



TOWN OF MEDFIELD

Office of the

PLANNING BOARD

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

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MEETING OF:
August 2, 2021

MINUTES

Members Present via Zoom Meeting: Teresa James; Paul McKechnie; Sarah Lemke; Jim Brand; Seth Meehan, Chair; Jamie Sullivan, Associate Member, Blake McDermott, Associate Member

Staff Present: Sarah Raposa, Town Planner

Others Present: Brad Harris, Bryan Cotter, Garrick Myers, James Murphy, Janine Wilson, Joseph Myers, Miles Caldwell (RBI), Nathan Bazinet, Steve Bouley (Tetra Tech), , Thomas Nightingale, Thomas Caveney, Tod Binkowski, Austin Chartier (MEG), John Harney, John Porter, Mark Iamonaco

Location: Virtual Zoom Meeting

At 7:33 PM, Chairman Meehan called the meeting to order and did a roll call.

Approval Not Required (ANR) Plans –

Bryan and Jacquelyn Cotter, 6 Spruce Way, Parcel ID 66-044, for the purpose of creating two additional lots with frontage on Shining Valley Circle

The Cotters and Mr. Murphy entered the meeting. Mr. Murphy began the presentation. The parcels are located on a private way, which the Cotters have adequate access to. They meet the required frontage and setbacks. This is an endorsement request for a compliant ANR plan.

Chairman Meehan asked if there were any questions. Ms. Raposa added that she looked at this plan with Town Counsel Cerel. She investigated what the legal access for the owners of the parcel on 6 Spruce Way had on Shining Valley Circle, and looked into what the Cotters' rights are. In the supporting documentation that Mr. Murphy supplied, there was evidence that the current owners have the rights to the old private way that was once Shining Valley Circle prior to it being upgraded to Shining Valley Circle.

At 7:37 PM, Thomas Nightingale wrote in the Q&A: "Can they explain the access plan for the lots from Shining Valley vs Spruce?" Mr. Murphy responded that this private way has existed since at least 1912. In the 1912 plan, it shows that the parcel ended at 5 Shining Valley Circle and it bordered on land that was owned by the Allen family. In 1937, there was a land court approval that indicated that everyone who occupied lot 5 had rights to use the entirety of the private way up to Pine Street. A rectangular piece of land was sold off by the Allen family to the Mackenzies. The Mackenzies then sought clarification as to whether or not they had rights

to the land on the bottom of Pine Street. They received an easement from the Landfelds which stated that they had the right of ingress and egress to pass and repass from and to Pine Street and over said way, as ways are commonly used in the Town of Medfield, and shall have the right to install and maintain utility services, including but not limited to sewer line and facilities appurtenant thereto over, on, and under the said way.

Mr. Cerel added that in Medfield, the law requires that access to a lot be to its frontage, so if these lots are not fronting on Shining Valley Circle, they would need to obtain relief from the ZBA.

Ms. Lemke asked if the board typically has ANR plans signed by the engineer before they review them. Mr. Murphy said that the plans have been signed by engineers.

At 7:43 PM, Nathan Bazinet wrote in the Q&A: "Could Attorney Cerel comment on the Planning Board's restrictions noted on Plan 490 of 1997? Including: 1- Lot 1 and Lot 2 shall not be subdivided. Do these restrictions no longer apply?" Ms. Raposa said no.

At 7:44 PM, Thomas Nightingale wrote in the Q&A: "Does this mean that this portion of the "old way" will now be considered property of the town and therefore maintained by the Town? If not, does this mean that the new potential lot owners will assume that responsibility?" Ms. Lemke responded that the endorsement of an ANR plan does not change the status of a roadway as a public or private way and it does not change the status of the maintenance of that road.

Ms. Lemke made a motion to endorse the ANR plan for 6 Spruce Way. Seconded by Ms. James. Roll Call Vote: Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

Mr. Murphy and the Cotters exited the meeting.

