

Tuesday, June 14, 2022
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio	Jessica Chabot	Sarah Raposa
Attendance	Absent with Notice	X	X	X	Absent with Notice	X

PRESENT:

Barbara Saint Andre, Director of Community and Economic Development attended via Zoom.

The meeting was opened at 7:00 pm

PUBLIC COMMENTS:

There were no public comments

APPOINTMENTS TO DESIGN REVIEW COMMITTEE AND OPEN SPACE COMMITTEE:

The Board is in receipt of the following: (See Attached)

- Memo dated June 7, 2022 from Susy Affleck-Childs re: appointments to the Design Review Committee
- Memo dated June 7, 2022 from Susy Affleck-Childs re: appointments to the Open Space Committee.

Design Review Committee Appointments:

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to appoint Matt Buckley and Janine Clifford to the Design Review Committee for a two-year term ending June 30, 2024 and to appoint Tom Gay as the PEDB representative for a yearly appointment until June 30, 2023.

Open Space Committee Appointments:

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to approve the reappointments of Denise Legee, Charlie Ross, Jim Wickis, Joanne Williams, and Andrea Burke to the Open Space Committee for a two-year term to June 30, 2023 as noted in the memo from June 7, 2022.

FIELD CHANGE DISCUSSION – SALMON WILLOWS COTTAGES:

The developer's representative Peter Beemis was present along with developer John Burns. Mr. Burns

communicated that there is another modification in order to proceed. **See attached proposal.** In November 2021, the PEDB approved their requested field change to reduce the footprint of the duplex buildings on Waterside Run and modify the architectural style of those cottages. They now wish to further reduce the building footprint to address site constraints and further refine the architecture. They had planned to discuss this with the DRC on June 6, 2022 but there was an issue with the Zoom link, so the DRC meeting was rescheduled to June 22, 2022.

Reducing the footprint will provide for more green space and move the houses further away from wetland resources.

The Board is in agreement that the reduction of the unit footprints does make sense but wants to hear from the DRC regarding the architecture.

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to approve the requested field change conditioned on a positive recommendation of Design Review Committee for the architecture.

The developer is also looking to be able to have an option for single-family detached homes since the original ARCPUD decision did not mandate duplexes. They will discuss this with the DRC on June 22. The Board will place this matter on the June 28, 2022 agenda at 7:30 pm. for further discussion on the single-family home approach.

APPROVAL OF MINUTES:

May 24, 2022 Regular Meeting Minutes:

On a motion made by Rich Di Iulio, seconded by Sarah Raposa, the Board voted to approve the minutes from May 24, 2022 as written.

May 24, 2022 Executive Session Meeting Minutes:

On a motion made by Rich Di Iulio, seconded by Sarah Raposa, the Board voted to approve the minutes from May 24, 2022 Executive Session minutes as written.

BOUNDARY LANE SUBDIVISION PLAN PUBLIC HEARING:

The Board is in receipt of the following which was entered into the record: **(See Attached)**

- Public Hearing Notice dated May 16, 2022
- Definitive Subdivision Plan Application
- Definitive Subdivision Plan dated February 17, 2022
- Development Impact Report dated April 1, 2022
- Request for waivers from *Subdivision Rules and Regulations*
- Abutter notification dated May 17, 2022
- Email dated May 23, 2022 from Marshall family in support of proposed subdivision.
- Tetra Tech review letter dated June 8, 2022

Chair Hayes noted that members Tucker and Chabot are absent tonight but will complete a Mullin Rule Certification which will enable them to vote on this subdivision.

On a motion made by Rich Di Iulio, seconded by Sarah Raposa, the Board voted to dispense with reading of the public hearing notice.

The Chairman opened the hearing for Boundary Lane Definitive Subdivision Plan for 67 R and 69 Summer Street:

The application was submitted by Zachary Lindsey with approval of property owners Linda Lindsay and David Sistrand. Also present for the applicant were Vito Colonna of Connorstone Engineering, attorney Steve Kenney, and Gerry Lindsey.

Project engineer Vito Colonna noted that the combined 11.38-acre site is located on the west side of Summer Street near the Summer Street/Highland Street intersection in the Agricultural Residential I zoning district. The Definitive Subdivision Plan of Boundary Lane is dated August 20, 2021, last revised February 17, 2022 and was prepared by Connorstone Engineering, Inc. The plan shows the reorganization of the subject properties into three residential lots, one lot with the existing house at 67 Summer Street, one lot with the existing house at 69 Summer Street, and a new lot for construction of a single-family house. All of the properties have frontage on an approximately 260' long permanent private road to be known as Boundary Lane. The project has been reviewed by the Conservation Commission and an Order of Condition was issued. There are two existing driveways. There is water, gas, and sewer on site. The new site will have a well which was approved by the Board of Health. There was a letter from the Fire Chief. There will be a hydrant and the house will be sprinklered. There will be no new utility infrastructure however, the applicant intends to drill a geothermal well for the new lot and not connect to existing gas service. The existing driveway is 12ft. and will go to 20 ft. This will be a permanent private way. There will be a Homeowner's Association for this site.

Consultant Bouley reviewed the plan for Conservation Commission. There are no encroachments on the proposed right of way. There will be a private sewer lateral connection. The DPW did review this. The applicant will follow-up with DPW to secure a review letter from them.

It was noted that connecting to gas service is a requirement of the Subdivision Rules and Regulations. The applicant will need to request a waiver to not do so and to install geothermal service instead.

There was an email of support from abutter, Kathy Marshall.

Ms. Saint Andre reminded the Board that the Town has a moratorium on sewer extensions. The applicant should have the DPW review this. The applicant noted that this was checked, and this is a connection to an existing line and is not an extension. The applicant will follow-up with a letter from DPW.

The Board also wants to see review letters from the Fire Department and from the Board of Health regarding the well.

Attorney Steve Kenney noted that the 3 property owners will create a homeowners' association to manage the road, stormwater, etc. and will send it to Susy Affleck-Childs

It was recommended that a decision be drafted for action at the next hearing.

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to continue the hearing to July 26, 2022 at 7:15 pm.

PLAN REVIEW FEE for Master's Touch Site Plan – 83 Main Street:

The Board is in receipt of the following: (See Attached)

- Tetra Tech plan review fee estimate dated June 8, 2022 for \$4,893.00

The Board is in receipt of the Tetra Tech review fee estimate dated June 8, 2022 in the amount of \$ 4,893.00 for the minor site plan for 83 Main Street for Masters Touch.

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to approve the plan review fee for 83 Main Street in the amount of \$4,893.00.

ANR PLAN – 14 Franklin Street:

The Board is in receipt of the following: (See Attached)

- ANR Application
- ANR Project Narrative
- ANR Plan of Land for 14 Franklin Street dated March 12, 2022, revised May 20, 2022, stamped June 6, 2022
- Review memo from Susy Affleck-Childs dated June 6, 2022

The Board is in receipt of an ANR application for 14 Franklin Street. The plan shows the division of the 46,103 sq. ft. property at 14 Franklin Street in the AR-II zoning district as follows:

- Parcel A – 5,359 sq. ft., located in the northeast corner of the property
- Lot 3 – 40,744 sq. ft. with 89.31 linear feet of frontage on Franklin Street, for which a frontage variance was granted by the Zoning Board of Appeals in August 2019. NOTE – The ZBA also granted a 2-family special permit.

Ms. Tatevosian wishes to convey Parcel A to abutting property owners Paul and Santususso at 2 Franklin Creek Lane so that they may have a larger side yard.

Because of the previously granted special permit and variance granted by the ZBA for the property, the applicant sought further authorization from the ZBA to change the shape of the lot as shown on the noted ANR plan by splitting off Parcel A. The ZBA approved this modification on May 4, 2022.

It was recommended to endorse the ANR plan.

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to endorse the ANR Plan dated May 20, 2022, stamped June 6, 2022 for 14 Franklin Street.

MASTER PLAN UPDATE:

There was a joint meeting on June 13 with the MP Committee, Select Board and Planning and Economic Development Board to discuss the strategies in the Master Plan. The language within the document was also discussed. The draft will be provided next week, and the goal continues to be approval at the Fall town meeting.

PEDB Officers, Representatives and Liaisons:

The Board is in receipt of the following: **(See Attached)**

- Memo dated June 8, 2022 from Susy Affleck-Childs

It was decided to hold off on officers and liaisons until the full Board is present.

CONSTRUCTION REPORTS:

The Board is in receipt of the following: **(See Attached)**

- Monthly report (Guerriere & Halnon) – Medway Site Plan
- Monthly report (Legacy Engineering) – William Wallace Village
- Monthly report (Connorstone Engineering) – Choate Trail Subdivision
- Monthly report (Rob Tiberi) – Cutler Place
- Monthly report (Rob Tiberi) – Evergreen Village

CORRESPONDENCE

The Board is in receipt of the following: **(See Attached)**

- ZBA decision dated May 18, 2022 regarding outdoor display special permit for Shaw's at Medway Commons
- Recent MA Supreme Judicial Court decision Tracer Lane II Realty LLC vs. City of Waltham re: validity of zoning bylaw regulation of installation of solar energy systems.

MILFORD REGIONAL HOSPITAL SITE PLAN AND GROUNDWATER PROTECTION DISTRICT PUBLIC HEARING CONTINUATION

The Board is in receipt of the following documents which were entered into the record: **(See Attached)**

- Public Hearing Continuation Notice dated May 11, 2022
- Site Plan dated April 14, 2022 by Guerriere & Halnon
- Traffic Impact Assessment report dated April 2022 by Vanasse & Associates
- Tetra Tech project review letter dated May 23, 2022 which included traffic review comments
- Review memo dated May 10, 2022 from Sergeant Jeff Watson
- Email dated May 15, 2022 from resident Matt Fricker
- Email dated May 11, 2022 from resident Andrew Page

The public hearing was opened by the Chairman. Chair Hayes noted that members Tucker and Chabot are absent tonight but will complete a Mullin Rule Certification which will enable them to vote on this project.

The focus of the presentation was on the report from Vanasse & Associates Inc. dated April 2022. Present were applicant Kevin Lobisser, project engineer Mike Hassett of Guerriere and Halnon, and Jeffrey Dirk of Vanasse and Associates.

The traffic report indicted the following:

- Project will generate 788 vehicle trips during week.
- The project will not result in significant increase on motorist delay or vehicle queuing over the future conditions.
- The study area intersections were found to have a motor vehicle crash rate that is below the Mass DOT Highway Division District 3 average crash rate.
- The lines of sight to and from the project site driveway intersection were found to exceed the recommended minimum distances for safe and efficient operation.

The shared access driveway (with Walgreens) should continue to provide two existing travel lanes and two entering travel lanes with existing traffic under traffic signal control. A sidewalk is proposed within the project site that will extend to the existing sidewalk along the north side of Route 109. The pedestrian crossing will include marked crosswalks. There will be width provided within the driveway to accommodate bicycle travel in a shared traveled-way configuration. There will be no GATRA bus service in this location. There will be an exit only from the front drive aisle based on Sergeant Watson's recommendation. The timing of the signals at both intersections will be looked at to reduce the length of the queues. Vanasse is preparing a response letter to the Tetra Tech review letter and will forward that to the Board and Tetra Tech.

