



# TOWN OF MEDFIELD

Office of the

## ZONING BOARD OF APPEALS

MEETING OF:  
**January 5, 2022**  
MINUTES

**Members Present:** Chair Jack McNicholas; Jared Spinelli, Associate Member; Jared Gustafson, Associate Member; William McNiff, Member

**Members Absent:** Charles Peck, Associate Member; Michael Whitcher, Member

**Staff Present:** Sarah Raposa, Town Planner

**Others Present:** Atty. Paul Haverty, Steve Bouley (Tetra Tech), Deborah Bero, Leslie Scier, Osler Peterson, Joe Scier, Meg Famino, Atty. James Murphy, Robert Borrelli

**Location:** Remote meeting held on Zoom

At 7:00 pm, Chair Jack McNicholas called the meeting to order.

**“Hinkley South 40B” from Medfield Holdings LLC (applicant), with respect to property located at off Ice House Road (per Purchase and Sales Agreement with current owner, Town of Medfield); Assessors' Map 64, Lot 001; RT/IE Zoning District with partial Primary Aquifer Overlay. (Continued from 12/1/21)**

Chair McNicholas confirmed the sitting members are: Jack McNicholas, Jared Spinelli, and Jared Gustafson; and Bill McNiff is sitting as an alternate member. He gave a summary of the agenda for the evening. Attorney Murphy will send the updated and revised waiver requests to Attorney Haverty to start fleshing that section of the decision out. Attorney Murphy summarized the progress since the last hearing (floorplans, heights, RFP info and sale prices, additional information, landscape plan). Chair McNicholas recapped the site visit. The Board discussed the proposed screening and Sheet 14 was referred to and the arborvitae would be weaved in to provide a 6-8' high screen. The Board discussed the proposed 4' fence, final grade, building heights, and potential sightlines from the abutting Bishop Lane properties. Mr. McNiff asked about the fence and Attorney Murphy discussed the purpose of the fence was to keep a barrier so people don't walk through the woods to Bishop Lane but didn't necessarily want the residents to feel “trapped” by a taller fence. The arborvitae are the visual barrier but the fence is the barrier. Mr. Spinelli noted the need for compromise between what the neighbors have expressed as concerns and mitigation. Is it possible to have another strip of arborvitae along the fence line? Chair McNicholas agreed that the 150' setback is not possible but how can we make the mitigation work for both side. The Board likes the notion of adding another row of arborvitae closer to the fence.

Chair McNicholas opened the meeting to attendees.

Osler Peterson, speaking as a resident, confirmed receipt of his email that included a copy of the Copperwood and Bishop residents that was sent to the Selectmen in April. Raposa confirmed the revised site plan was posted to the Document Center.

Joe Scier, clarified his perspective in that his property extends down to Units 19/20. He notes Chapel Hill Estates have very small setbacks. He agrees that additional arborvitae would be helpful.

Meg Femino is concerned about the density and the fact that neither the arborvitae nor fence extend north along her property line and she is exposed to the entire development. Discussion about the wetlands and plantings in the buffer zone, preferably to the shed area. Board members confirmed they have been to Copperwood and Bishop.

Deborah Bero cited concerns about the intrinsic properties of the natural environment for noise, wetlands, and other environmental impacts.

Osler Peterson offered to help re-design the layout to create more separation.

Chair McNicholas agreed that conversations may be had about the mitigation but not a reduction of units. Mr. Spinelli confirmed the 150' perspective. Mr. McNiff noted the buffer is dense even in winter and will be broader in the summer. Attorney Murphey felt that Mr. Peterson's assertions were unfair in that the developer have met with the direct abutters. Chair McNicholas reminded everyone of the process and that if an agreement couldn't be formed then the ZBA would have to make the decision; but prefers an attempt to be made having the benefit of this discussion.

Steve Bouley summarized the status of the engineering review. The stormwater report was revised and feels the project is well done with no major issues. They made recommendations for the developer to confirm with DPW capacity for water/sewer and access for stormwater maintenance. Attorney Murphy will reach out to Mark Cerel regarding the form for this easement.

At Ms. Raposa's prompting, Attorney Murphy provided a 30-point summary regarding various items relating to the development. The Board reviewed and discussed each item with feedback from Mr. Bouley.

Attorney Murphy has some items to follow up on and stormwater will be reviewed at the next meeting. The Board confirmed that Attorney Haverty should commence drafting a decision for review by the Board on February 2<sup>nd</sup>.

Mr. Gustafson motioned to continue the hearing to February 2, 2022 at 7:00 pm. Seconded by Mr. Spinelli. Roll call vote: Jared Spinelli = yes, Jack McNicholas = yes, Jared Gustafson = yes. The Vote: 3-0.

**Annual Town Report** – due by 1/15/22

**Minutes** – tabled to next meeting

**Adjournment** – At 9:25 pm Mr. Spinelli motioned to adjourn the meeting. Seconded by Mr. Gustafson. Roll call vote: Jared Spinelli = yes, Jack McNicholas = yes, Jared Gustafson = yes. The Vote: 3-0.

**Respectfully Submitted,**  
Sarah Raposa, Town Planner

**Documents:**

[16695 Stormwater Report 122321 \(PDF\)](#)

[Hinkley South Ltr ZBA 1.3.22 Addl Detail](#)

[Hinkley South Ltr ZBA 1.3.22 Addl Detail \(PDF\)](#)

[Ltr Medfield ZBA Hinkley South Waiver Requests 1.5.21 \(PDF\)](#)

[Peterson email 12-15-21 - Fwd Hinkley South Project Femino Scier Lot Line details \(PDF\)](#)

[Response to comments 122321 \(PDF\)](#)

[Revised Plan Set -- 16695-1-15 \(PDF\)](#)

[Scier email 12-15-21 Femino Scier Lot Line details \(PDF\)](#)

[Tetra Tech Review 2 - HinkleySouth-ZBARev\(2022-01-05\) \(PDF\)](#)