Change of Use Determinations – none

7:35 pm – Continued from 6/21/21, 7/19/21: 2 Ice House, LLC (applicant) seeks a modification of Site Plan Approvals dated January 22, 2007 and October 15, 2018. 2 Ice House, LLC proposes to construct photovoltaic (PV) solar arrays in the form of a parking canopy structure over the existing parking lot associated with the Kingsbury Club. The project proposes approximately 43,275 sf of PV solar arrays, and associated infrastructure (including transformer pads and about 1,100 linear feet of subsurface electrical conduit). The property is owned by the Town of Medfield and is leased to the Kingsbury Club. The property is located at 2 Ice House Road in the IE Zoning District with Primary Aquifer Overlay and is shown on Assessors' map 56 as lot 045. THE PRESS: June 4, 2021 & June 11, 2021

The applicant and their team entered the meeting. Mr. Porter, CEO of Clean Footprint, began the presentation and talked about how the solar canopies will be beneficial to the environment in Medfield. Mr. Chartier brought up some of the items that were pending at the last meeting. On July 13th, the Board of Health issued an amendment to the stormwater permit. This also went out to EBI consultants to be peer reviewed. The proposed change in the zoning language has yet to be signed off on by the Attorney General. The parcel is in the IE zoning district, and if the new language is signed off on, a solar canopy overlay district will be created. The

canopies would function as accessory structures within the sub-lying district. Mr. Chartier noted that this project complies with setbacks, and that the clearance has been raised to fourteen feet.

Chairman Meehan asked Mr. Chartier if he had had a chance to read the DPW's concerns regarding trench access. Mr. Chartier responded that they received a formal letter from Maurice Goulet and have had subsequent conversations with him. Mr. Chartier and his team are going to take these concerns into consideration as the project progresses. Mr. Cerel said that Mr. Chartier and his team should map everything out to demonstrate that they are addressing these concerns. Mr. Myers said that they plan on identifying the underground utilities. Mr. Cerel expressed concern that the solar canopies will damage the structural integrity of the water mains, and so he emphasized the importance of getting this peer reviewed.

Chairman Meehan added that Mr. Goulet wanted 8 foot clearance horizontally in addition to the 14 foot vertical clearance. Mr. Myers asked if Mr. Caldwell could speak to what typical clearances he has seen with RBI and if he could speak to his experience with managing utilities. Mr. Caldwell described the typical process RBI goes through, and said that they are always making adjustments to their projects to make sure they are not compromising the utilities. Mr. Caldwell agreed that if there are any adjustments needed, they will return to the board with a report and a proposed solution.

Mr. Cerel recommended that the applicant outline an agreement that included reference to various exhibits, including an engineered plan and all of the specs of this project. The agreement would incorporate these items by reference. This would also include a legal note which would have an indemnity hold harmless by the owner of the project to the town. It would also waive any claims in advance of any damage the town might do, for it to service the utility. Chairman Meehan and Ms. Raposa agreed with this.

Mr. Bouley began to outline the list of concerns expressed in the letter from Tetra Tech. He echoed Mr. Goulet's concerns. He also mentioned that there is a concern regarding whether a fire truck ladder would still be able to be functional, given how close the canopies are to the building. He asked the applicant if they could change the sighting of the canopies. Mr. Myers responded that he and fire chief Kericho agreed on a new design that would give the ladder truck access to reach the rooftop. The fire chief confirmed that he could access all sides of the building. Mr. Chartier added that they performed a turning analysis with the Medfield ladder truck in the back of the building.

Mr. Bouley added that there has been a concern about the columns being impacted by vehicular traffic since they are located next to parking spaces. The plan shows that the concrete columns are near grade, and they have steel coming off of them which could potentially be damaged by a vehicle. Mr. Bouley said that he has requested that calculations be provided to the Building Department to confirm that they are impact rated. He also has recommended that the applicant add something at the lower end of the structure to prevent snow and ice from falling onto pedestrian pathways. Mr. Caldwell said that RBI has calculated that if a fast moving vehicle were to hit the structure, it would not cause significant damage. Mr. Bouley recommended that Mr. Caldwell submit those calculations for the record. Mr. Binkowski said that snow guards will be built onto the structure to prevent snow and ice from falling onto pedestrian paths. Mr. Bouley said that Tetra Tech has requested 14 foot clearance for the vector trucks that will be used for the stormwater system. They also requested an O&M plan be submitted, and that the applicant provide fencing for the electrical equipment in the rear of the site. The applicant should also provide a plan detailing what will happen once the solar development is through its lease span. Mr. Bouley asked if batteries will be involved in this project. Mr. Binkowski

responded yes. Mr. Bouley asked if the fire department has weighed in on the batteries and their storage. Mr. Binkowski responded that they have mentioned it to the fire department and they will continue to work with them on the project. Mr. Bouley suggested that they get something in writing from the fire department regarding this. He also recommended that the applicant submit a CMP plan prior to construction.