Tetra Tech Consultants Steve Bouley and Courtney Sudak reviewed the Tetra Tech consultant letter dated May 23, 2022.

The following needs to be addressed:

- It is recommended that the Mass DOT crash data be provided for completeness
- Work with the Town to identify which safety improvements be implemented as part of the proposed medical office building project.
- The applicant should provide the supporting trip distribution calculations for review.
- Recommend the applicant consider evaluating traffic signal timing modifications at the 2 study intersections to determine if improved vehicle queuing can be achieved.
- The proposed parking of 102 spaces exceeds the Town requirement of 73 spaces.
- Evaluate the feasibility of restricting the southerly intersection with Walgreens to minimize vehicle conflicts on the north leg of the Route 109/Walgreens driveway intersection.
- Recommended that MUTCD compliant stop bar pavement markings be installed.

The applicant explained that there was a site walk with the Conservation Commission since the last hearing. The Conservation Commission want a full analysis of the condition of drainpipe. This was conducted with cameras and videos and the report will be provided at the next meeting. The Board did

request more information on the trash operations. This will be addressed with a single container. There will be transportation management measures. There will be two lanes entering and exiting with two connecting driveways. There will be about 41 employees which will need parking. The intent is for employee parking to be at the back of the site.

The applicant has approached Walgreens about possible shared parking.

There will be a contract for trash service which will stipulate the parameters for times of pick-up.

Ms. Saint Andre reminded the Board and the applicant that a supplemental special permit application may be needed to address the Central Business District zoning regulations.

The Chairman entered into the record the following email communications:

- Andrew Page, 11 Applegate Road – It was suggested to move the building closer to Route 109, remove some of the front parking and replace with more trees.
- Matthew & Courtney Fricker, 110 Village Street – They strongly disapproval of project as it will destroy agricultural land.

Comments from Public:

Resident, Jessica Collins, 9 Robin Circle. She wanted clarity that the snow will be hauled away.

At the last hearing, there was discussion about the applicant granting an easement to the Town for the stormwater pipe running through the property. The applicant was informed that Conservation and DPW is not interested in the granting of an easement to the Town.

The Board was informed that a forthcoming plan revision will also address comments from the Design Review Committee. The applicant communicated that they wish to discuss waivers from the *Site Plan Rules and Regulations* at the next meeting.

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to continue the hearing to July 26, 2022 at 7:45 pm.

The Board took a recess until the next agenda item at 8:45 pm.

**4 MARC ROAD (NEOORGANICS SPECIAL PERMIT MODIFICATION
PUBLIC HEARING:**

The Board is in receipt of the following documents which were entered into the record: **(See Attached)**

- Public Hearing Notice dated May 24, 2022
- Application to modify previously approved marijuana special permit decision
- Application submittal letter and narrative dated April 27, 2022 from Chad Blair
- Neoorganics marijuana special permit decision from January 2022.
- Email dated May 31, 2022 from Susy Affleck Childs to Town staff requesting review comments.
- Email dated June 7, 2022 from abutter John Lally

- Noise Survey letter dated April 11, 2022 from Andy Caballeria of Acentech, the applicant's noise consultant.
- Current Section 7.3 Environmental Standards of the Zoning Bylaw.

The public hearing was opened by Chairman Hayes. Chair Hayes noted that members Tucker and Chabot are absent tonight but will complete a Mullin Rule Certification which will enable them to vote on this project.

COO-NeoOrganics, Chad Blair was present. He explained that NeoOrganics wants to amend certain provisions of the previously issued (2020) marijuana special permit pertaining to the parameters of the required continued noise monitoring. The NeoOrganics decision specifies that the required noise monitoring needs to include measurements of ambient background noise levels without the influence of noise emanating from the adjacent marijuana facility at 2 Marc Road. This would necessitate the turning off of noise generating equipment at 2 Marc Road. Mr. Blair noted that the 2 Marc Road facility is a 24-hour operation and NEO has no ability to successfully request a shutdown of their operation. Accordingly, they are asking for relief on that specific testing protocol.

They would also like to reduce the number of noise monitoring points. The applicant noted that sound monitoring locations denoted as R01 to R07 are all on private property. Instead, they would like to substitute those for 4 sites that are on public property (street lines closest to 4 Marc Road. Acentech, the noise consultant for NeoOrganics, has indicated that 14 locations are not needed to obtain a suitable noise assessment.

Member Gay indicating he was not OK with eliminating the noise monitoring locations as proposed. He wants to see reasonable substitute locations. He wants to find the "sweet spot" between the 14 locations and the 4 spots now proposed. He referenced information submitted by the applicant to the Board in March and discussed at the April 12th meeting (when the applicant has requested authorization for an occupancy permit). That discussion was that there would be 7 agreed upon public locations. The Building Inspector, Jack Mee had agreed with those type of measurements.

It was suggested that future noise measurements be taken at the 4 Marc Road facility cardinal property lines, rather than the previously identified 14 property line points and to also measure noise levels at the 7 previously agreed upon community locations. It was proposed that the next facility noise monitoring test be based on the normal operating conditions of the building at each of the locations for 20 minutes during daytime operations and again for 20 minutes at each location after midnight.

The Chairman asked if the applicant could secure data on background ambient noise levels from 2 Marc Road which was already gathered (by CommCan). It was suggested that the applicant use points on the street with the same height.

A letter from Acentech from April 27, 2022 was referenced about the noise monitoring locations. The Board is fine using the 7 noted community location points since they were approved before. It was noted that some of the residents may be willing to allow for noise measurements to be taken on their property. The applicant has one more test to conduct. Accentech has indicated that they do not want to go on private property.

The Board feels this is really important to the abutters and that NeoOrganics needs to try to obtain access to the private properties.

Comments from Public:

Resident John Lally, 35 Coffee Street

John Lally sent an email dated June 7, 2022. He is terribly disappointed that the 4 Marc Road facility is producing noise that is adversely impacting his family. The noise along the back and westerly side of the facility varies considerably. Points PL04 – PL07 are on his property. He wants these included in the future noise monitoring.

It was explained that when standing at his property line and facing the NeoOrganics facility, the noise is propagating vertically from the HVAC equipment and spreading out over his family's property. That equipment has sound barriers around it but none on top. This is a nuisance. His personal observation is consistent with the 44dBA noise level that was documented in the April 2022 noise report. This is 16 dBA above the late-night minimum of 28 dBA measured in this area.

Allowing the 4 Marc Road facility to increase the noise at a residential property line is well beyond the bounds of reasonableness. Mr. Lally requests that the Board deny the applicant's request for relief from some of the noise testing requirements and that that the request not be considered until the adverse noise impacts of the 4 Marc Road facility are addressed. NeoOrganics needs to supply noise analysis and offer further noise mitigation measures.

Mr. Lally further noted that he wants the all the measurement points included. He expressed concern about taking measurement at the street instead of at the rear property line. Houses serve as buffers so the noise level at the street does not accurately measure the noise impact. The true noise is more accurately represented if measured at the back side of the homes. The applicant should reach out to the abutters. He reiterated that this is a nuisance situation.

It was noted that Ms. Affleck-Childs forwarded John Lally's June 6th email to Building Commissioner (Zoning Enforcement officer) Jack Mee as a complaint about the noise levels at 4 Marc Road for further investigation.

The Board would like a map showing the locations of the noise collection points and would like to see what the Building Commissioner has to say about the current complaint before acting on granting the applicant's requested relief.

Members Gay and Hayes indicated that they would be OK with reducing the number of measurement points particularly on the site's eastern property line adjacent to 2 Marc Road.

The applicant would like to stay with the existing plan but can reach out to the abutters about possibly taking measurements on their property. The applicant has spent thousands of dollars trying to mitigate this and the permit was approved by the Board in April.

The Board would like the applicant to make a good faith effort to contact the abutters with the intent to schedule noise testing at their properties.

Chair Hayes asked Mr. Blair to try to obtain the background ambient noise data for 2 Marc Road.

The applicant will provide a written update.

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to continue the hearing to August 9, 2022 at 7:15 pm.

MEDWAY COMMONS – BRIGHT PATH CHILD CARE CENTER – MINOR SITE PLAN PUBLIC BRIEFING:

The Board is in receipt of the following: (See Attached)

- Public Briefing Notice dated May 24, 2022
- Minor Site Plan Application dated May 20, 2022
- Email dated May 3, 2022 from Jack Mee
- Project narrative and parking information
- Site Plan dated May 19, 2022 by Tighe and Bond
- Stormwater memo dated March 19, 2022 from John Lorden, P.E., Tighe and Bond
- Abutter notification dated May 25, 2022
- Susy Affleck-Childs email dated May 31, 2022 to Town staff requesting review and comments
- Traffic Memorandum dated June 3, 2022 from Tighe and Bond
- Tetra Tech site plan review letter dated June 9, 2022

John Lorden from Tighe and Bond, Karen Johnson from Charter Realty and Development, and Harry Freeman from BrightPath Child Care participated by Zoom.

Chair Hayes noted that members Bob Tucker and Jessica Chabot cannot attend tonight's hearing but will fill out a Mullin Rule Certification to be able to participate in voting on the project.

The applicant seeks a minor site plan approval to modify a section of the existing parking lot in front of a portion of existing Medway Commons retail and restaurant spaces to accommodate construction of an approximately 15,000 sq. ft. outdoor play area for a new 12,700 sq. ft. childcare facility to be located within existing space at the southwestern end of the shopping center. The subject property is owned by Hidden Acres Realty Trust which holds a long-term lease with Charter Medway II LLC to operate the shopping center. The planned construction includes removal of pavement from 33 parking spaces, adding 7 parking spaces at the northern end of the play area, removal of an estimated 440 linear feet of curbing, removal of approximately 80 linear feet of driveway space, and removal of an estimated 2,040 sq. ft. of sidewalk to be replaced with installation of various play area surface materials, decorative fencing, landscaping, play space equipment, and amenities to be directly accessed from the childcare center. There will be 184 student spaces with 35 staff. The expected hours of operation are 6 am - 6pm Monday-Friday. The drainage will be addressed on site. The landscaping island will have shrub and trees. Changes to the access drive aisle were shown. The functioning of the rear drive will be primarily for tenants loading area. Peak drop off hours are 6 – 8 am or so and peak pick-up times are 4 – 6 pm.

They have opened other facilities in Quincy, Braintree, Norwood, Canton and will open in Maynard next week. Children are walked or carried into the facility by their parents; there is no drop off option.

The site plan was shown via Share Screen.

