



TOWN OF MEDFIELD

Office of the

ZONING BOARD OF APPEALS

MEETING OF:
February 2, 2022
MINUTES

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

Members Absent: Jared Spinelli, Associate Member; Charles Peck, Associate Member; Michael Whitcher, Member

Staff Present: Sarah Raposa, Town Planner

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

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 & 1/5/22)

Chair McNicholas confirmed the sitting members are: Jack McNicholas, Jared Gustafson, and Bill McNiff. Jared Spinelli had an unavoidable conflict and is unable to attend the meeting in person. Mr. McNiff will be the third voting member and Mr. Spinelli will participate as the fourth member and will exercise the Mullin Rule in case he does need to sit for another member at the next session. No objection from Mr. Murphy. Chair McNicholas summarized the discussion items for tonight. Mr. Murphy summarized the updated information since the last meeting:

- Fence height increased from 4’ to 6’
- Extra row of arborvitae on a portion of the 3 Bishop property line
- Units 15 and 16 make up a footprint of ~3000 sf and over 100’ away; which is consistent with other buildings in the existing neighborhood.
- Traffic conditions letter
- Waivers list supplemented by the Subdivision Rules and Regulations
- DPW confirmation of adequate water and sewer
- Deck enclosure calculations are consistent with submitted materials
- Forebay liner options submitted
- Conservation Commission tomorrow
- Access & utility easement drafted with town counsel
- Surety
- Energy Committee correspondence has been received, not inclined to take suggestions at this point
- Would like a draft of proposed conditions prior to the vote; Chair McNicholas concurred that was their standard process and Mr. Haverty has already commenced drafting the decision.

Rob Truax walked the Board through the stormwater design starting with a history of the existing basin adjacent to the Senior Center and the new basin proposed for the Town land in front to the Center. The existing flow of the site flows towards the wetlands, flows around the rear of the Center and to the existing basin area. The new basin will pipe water to the lined forebay for pre-treatment and then recharge the aquifer. All of the site stormwater is infiltrated on-site. No waivers from the more stringent Town stormwater standards are requested. Hooking into Town water & sewer. No ability to change the access to Ice House Road cul-de-sac as it is also the town's emergency helicopter landing pad. The access is also the access to the Town's materials storage site. The Bay Circuit Trail was realigned. Chair McNicholas inquired about the site grade and fill. Mr. Truax described the proposed fill and the existing grades and flow of water (away from Bishop Lane) and addressed concern stated regarding the visual impact of houses on the raised grade and flow of water. A proposed gate or signage on the access road was discussed; to be finalized. Mr. Bouley indicated that the stormwater comments have been satisfactorily addressed.

Mr. Bouley noted that the traffic study was done per industry standard. Restriping cul-de-sac was recommended for Ice House Road to minimize impacts. Muller recommended a raised crosswalk at the end of the access (Atty. Murphy wondered if that was practical given the DPW trucks). Parking on the 20' roadway widths were discussed. Roadway B was a concern for Tetra Tech because of the dead end but it was not identified by the Fire Department. Delivery drivers and others will learn the site over time. Each unit has one garage space and one driveway space. Recommend reviewing Kingsbury Club site plan for stop sign and stop sign requirement; if not, work with them to require it. Ms. Raposa asked for clarification on the irrigation and Atty Murphy confirmed that it was all set. Mr. McNiff asked for clarification on the forebay liner options. Mr. Bouley confirmed that the plan is at a point where the Board can make a decision.

Chair McNicholas opened the hearing to participants.

Jim Nail of the Medfield Energy Committee spoke to his comment letter that was submitted on 1/19/22.

Meg Femino, 4 Bishop Lane, shared photos and expressed concern about height of new houses and sound coming from the development. She is concerned about the fill/grade and is concerned about water in basement as she has never had it before. She requested additional arborvitae planted along her property lines into the 100' buffer. The applicant agreed to request additional plantings but if it extended the timeline with ConCom then Ms. Femino agreed to request the plantings after this process. She sought clarification on recourse if she does get water in her basement.