Ms. James asked if the applicant will also consider the North side of the canopies to be a pedestrian way when deciding where to put snow guards. Mr. Myers said that there will not be snow guards on that side of the canopies since that is the side where they slope upward.

Mr. Bouley recommended that the board consider adding items to the development that will capture runoff, by providing a roof structure and gutters, which will directly discharge the runoff into onsite recharge, since this project is located in the Aquifer Protection District. Meeting panelists discussed whether or not this would be a good idea. It was agreed that the applicant will send information to the Planning Board to help the board to better understand why this may not work economically. Mr. Bouley added that Tetra Tech is recommending that the applicant get confirmation that their columns are compliant with the regulations of the Massachusetts Architectural Access Board.

Ms. Raposa said that she would like the board's opinion on what items they would like to put in conditions. She said that she will check in with the building commissioner, Mr. Pelletier, about the list of items Mr. Bouley presented today. She then began a discussion about the landscaping plan. It was recommended that the applicant add some vegetation to the area to make it look nicer. Mr. Myers responded that he had a discussion with the Kingsbury Club, and they told him that adding more plantings would not be feasible because of the shape of the parking lot and because it would limit snow plow access. Mr. McKechnie responded that he thinks that the applicant should consider providing some plantings on the island in the parking lot which would accommodate snow storage and would provide a buffer to the abutters. The applicant agreed to find a landscape architect to try to come up with a plan.

Mr. Cerel suggested that the applicant focus on establishing the location of the utilities, citing the installations, and working on the specs that Mr. Cerel mentioned earlier. Chairman Meehan and Mr. Myers agreed.

Ms. Lemke made a motion to continue this public hearing on the solar canopy at the Kingsbury Club until August 16th at 7:35 PM. Seconded by Ms. James. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

The applicant and their team exited the meeting.

Administrative:

Annual/Special Town Meeting Prep (Mapping project, Floodplain Zoning, Table of Use/Food Cupboard)

- Tabled

Medfield State Hospital Update (if needed) - Ms. Raposa said that a formal press release has been issued, which is on the town's website. Two responses were submitted. One was from Trinity, which seemed to align with elements of the master plan on most elements. It was a historic rehab and affordable housing based plan. The second was submitted by Pulte Homes, which mostly did not align with the master plan. The Development

Committee will meet tomorrow night to outline their review process. The review will take thirty days, and afterwards they will begin the interview process.

Townwide Master Planning Committee (if needed) – Teresa James – Jay Duncan is on the agenda for tomorrow night at the Board of Selectmen’s meeting.

Affordable Housing Trust Update (if needed) – Jim Brand - Mr. Brand said that the RFP for incentivizing smaller scale housing projects will be going out in August. Ms. Raposa said that their Hinkley South LDA is on the Board of Selectmen’s agenda tomorrow night. She added that there are five more affordable units at the Chapel Hill landing which will be in the lottery. Seventy percent of those units will have the local preference option.

Historical Commission Update (if needed) – Seth Meehan - The commission looked at the barn/garage on 62 Bridge Street and determined that the demolition should not be delayed.

Minutes (7/19/21) - Tabled

Ms. Raposa said that her, Mr. McKechnie, and Mr. Sullivan are working on a subcommittee having to do with stormwater. This will help to bridge gaps between the Board of Health, the ZBA, and the Planning Board, and will take into consideration all of the bylaws of these various groups. Ms. Raposa, Mr. McKechnie, and Mr. Sullivan agreed to meet tomorrow from 5:00 PM - 5:55 PM.

ADJOURNMENT - At 9:29 PM, Mr. McKechnie made a motion to adjourn. Seconded by Ms. Lemke. Roll Call Vote: Jim Brand = yes; Sarah Lemke = yes; Seth Meehan = yes; Paul McKechnie = yes; Teresa James = yes. The Vote: 5-0.

Respectfully submitted,

Lily Maranci, Administrative Assistant