Board Discussion

There was a recommendation that the west end of the northern drive aisle be blocked. This is a dangerous area. There will need to be some mitigation with the traffic flow on site. The drop off area for the students was explained. There will be a two hour drop off and pick up time. The children will be walked into the classrooms by the parents. The lease obligation of the tenant has a parking requirement.

The applicant addressed the review comments from Tetra Tech and showed a slide with a map.

- Maintain 29 parking spaces
- Will add signature block on the plan sheets
- Stormwater drainage calculation were noted, and the applicant has met the requirements
- Will provide as built plan
- They will remove one triple head light pole and change an existing double head light pole to have 3 light fixtures.
- Parking count will be included in plan set
- There is an emergency access for fire truck access. Deputy Chief Fasolino provided an email expressing no concerns with the plan as presented.
- Pavement detail will be changed to specify 3.5 inches
- Lighting plan was shown and will comply
- The guard rail protection will be on playground area side
- Bollard will be added.
- There was a recommendation to have an area where staff can walk children in stroller and will utilize the crosswalk. The east/west cross walk across the main drive aisle will remain.
- The curb will show radius on the next plan set
- The construction fencing will be put on the demolition plan
- Fire lane stripping will be added
- There will be further discussion about recommendation for sidewalk
- There will be no impact to traffic

The applicant wants to be on the next agenda on the June 28, 2022 agenda at 8:00 pm. The applicant will revise the site plan and resubmit. The Board would like a draft of a decision to discuss at the June 28, 2022 meeting. Chair Hayes asked Ms. Saint Andre to prepare a draft.

The Board discussed whether Electric Vehicle charging stations would be needed. It was felt that this would not be required due to the nature of the tenant (quick turnover). The Board also discussed whether a sidewalk along the eastern side of the playground (outside the fence) is needed. The Board felt it was not needed as there is a sidewalk within the island of the next parking area that can be used to walk and carry kids into the center. TT traffic consultant suggested lengthening the island in the north/south drive aisle which the applicant agreed to do.

It was suggested that the applicant work with Tetra Tech to address the remaining issues.

On a motion made by Sarah Raposa, seconded by Rich Di Iulio, the Board voted unanimously to continue the hearing to June 28, 2022 at 8:00 pm by Zoom.

FUTURE MEETING:

- June 28, 2022

ADJOURN:

On a motion made by Sarah Raposa, seconded Rich Di Iulio by the Board voted to adjourn the meeting.

The meeting was adjourned at 10:26 pm.

Prepared by,
Amy Sutherland
Recording Secretary

Reviewed and edited by,
Susan E. Affleck-Childs



June 14, 2022

**Medway Planning & Economic Development Board
Meeting**

**Appointments to Design Review
Committee and Open Space Committee**

- Memo dated June 7, 2022 from Susy Affleck-Childs re: appointments to the Design Review Committee
- Memo dated June 7, 2022 from Susy Affleck-Childs re: appointments to the Open Space Committee

NOTE – Not ready yet with appointments to the Economic Development Committee.

Susan E. Affleck-Childs

Planning and Economic
Development Coordinator



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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT OFFICE

June 7, 2022

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Appointments to Medway Design Review Committee (DRC)

The current term of office for regular Design Review Committee (DRC) members Matt Buckley and Janine Clifford concludes June 30, 2022. Both are interested in continuing to serve on the DRC. I recommend the PEDB reappoint them to the DRC for a 2-year term through June 30, 2024.

We have been informed that DRC members Rachel Walsh, Dan Conolly, and Jess Chabot need to resign from the DRC due to work and family commitments. Their term of office concludes June 30, 2023. I am pleased to report there are two very promising candidates to fill those slots. I would recommend waiting a bit longer before appointing them so those individuals can attend another DRC meeting to become more familiar with the Committee's work. Also, Alex Siekierski may be able to rejoin the Committee and we have reached out to another party to see if DRC membership is something to consider.

Please note that Tom Gay presently serves on the DRC as the PEDB's representative; this is a yearly appointment.

The General Bylaw establishing the Design Review Committee specifies that the Committee is to be comprised of at least 5 and up to 7 members.

Susan E. Affleck-Childs

Planning and Economic
Development Coordinator



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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT OFFICE

June 7, 2022

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Appointments to Medway Open Space Committee (OSC)

The current term of office for Open Space Committee (OSC) members Denise Legee, Charlie Ross, Jim Wickis, Joanne Williams, and Andrea Burke concludes June 30, 2022. I am pleased to report that all of them wish to continue serving on the Committee. Yay!

I recommend the PEDB re-appoint Denise Legee, Charlie Ross, Jim Wickis, Joanne Williams, and Andrea Burke for a two-year term on the OSC through June 30, 2024.

For your information, the continuing members of the Open Space Committee are Tina Wright, Mike Francis, Laura Connolly, and Tara Race. Their term of office concludes on June 30, 2023.

The General Bylaw establishing the Open Space Committee provides for up to 9 members. With all the above noted individuals, the Committee membership is now full.

cc: Tina Wright
Denise Legee
Barbara Saint Andre



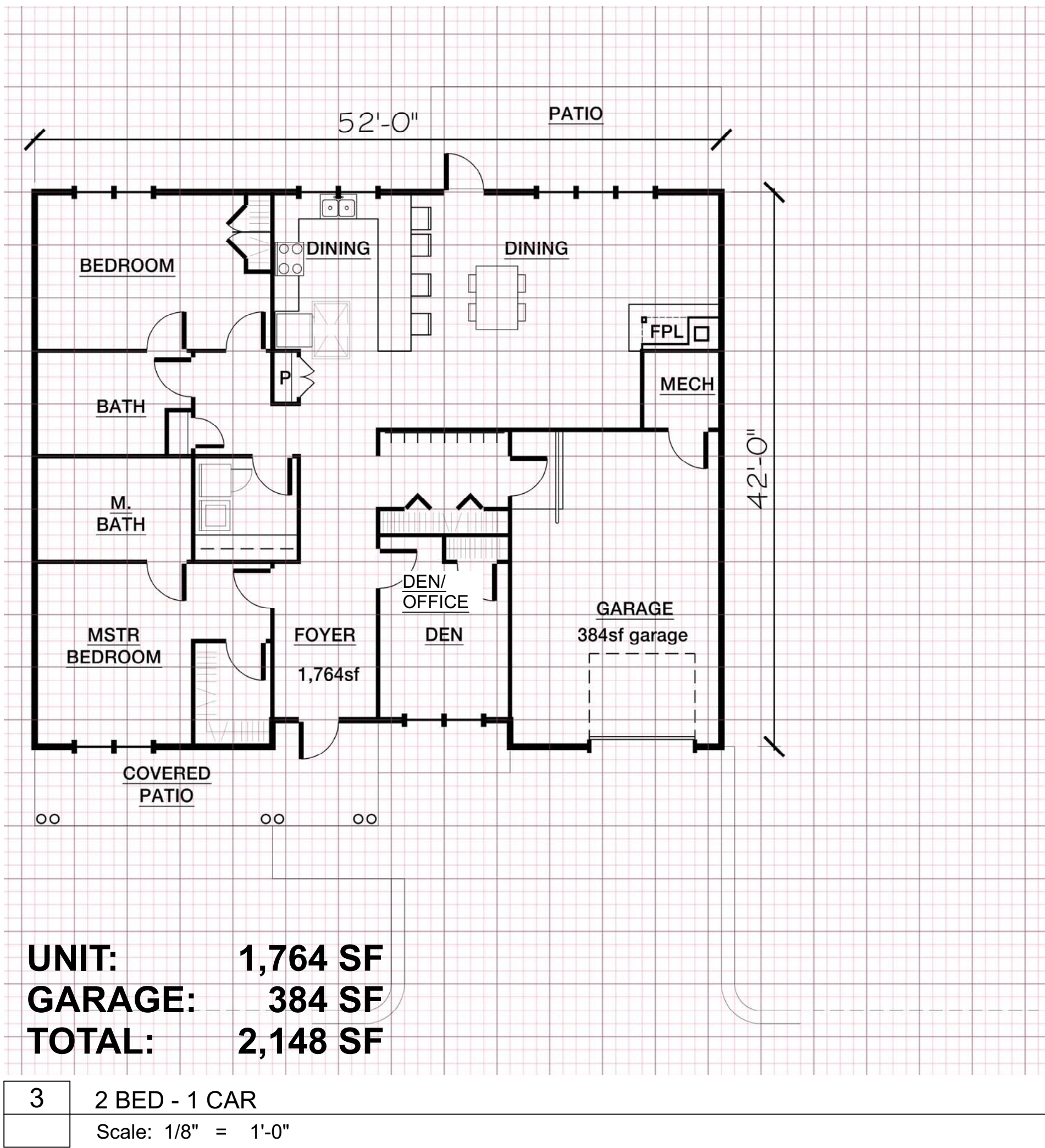
June 14, 2022
Medway Planning & Economic Development Board
Meeting

Field Change Discussion – Salmon
Willows Cottages

You will remember that Salmon sold a portion of the site on the east side to John Burns of Black Brook Realty to build some of the independent living “cottage” units. In November, 2021, the PEDB approved his requested field change to reduce the building footprint and modify the architectural style of those cottages from what had originally been approved in 2016 (Dario Designs version). **Both of those designs are Attached.**