Joe Scier, 3 Bishop Lane, clarified the process and his position. He is seeking additional arborvitae along the triangular area behind units 18, 19, and 20.

Osler Peterson, 10 Copperwood Road, speaking as a resident:

- Require 8' arborvitae and appropriate maintenance
- Site to be raised; elevation and flow discussed
- Basement flooding on Bishop Lane
- Zoning, expectation of 40,000 sf lots and 150' buffer should be incorporated
- ZBA should be protectors of neighborhood
- He offered to meet with the developers to work through the development design

Mr. Truax noted the grades and described the flows toward the wetland area from the cul-de-sac, noting shallow swale shown on the plan. He confirmed that if there is no flow onto Bishop Lane from the site now, then there will not be flow from the site post-construction.

Deb Bero, 10 Copperwood Road, speaking as a resident, asked about the impact of the new basements on the flow of water. Mr. Truax noted the new grade places the basements above the water table. She indicated her understanding of the situation and Mr. Truax stated that he can predict the flow of water based on the work he has done. She addressed the traffic study and the convergence with the Center, Kingsbury Club, Bay Circuit Trail, and Rail Trail parking, line of sights, stopping distances, speeding, and overflow of Kingsbury Club parking. Urges Board to consider traffic calming and parking issues. Not sure about the gate. She stated the DPW’s use of Lot 3 is inappropriate and inconsistent with the zoning bylaw requirements for the buffer zone between IE and residential zones.

Chair McNicholas discussed the process of working on the draft decision, waivers, timeline, etc. The Board will identify potentially controversial issues or open items based on their readings on the initial draft decision and info presented at the public hearing to Ms. Raposa as soon as possible.

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

Minutes – (10/13/21, 12/1/21, 1/5/22)

- Mr. Gustafson motioned to approve the minutes of October 13, 2021. Seconded by Mr. McNiff. Roll call vote: William McNiff = yes, Jared Gustafson = yes, Jack McNicholas = abstain,. The Vote: 2-0-1.
- Chair McNicholas motioned to approve the minutes of December 1, 2021 and January 5, 2022. Seconded by Mr. McNiff. Roll call vote: William McNiff = yes, Jared Gustafson = yes, Jack McNicholas = yes,. The Vote: 3-0.

Adjournment – At 8:59 pm Mr. Gustafson motioned to adjourn the meeting. Seconded by Mr. McNiff. Roll call vote: William McNiff = yes, Jack McNicholas = yes, Jared Gustafson = yes. The Vote: 3-0.

Respectfully Submitted,
Sarah Raposa, Town Planner

Q&A (live answers)	Asker Name
Jim Nail from the Medfield Energy Committee here. If they have any questions about my comments, I'm happy to address them.	Jim Nail
The MEC understand this is not a requirement, we are merely requesting they have a conversation with MassSave to understand how this request can be incorporated into their project going forward in a way that would not disrupt their plans. Plus it would result in a development that would have additional benefits to the residents.	Jim Nail
What would our recourse be if we did get water in our basements?	Meg Femino-BILH
So will that flood my backyard? If it runs off the houses towards the wet land.	Meg Femino-BILH
It looks like it is pointing it into my back yard.	Meg Femino-BILH
does Mr. Truax know the elevation of the ground water at the site?	Osler Peterson

Documents:

[22001 Traffic Letter 011722 \(PDF\)](#)

[Femino email 02-02-22- Hinkley South - Revised Landscape Plan \(PDF\)](#)

[MEC comments on Hinkley South 011922 \(PDF\)](#)

[Meeting Packet as of 01-31-22 \(pdf\)](#)

[murphy email 01-11-22 - Hinkley South - Revised Landscape Plan \(PDF\)](#)

[revised site plan set 012522 - Color \(PDF\)](#)

[revised site plan set 012522 \(PDF\)](#)

[Scier email 02-02-22 - Hinkley South - Revised Landscape Plan \(PDF\)](#)

[Tetra Tech Review 3 - HinkleySouth-ZBARev\(2022-02-01\) \(PDF\)](#)