

Adjourned at 10:30 p.m

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

NSTAR TREE HEARING

Present: Ed Hinkley, Tree Warden; Kenneth P. Feeney, Superintendent of Public Works;
Police Chief Richard Hurley; Selectmen Ann B. Thompson and Osler L. Peterson

Chairman Browne convened the public hearing at 8:10 pm with a reading of the legal
notice as it appeared in the *Medfield Press* on September 13 and 20, 2001.

The NSTAR presentation was given by William Hayes, NSTAR arborist. He spoke of
the objectives of their Vegetation Management Program. A professional contractor will
do the work with an NSTAR arborist overseeing the operations. The hearing tonight is
for trees on Scenic Roads in Medfield. This includes three different electrical circuits for
the town.

Pine St. – damage to trees – narrow road – small diameter trees (wrist size) – background
woods will compliment – j-shaped hook, scaring from the wires – lg. White pine with lots
of decay

Causeway – Oak with conductor – tree (1st sect.) Leaning over street

Noon Hill from Sportsmans Club – Birch tree with cross crack and flux coming out with
decay

Foundry – lg. White pine with lots of decay

SB thanked the

ED H – put white dots on trees that he agreed – Noon Hill save Birch and Oak

SB – go to Noon Hill

Judith Gray, 10 Noon Hill – location of trees South Street to the river

Ed H – questioning a Pine tree in front of house

Judith – take it

SB – added one tree and subtracted two trees – numbers seem daunting – most many are
quite small – few over 12 inches

GL – can you address the question of too what extent has the recent problems been to
trees falling down

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WH – up to 50% of outages are tree related

SB – have you had any problems with trees on these five streets

WH – have incident data – engineers have given these because need to develop reliability of service – been moved ahead

GL – job is to balance the sense of loyalty to town's character with the need – vast majority are dead – need to protect electrical service plus that of the visual effect to the town

WH – some are very obvious because they do not look well either

GL – do you have specifics as to # of outages do to trees

Mrs. Gray – only remember lines coming down during the blizzard – wonder why on the list

GL – designated scenic road

EF – tonight just addressing scenic streets

WD – general questions – remove stumps

WH – no – stumps are flushed 1-3" at ground – what is reasonable to take with a chainsaw

Ehin – town will grind down any thing in the town row if necessary

WD – concern for stubles left around town

TS – vast majority are less than 6-8 inches – treat to keep from springing backup

WH – no

WD – any damage to stone walls etc. will be repaired by NSTAR

WH – yes – professional tree removals – not just dropped – most from bucket trucks – will take care of damage

WD – time of day working –

WH – Nstar PAYs for an officer there for safety and control traffic

WD –start after rush hour

WH – will address on a basis –

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EdH – 7-3:30

WH – standard hours

WD – foresters that hire checked how often

WH – they directly report to the NSTAR arborists (him) – out here each week going over what their work – offices within their facilities

WD – question who talks to whom –

WH – will continue to next – working with Mr. H – can be reached quickly

GL – many trees are saplings – have one birch and one oak – also where cross river there are low oaks that could be pruned to keep something in the river crossing because there are no trees there – right where going across the bridge – two distinct clumps of oak trees and one maple – no other trees in close proximity

WH – where says river – probably directly under the line and will grow well – will look at those specifically with Mr. H

SB – move on to Pine Street

Barbara Myers – 51 Pine Street – confused – read 17 trees – count 39 trees, not counting the smaller ones

Ken Feeney – town trees vs. private trees – white dot

Norma – Pine Street scenic from Cedar

Barbara Myers – thought all were on town land – question town layout

Ken F – road meanders – not from the center of the road in all cases

SB – any that you thought were marked or not that should be other wise

BM – one with a white dot – road damaged one paving keeps getting closer to trees

SB – one with damage closest to town

WH – Pine close proximity to wires – hickory can see through the base of tree

EdH – all have white dots

WH – most trees on Pine were damaged

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SB – underground? 167 – Oak

WH – on curve line goes underground to a new development – critical point because will lose the entire development – it is the main artery which will shut down all the feeders

Mike Perloff – 61 Pine trees – Board of Selectmen have asked for replacement playing – power failures more frequent this year trickier for more severe reason and not weather related – before the this the street was much narrower