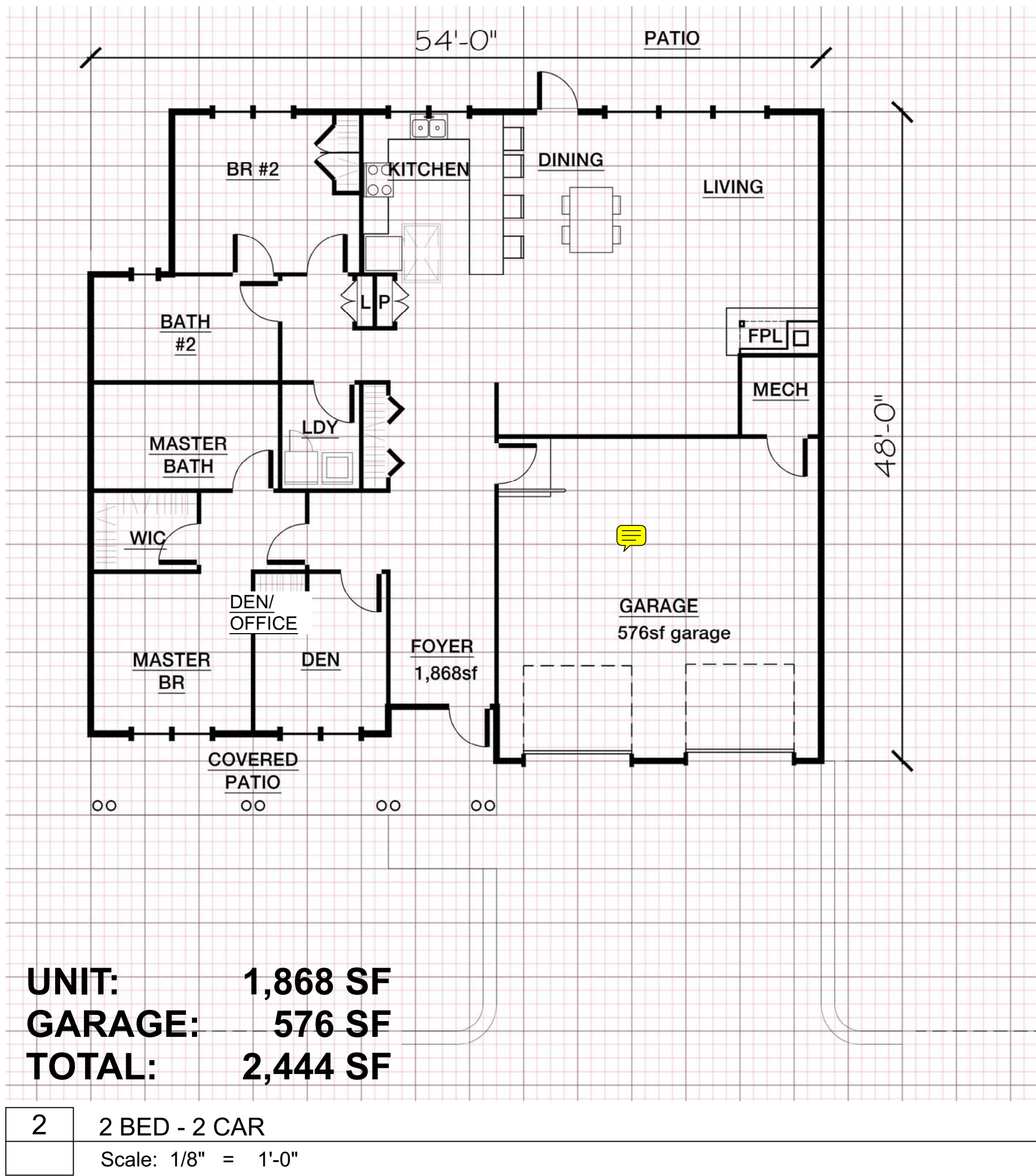
Mr. Burns has not proposed another field change to further reduce the building footprints due to construction challenges resulting from site conditions. **See attached revised site plans showing the previous footprints and the proposed revisions in the areas under his control.** In addition, he has provided a revised architectural design to correspond to the new footprints. **See Attached.** There is no change in the number of units.

We had planned for Mr. Burns to meet with the DRC on June 6th to review and discuss his proposal and for the Committee to offer its recommendation to the PEDB. Unfortunately, the Zoom link was not correctly indicated on the meeting agenda (my mistake!) so the DRC meeting could not take place. That meeting has been rescheduled to Wednesday, June 22. However, Mr. Burns has asked that the PEDB review the proposed changes at the June 14th meeting.



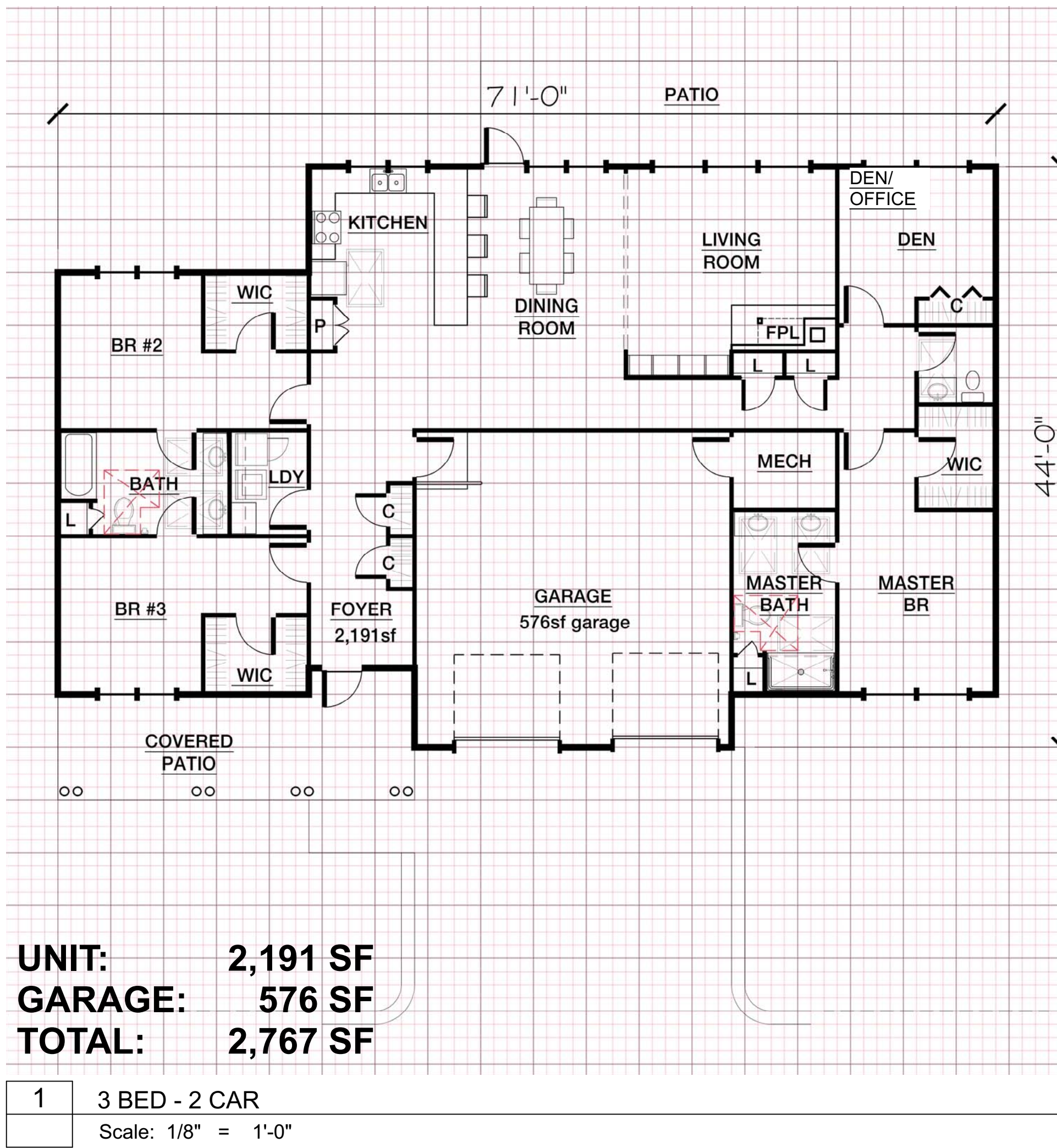
UNIT: 1,764 SF
GARAGE: 384 SF
TOTAL: 2,148 SF

3 2 BED - 1 CAR
Scale: 1/8" = 1'-0"



UNIT: 1,868 SF
GARAGE: 576 SF
TOTAL: 2,444 SF

2 2 BED - 2 CAR
Scale: 1/8" = 1'-0"



UNIT: 2,191 SF
GARAGE: 576 SF
TOTAL: 2,767 SF


1 3 BED - 2 CAR
Scale: 1/8" = 1'-0"

PLANNING BOARD APPROVAL REQUIRED
UNDER THE SPECIAL PERMIT ARCPUD
ZONING BY-LAW.

MEDWAY PLANNING BOARD:

DATE OF APPROVAL:

DATE OF ENDORSEMENT:

OWNER:  SALMON HEALTH and RETIREMENT	CONTINUING CARE MANAGEMENT, LLC 1 LYMAN STREET, WESTBOROUGH, MA 01581 (508) 898-3416	ARCHITECT: DARIO DESIGNS CONSULTANT: LEVI + WONG DESIGN ASSOCIATES LANDSCAPE ARCHITECT: CLIA	PROJECT: SALMON HEALTH AND RETIREMENT COMMUNITY 259, 261, 261R & 263 Village Street, Medway MA 02053 SHEET TITLE: FLOOR PLANS - DETACHED COTTAGES	REVISIONS	
				NO. 1	5/23/16
DATE: 2/18/16		SCALE: AS NOTED		PROJECT NO. 1507	
NORTH		SHEET NO. A1.01DC			



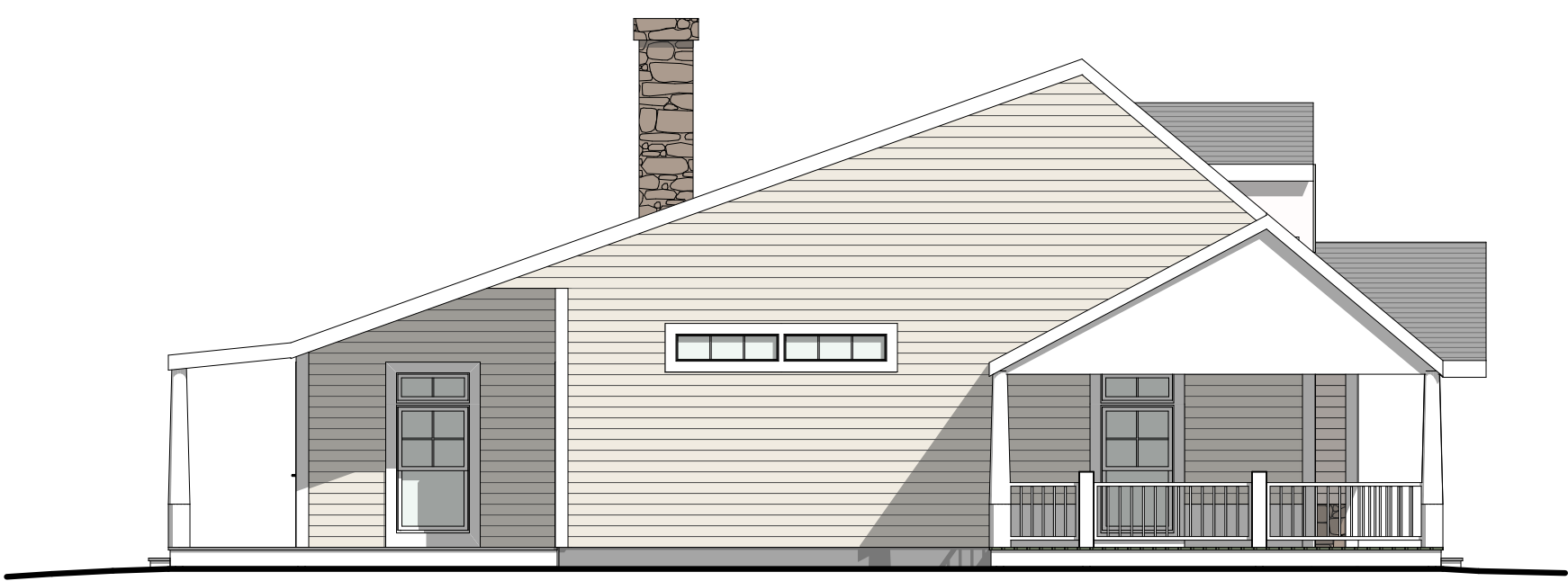
5 Front Elevation
Scale: 1/8" = 1'-0"



4 Rear Elevation
Scale: 1/8" = 1'-0"



3 Side Elevation
Scale: 1/8" = 1'-0"



2 Side Elevation
Scale: 1/8" = 1'-0"



1 Side Elevation
Scale: 1/8" = 1'-0"

PLANNING BOARD APPROVAL REQUIRED
UNDER THE SPECIAL PERMIT ARCPUD
ZONING BY-LAW.

MEDWAY PLANNING BOARD:

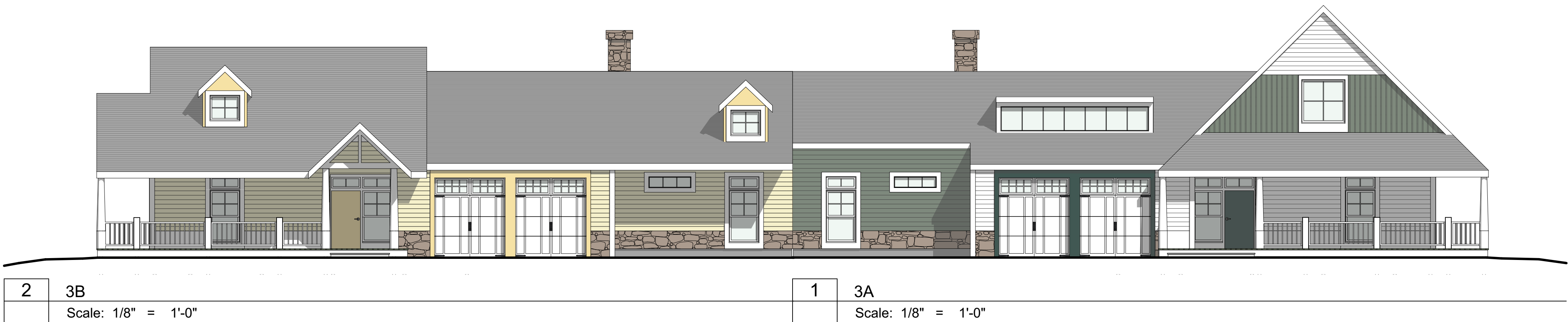
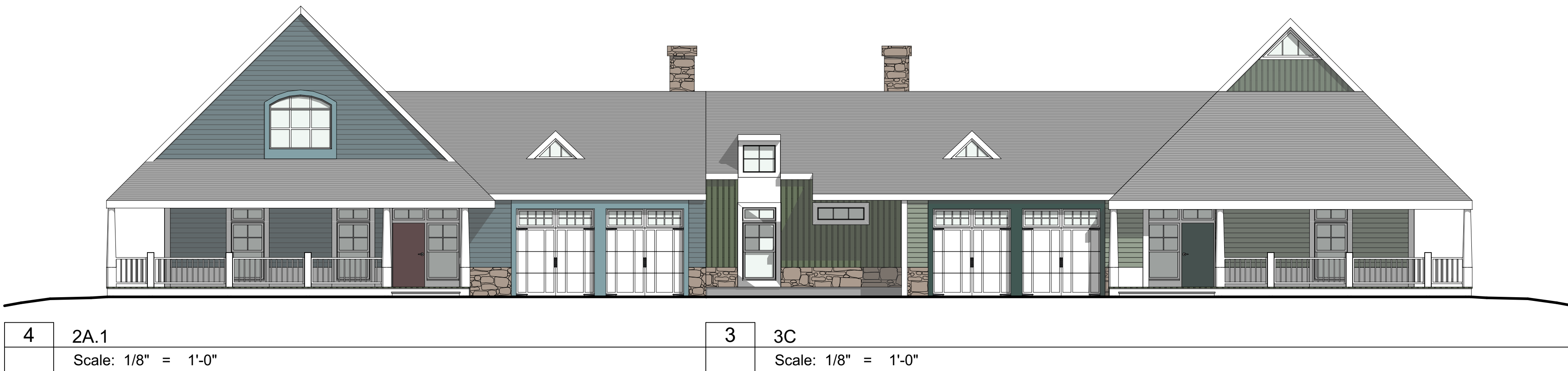
DATE OF APPROVAL: _____

DATE OF ENDORSEMENT: _____

DETACHED COTTAGE - UNIT TYPE LEGEND

- | | | | | | |
|-----------|--------------------------------|----------|------------|-----------|-------------------|
| 1 | 2 Bedroom - 1 Car | A | Gable Roof | .1 | Color Variation 1 |
| 2 | 2 Bedroom - 2 Car | B | Cape Roof | .2 | Color Variation 2 |
| 3 | 3 Bedroom - 2 Car | C | Hip Roof | .3 | Color Variation 3 |
| | | | | | |
| 1A | 2 Bedroom - 1 Car (Gable Roof) | | | | |
| 1B | 2 Bedroom - 1 Car (Cape Roof) | | | | |
| 1C | 2 Bedroom - 1 Car (Hip Roof) | | | | |
| | | | | | |
| 2A | 2 Bedroom - 2 Car (Gable Roof) | | | | |
| 2B | 2 Bedroom - 2 Car (Cape Roof) | | | | |
| 2C | 2 Bedroom - 2 Car (Hip Roof) | | | | |
| | | | | | |
| 3A | 3 Bedroom - 2 Car (Gable Roof) | | | | |
| 3B | 3 Bedroom - 2 Car (Cape Roof) | | | | |
| 3C | 3 Bedroom - 2 Car (Hip Roof) | | | | |

REVISIONS		PROJECT:		OWNER:	
NO. 1	5/23/16	SALMON HEALTH AND RETIREMENT COMMUNITY		SALMON HEALTH AND RETIREMENT	
		259, 261, 261R & 263 Village Street, Medway MA 02053		HEALTH and RETIREMENT	
		SHEET TITLE:		CONTINUING CARE MANAGEMENT, LLC	
		EXTERIOR ELEVATIONS 1 - DETACHED COTTAGES DUPLEX		1 LYMAN STREET, WESTBOROUGH, MA 01581 (508) 898-3416	
ARCHITECT: DARIO DESIGNS		ARCHITECTURE PROJECTS PLANNING CONSULTING		ARCHITECT: DARIO DESIGNS	
CONSULTANT: LEVI + WONG DESIGN ASSOCIATES		LANDSCAPE ARCHITECT: CLIA		CONSULTANT: LEVI + WONG DESIGN ASSOCIATES	
1 LYMAN STREET, SUITE 101 WESTBOROUGH, MA 01581 TEL: 508.877.4444 FAX: 508.877.4494		LWDA		LWDA	



DETACHED COTTAGE - UNIT TYPE LEGEND

- | | | | | | |
|----------|-------------------|----------|------------|-----------|-------------------|
| 1 | 2 Bedroom - 1 Car | A | Gable Roof | .1 | Color Variation 1 |
| 2 | 2 Bedroom - 2 Car | B | Cape Roof | .2 | Color Variation 2 |
| 3 | 3 Bedroom - 2 Car | C | Hip Roof | .3 | Color Variation 3 |

- 1A** 2 Bedroom - 1 Car (Gable Roof)
1B 2 Bedroom - 1 Car (Cape Roof)
1C 2 Bedroom - 1 Car (Hip Roof)

- 2A** 2 Bedroom - 2 Car (Gable Roof)
2B 2 Bedroom - 2 Car (Cape Roof)
2C 2 Bedroom - 2 Car (Hip Roof)

- 3A** 3 Bedroom - 2 Car (Gable Roof)
3B 3 Bedroom - 2 Car (Cape Roof)
3C 3 Bedroom - 2 Car (Hip Roof)

PLANNING BOARD APPROVAL REQUIRED
UNDER THE SPECIAL PERMIT ARCPUD
ZONING BY-LAW.

MEDWAY PLANNING BOARD:

DATE OF APPROVAL:
DATE OF ENDORSEMENT:

PROJECT:
SALMON HEALTH AND
RETIREMENT COMMUNITY
259, 261, 261R & 263 Village Street, Medway MA 02053
SHEET TITLE:
EXTERIOR ELEVATIONS 2 - DETACHED COTTAGES DUPLEX

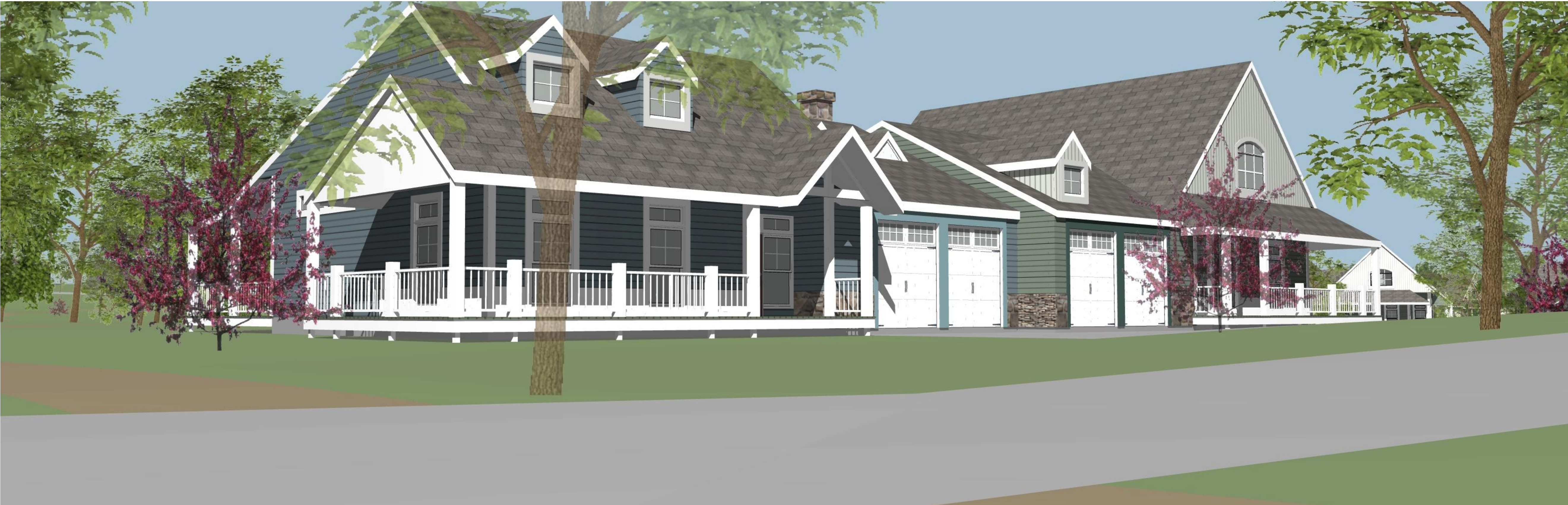
ARCHITECT:
DARIO
DESIGNS
CONSULTANT:
LEVI+WONG
DESIGN ASSOCIATES
LANDSCAPE ARCHITECT:
CLIA

OWNER:
SALMON
HEALTH and RETIREMENT
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET, WESTBOROUGH, MA 01581 (508) 898-3416

DATE: 2/18/16
SCALE: AS NOTED
PROJECT NO. 1507
SHEET NO. A2.02DC



2 BIRDS EYE PERSPECTIVE 1
NOT TO SCALE



1 GROUND PERSPECTIVE 1 - FRONT
NOT TO SCALE

PLANNING BOARD APPROVAL REQUIRED
UNDER THE SPECIAL PERMIT ARCPUD
ZONING BY-LAW.