SB – loss of outages not trees related

Mper – rational for destroying trees across the street

WH – vegetation depart is a new depart – trees are one issue – there are other issues – tree damaged and could fall across the street onto the wires – it is 60-80 feet – speaking to improving reliability- not maintain what we have but improve – future type program

Mper – how often do trees fall across Pine St and cause outage

WH – using taking down or moving trees

SB – development in past

Wper – tree removal was approved by PB and appealed

Gabby Harrison – having the tree there could have a road coming effect – narrower street cause people to drive slower

David Temple – 300 South St. – went out when removing trees on South Street – two guys in truck – removing branches – can't move saw down to cut another branch not in their way but telephone – get together with other utilities – can see the same tree company – have town take them to task

Stan Moran – 26 Orchard St. – does not address branches over wires to house

SB – tree removal in town ROW on scenic roads

St Mor – feeder line to his house keeps coming down – tree on public way

GL – only need permission to remove and not trim

TS – can you take care

WH – can speak to this year – will prune out their if you request – call 1-800 number and request or ask the tree crew – don't dictate the dates

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SB – 14 trees on Orchard with six near your house – questions

Mr. Mor – no problem

Paul Thomas – Orch & Cause – sewer system going down street – put lines underground

WH – an arborist – extreme costs – depends on what other utilities

WD – electric utilities need separate trench

WH – leave to the engineers

Ed – no problem on Orchard

Causeway St – 27 trees

Gabby H – 238 Cause – thought the trees marked were appropriate – if not contacted

WH – if no blue X's then not going – stops because of the locations of the circuits

Gab- noting marked

Ed h – yes – some down there – some cross road – some on private property

WH – power feeding from Norfolk

Geor McL – 252 Caus – lived there quite awhile – no outage from trees coming down – never seen electric service so bad – don't see how improve

WH – doing circuit based line clearing – Medfield fed from another town – can't speak for past – to address spec addressing by engineering from system hardware – arborist can't speak to other problems – system upgrades

SB – that is an area the Selectmen are handling well – need to worry about trees in other town

WH – other towns have been recently pruned

TS – fair to say addressing this problem using a circuit map

WH – colors represent the various circuits – prune and remove those trees that

John Harney – Maplewood Rd – timing

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WH – tree contractor here and finish by the end of this year – not specific to what each street – that is – only pruning or removing on private property – contractor gave a fixed price

Foundry Street

SB – comments from Board

GL – looked at Foundry – potential objection to two very lg Pine trees – one you had – thought was healthy enough growing – concern with Pines that get to be 50 ft. tall

WH – thinking they will cost lg amt to take down 80 – 100 fet tall – can not danger tree proof the lines – there are trees out there – have a recognizable hazard which can see vs tree in the wood – did it for proximity

GL – didn't have a gravaltions bias toward the line

WH – may want to do analysis – saw that tree and may be liable

Ed – painted to come down – 90% of the life in the tree gone – expensive if need to take down

SB – comments

-
- not say much about particular trees before – hearing 12” – what is the delineation that falls

GL – if in scenic way falls under jurisdiction

?? - her 39 plus were not on the – counted more trees marked with X's

Ed – some were questioned if town or private

WH – errored on the side that it could be town property

?? – if says 17 if public ann. In paper – concern that really like 60

SB – only 17 are under the perview of this hearing – found 16 of 17 – others in the town layout – all had been first marked by NSTAR and then MR. Hink – on public property – those without

Ken F – provided NSTar with public layout of Pine ST.

?? – have agreed with all in the public way

Ed H – the ones with the white mark are agreed to – yes

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GL – the controversial one is the Oak – saw from the picture

Ed H – marked it to come down – endanger public way – starting to fade

Pete Peter – 3 quest; - will all the slash get taken

WH – all materials get chipped up and removed

Ed H – many asking for the wood so said leave for one week

WH – give latitude up to two weeks to the contractor to get it out of their – clean up the wood so log truck can get – getting approval because the trees are not our property

PP – looked at Harding St – how do you select the trees – Maples were left – smaller ones marked

WH – quest. To scenic process – do target 1.5 to 12” trees usually under lines and will grow up under the conductors – lag can prune and get some aesthetic – could be species fast growing species – canopy good in forest

Edh – not

PP – NSTAR at select meeting – Mr. Mac suggested clearing be from ground to sky

WH – he is supporting our program – don't believe going straight up – over hang acceptable depending on species such as oak tree – selective process for specific trees
Athompson – procedural question – when vote