MEDWAY PLANNING BOARD:

DATE OF APPROVAL:

DATE OF ENDORSEMENT:

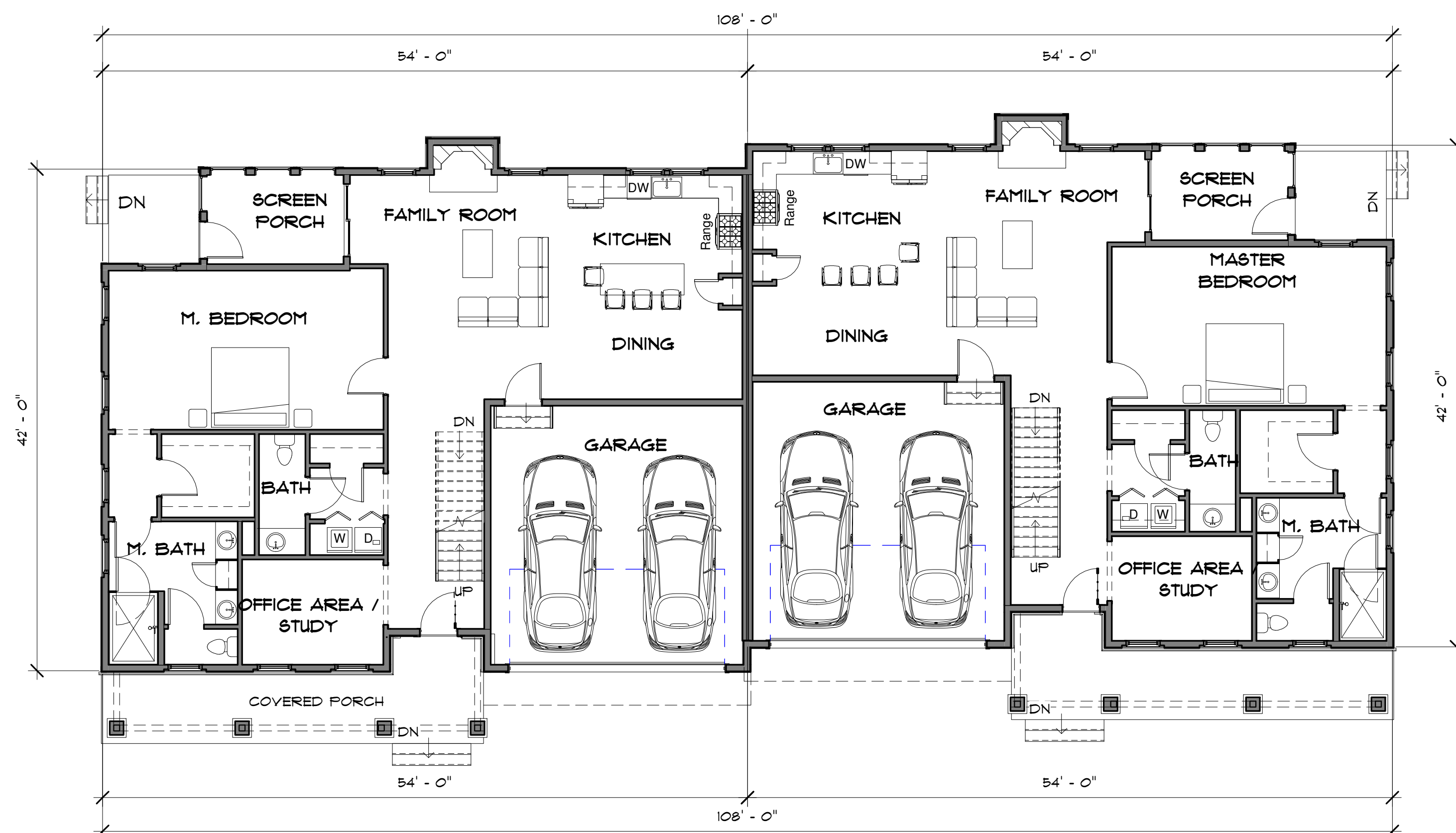
REVISIONS	
NO. 1	5/23/16
FINAL SUBMISSION	

PROJECT:	SALMON HEALTH AND RETIREMENT COMMUNITY
259, 261, 261R & 263 Village Street, Medway MA 02053	
SHEET TITLE:	EXTERIOR PERSPECTIVE - DETACHED COTTAGES DUPLEX

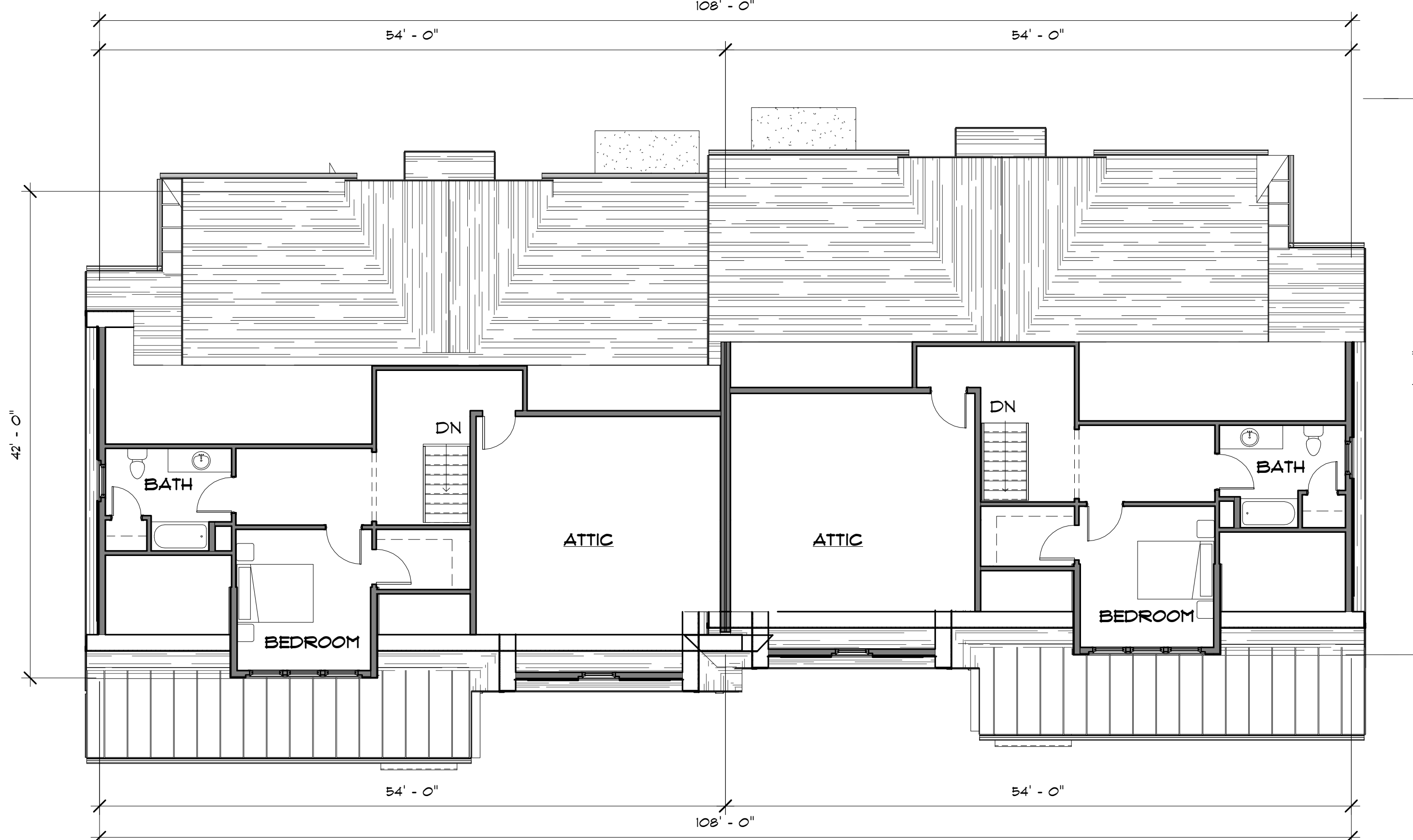
ARCHITECT:	DARIO DESIGNS
CONSULTANT:	LEVI+WONG
LANDSCAPE ARCHITECT:	DESIGN ASSOCIATES
1 LYMAN STREET, SUITE 301 NORFOLK, MA 01908 TEL: 508.877-4444 FAX: 508.877-4494	

OWNER:	SALMON HEALTH and RETIREMENT
CONTINUING CARE MANAGEMENT, LLC	
1 LYMAN STREET, WESTBOROUGH, MA 01581 (508) 898-3416	