SB – will decide in a few minutes

Mr. McL – not aware until today

EF – posted in Press – Sept 13 and 20

WD – give #

WH – 1-800- 592 – 2000 gets to customer information center and direct to Bill Hayes (himself) –

WD – backup

WH – that number will get to one of us – William Hayes at nstaronline.com – also call own tree warden

SB – how to proceed –

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TS – opinion with Ed h assistant and board checked had open discussion and ken feeneu
– have enough – info to vote

GL – gone through all – have enough to vote on – could continue on Pine Street – past
history

SB – close for 4 streets and keep open for Pine St

VOTED to close

Chose date for Pine St. –

Voted to accept list on C, F, and Orchard as listed and Noon Hill to add one Pine and
subtract 1 Oak and 1 Birch.

GL – Noon Hill clumps under the line

Ed H – won't mature

SB – conditions

Ken – do contact tree warden before cutting – Ed will know trees – have cut them down
to number of crews

Ed – they check every day
October 22nd at 8 P.m.

ANR PLAN – 52 HARDING STREET

Mr. Dickinson recused himself from the discussion since the parcel being reviewed was
his own.

VOTED unanimously to endorse an approval not required under subdivision control law
plan dated 26 September 2001 and drawn by Landmark Engineering of Norfolk MA
showing lot 1A to be combined with lot 2B and lot 2A to be combined with lot 1B, lots
1A and 2A each having 400 square feet.

LILAC LANE

Administrator Cronin reported receiving a fax from Mr. Ricciardi about work on Lilac
Lane as well as a report from Chairman Browne that catch basins had been installed at
what appears to be stations 1+30 and 1+70. Such plan and installation was not approved
by Mr. Domey. As a result a letter was sent to Mr. Ricciardi at the advise of Town
Counsel reminding him that if he continues to perform work without the prior approval
of authorized town agents, he exposes himself to having to redo the work properly. She

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reported that Mr. Domey is reviewing a similar plan for catch basins at those locations and will be making a report. However, he is concerned particularly about the upper location as well as ponding over the diffusers that could indicate that they are blocked, particularly the diffusers to the southeast of Lilac Lane. Mr. Ricciardi is also concerned about which engineer would supervise the paving.

The Board will have its own engineer, Dale MacKinnon, supervise the paving when the time is appropriate. Mr. Domey will be advised in the event he wishes to be on site at the time.

As far as the Board is concerned, and as stated in the letter to Mr. Ricciardi, the plan in effect to be completed by him is as stated in the August 30, 2001 letter from Earth Tech, Inc.

Respectfully submitted,

Elissa G. Franco, Secretary
MEDFIELD PLANNING BOARD

11/05/01

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

Meeting convened at 8:00 p.m. by Chairman Browne.

There were no appointments.

LILAC LANE/SUMMER MEADOWS

Town Counsel Cerel met with Board of Health Agent Bill Domey, developer Paul Ricciardi and his engineer, John Glossa on-site today to view the drainage galleys. Mr. Domey said the galleys would have to be pulled since he was unable to determine if they were operating effectively. Mr. Glossa still needs to provide a final grade plan the Planning Board engineer's request and that plan would need to be implemented.

Wright Dickinson suggested using a camera to view inside the galleys. This message will be passed on to Town Counsel.

MEETINGS OF OTHER COMMITTEES

- The Open Space & Recreation Plan will be reviewed at a public hearing Wednesday, November 7th.
- Thursday, November 8th will be a meeting of various boards/committees/organizations to discuss town preservation. This meeting is called by David Temple, Historical Commission Chair. Steve Browne will attend.

SUBDIVISION UPDATE

Robinson Road

The proposed subdivision plan has not been submitted as of today.

Chairman Browne reported that Town Counsel Cerel represents the seller of the property and as such has a conflict of interest. The Board will need to hire an attorney for review during the subdivision approval process.

Erik Road

The case still remains to be heard by the Appeals Court.

Conservation Commission has granted an Order of Conditions for six lots on the property with several requirements to be met, including separate Orders of Conditions for each lot and a "no further subdivision" for the property.

Dela Park

The developer has requested review and reduction in surety. Such request has been made to the Planning Board engineer.

This is an old subdivision where several items were incomplete when last reviewed, including the detention basin.