DATE:	2/18/16
SCALE:	AS NOTED
PROJECT NO.	1507
NORTH	SHEET NO.
	A2.03DC

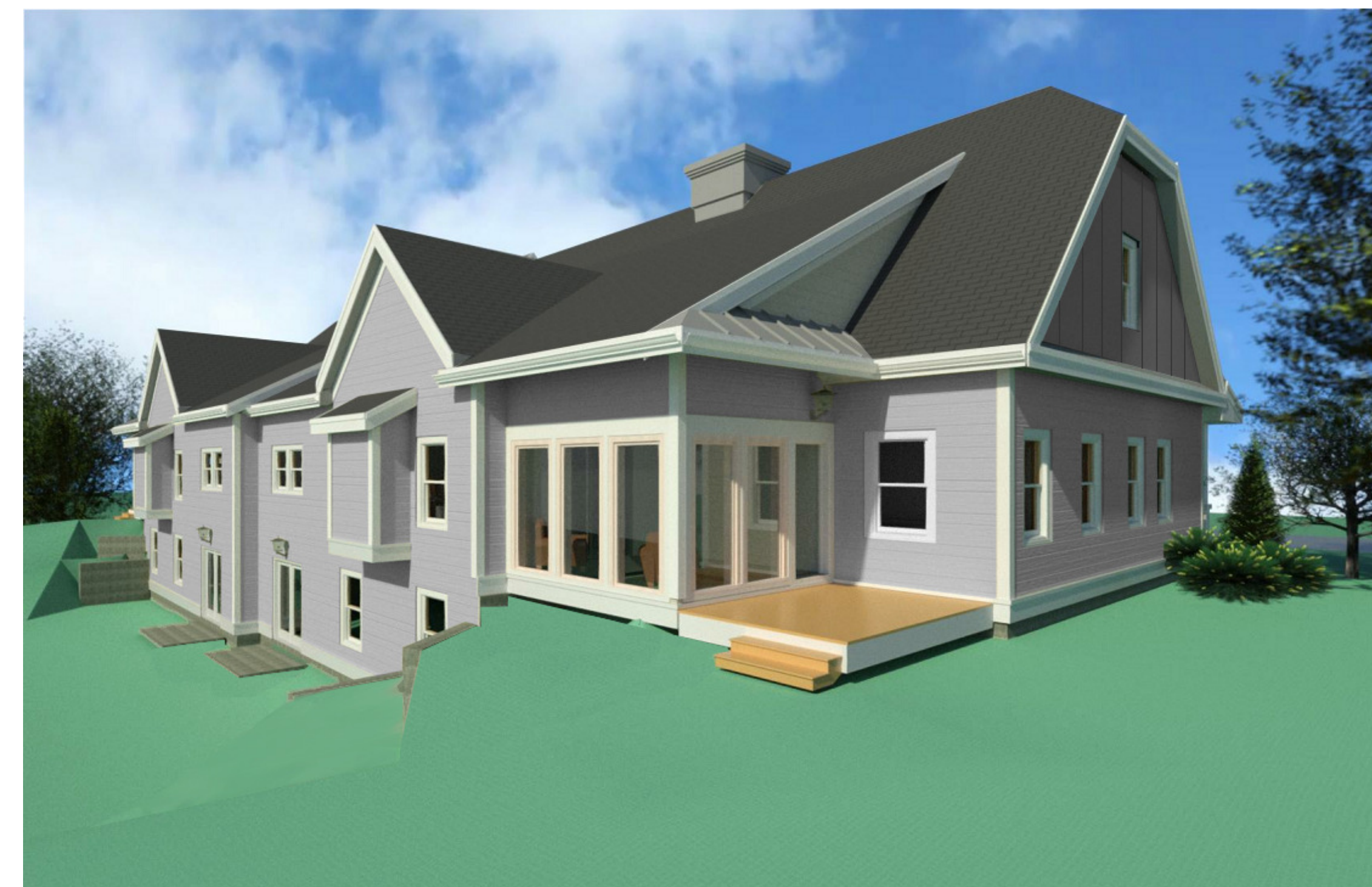
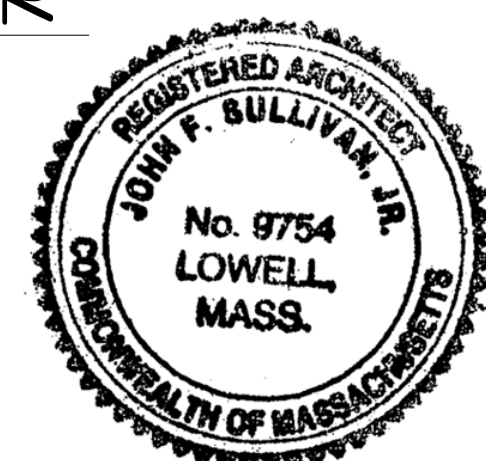


1 FIRST FLOOR
1/8" = 1'-0"



2 SECOND FLOOR
1/8" = 1'-0"

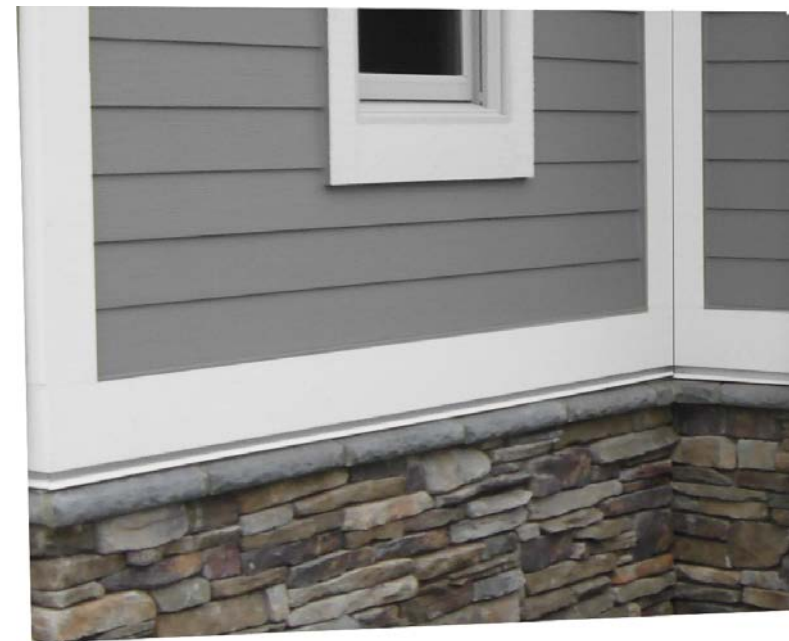
PROPOSED DUPLEX FOR:
BLACK BROOK REALTY
VILLAGE STREET
MEDWAY, MA.
DATE: OCTOBER 28, 2021



DESIGNED BY:
GAVIN AND SULLIVAN ARCHITECTS, INC.
128 WARREN STREET
LOWELL, MA 01852



STANDING METAL SEAM ROOF



CULTURED STONE VENEER



GARAGE DOOR
18' x 9'



VINYL CLAPBOARD SIDING



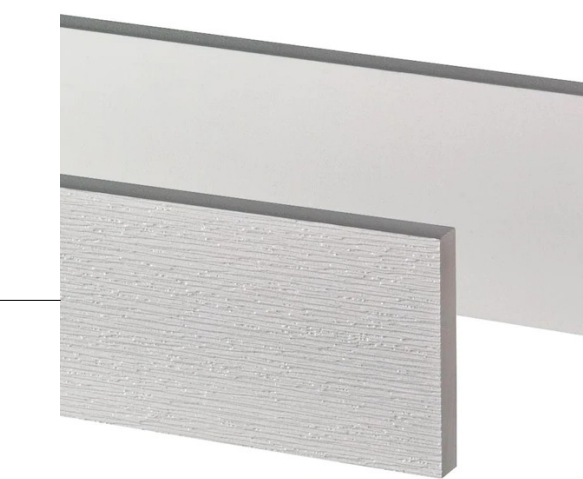
EXTERIOR LANTERN
SCONCE

PROPOSED DUPLEX FOR:
BLACK BROOK REALTY
VILLAGE STREET
MEDWAY, MA.

DATE: OCTOBER 28, 2021



1 FRONT ELEVATION
1/8" = 1'-0"



VINYL EXTERIOR
TRIM BOARD



VINYL SHINGLE
SIDING



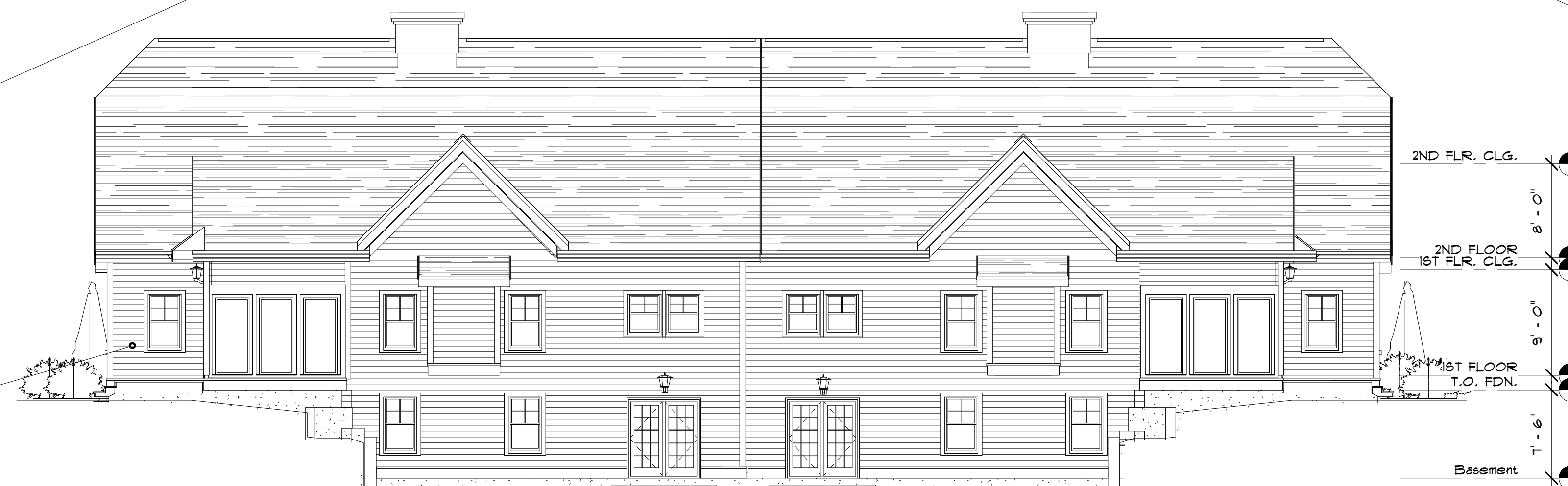
INSULATED FIBERGLASS
FRONT DOOR
9 PANEL



ASPHALT ROOF
SHINGLES



DOUBLE HUNG
WINDOWS



3 REAR ELEVATION
1/8" = 1'-0"



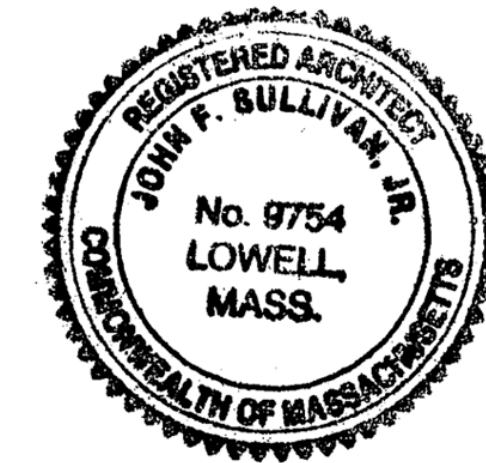
2 LEFT ELEVATION
1/8" = 1'-0"



4 RIGHT ELEVATION
1/8" = 1'-0"



VINYL BATTEN
BOARD SIDING



GAVIN AND SULLIVAN ARCHITECTS, INC.

DESIGNED BY:
128 WARREN STREET
LOWELL, MA 01852

3/24/16 ORIGINAL APPROVED PROJECT COVERAGE INFORMATION:

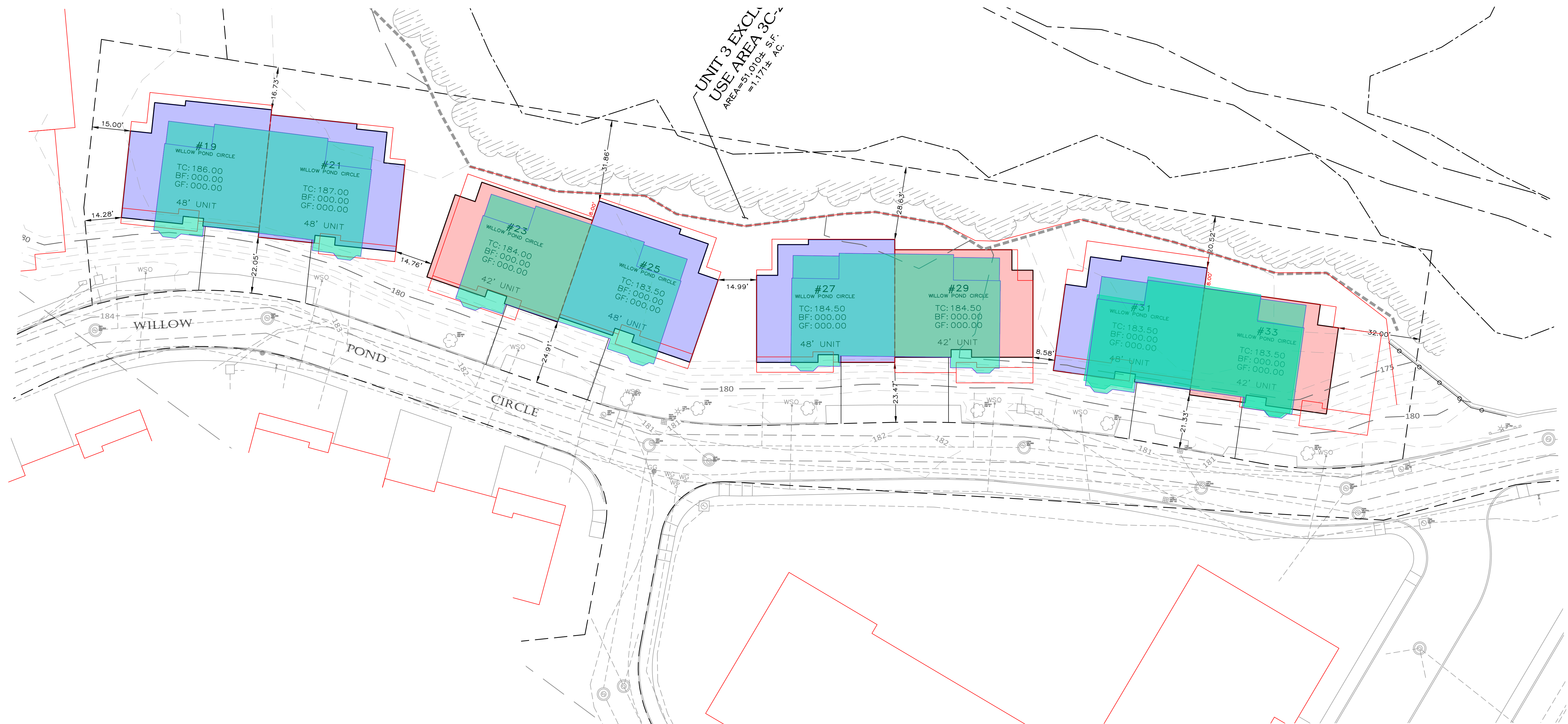
THE COVERAGE CALCULATION FOR THE 3/24/16 ORIGINAL
APPROVED PROJECT BUILDING & DRIVEWAY LIMITS
WITHIN EXCLUSIVE USE AREA 3C-2 TOTAL:
25,464 SF TOTAL COVERAGE

PENDING TOWN REVIEW PROPOSED PROJECT MODIFICATION COVERAGE INFORMATION:

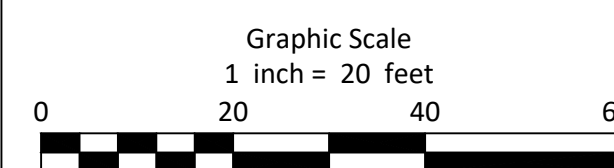
THE COVERAGE CALCULATION FOR THE PENDING TOWN REVIEW
PROPOSED PROJECT MODIFICATION BUILDING & DRIVEWAY LIMITS
WITHIN EXCLUSIVE USE AREA 3C-2 TOTAL: 17,761 SF
TOTAL COVERAGE OR A 31.3% REDUCTION IN TOTAL COVERAGE WITH
BUILDING & DRIVEWAY LIMITS AS ILLUSTRATED BELOW, PROJECT WORK
LIMITS REMAIN UNCHANGED FROM ORIGINAL ORDER OF CONDITIONS 216-854

DIG SAFE NOTE

UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED.
IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO
VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES
PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION.
DIGSAFE IS TO BE NOTIFIED 72 BUSINESS HOURS IN
ADVANCE OF CONSTRUCTION. CALL DIGSAFE AT 811.



REVISIONS:			
REV #	DATE	DESCRIPTION	
0	5/9/22	ISSUED FOR REVIEW	
DRWN BY: ZRB			
CHK'D BY: PSB			
APRVD BY: WML			



PREPARED BY:
Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, Massachusetts
(508) 480-0225

PROJECT:
**THE WILLOWS AT MEDWAY
AND WHITNEY PLACE CONDOMINIUM**
261 VILLAGE STREET
(NORFOLK COUNTY)
MEDWAY, MASSACHUSETTS

TITLE:
**EXISTING & PROPOSED CONDITIONS
EXCLUSIVE USE AREA 3C-2**
PREPARED FOR:
Willows Medway Townhomes Realty, LLC
1 Lyman Street
Westborough, Massachusetts 01581

DATE:
MAY 9, 2022
1 OF 1
EDC PROJECT NUMBER
3750

3/24/16 ORIGINAL APPROVED PROJECT COVERAGE INFORMATION:

THE COVERAGE CALCULATION FOR THE 3/24/16 ORIGINAL
APPROVED PROJECT BUILDING & DRIVEWAY LIMITS
WITHIN EXCLUSIVE USE AREA 3H:
19,194 SF TOTAL COVERAGE

PENDING TOWN REVIEW PROPOSED PROJECT MODIFICATION COVERAGE INFORMATION:

THE COVERAGE CALCULATION FOR THE PENDING TOWN REVIEW
PROPOSED PROJECT MODIFICATION BUILDING & DRIVEWAY LIMITS
WITHIN EXCLUSIVE USE AREA 3H TOTAL:13,684 SF
TOTAL COVERAGE OR A 28.7% REDUCTION IN TOTAL COVERAGE WITH
BUILDING & DRIVEWAY LIMITS AS ILLUSTRATED BELOW, PROJECT WORK
LIMITS REMAIN UNCHANGED FROM ORIGINAL ORDER OF CONDITIONS 216-854

DIG SAFE NOTE

UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED.
IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO
VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES
PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION.
DIGSAFE IS TO BE NOTIFIED 72 BUSINESS HOURS IN
ADVANCE OF CONSTRUCTION. CALL DIGSAFE AT 811.



DRWN BY: ZRB

CHK'D BY: PSB

APRVD BY: WML

REVISIONS:

REV #	DATE	DESCRIPTION
0	5/9/22	ISSUED FOR REVIEW

Graphic Scale
1 inch = 20 feet

0 20 40 60

PREPARED BY:

Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, Massachusetts
(508) 480-0225

PROJECT:

THE WILLOWS AT MEDWAY
AND WHITNEY PLACE CONDOMINIUM
261 VILLAGE STREET
(NORFOLK COUNTY)
MEDWAY, MASSACHUSETTS

TITLE:

EXISTING & PROPOSED CONDITIONS
EXCLUSIVE USE AREA 3H

PREPARED FOR:

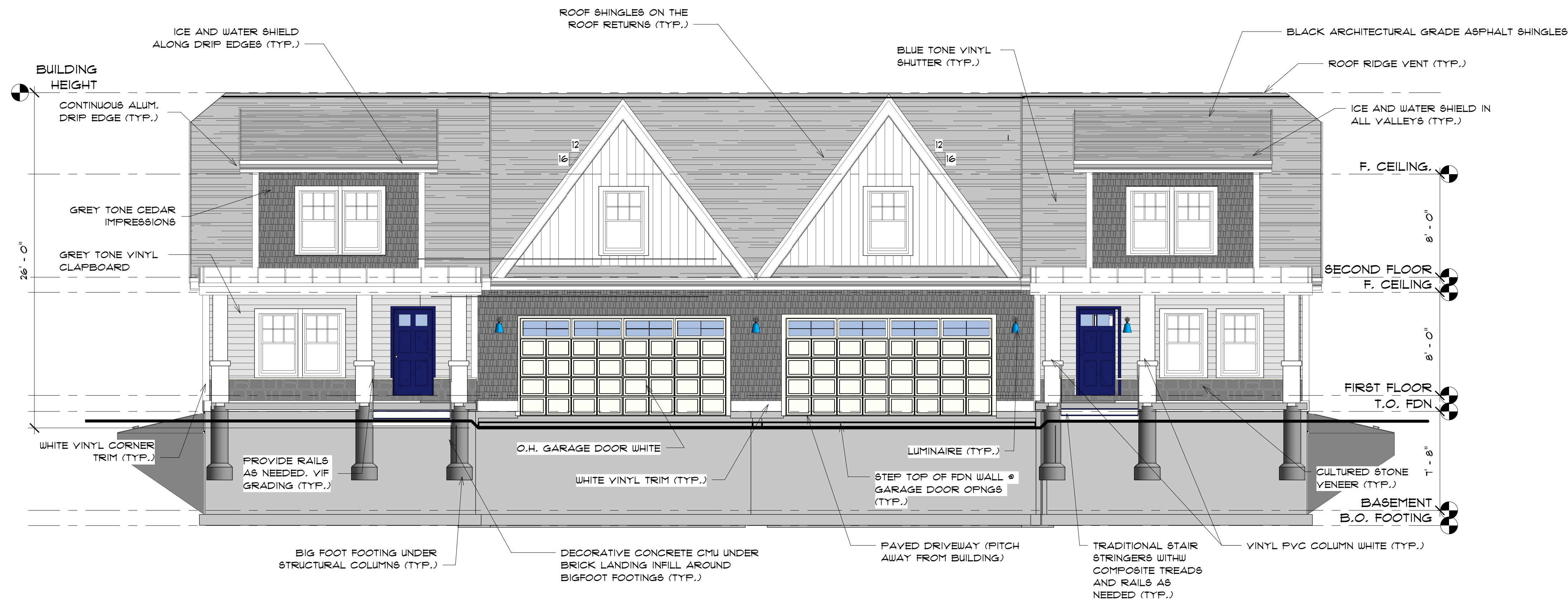
Willows Medway Townhomes Realty, LLC
1 Lyman Street
Westborough, Massachusetts 01581

DATE:

MAY 9, 2022

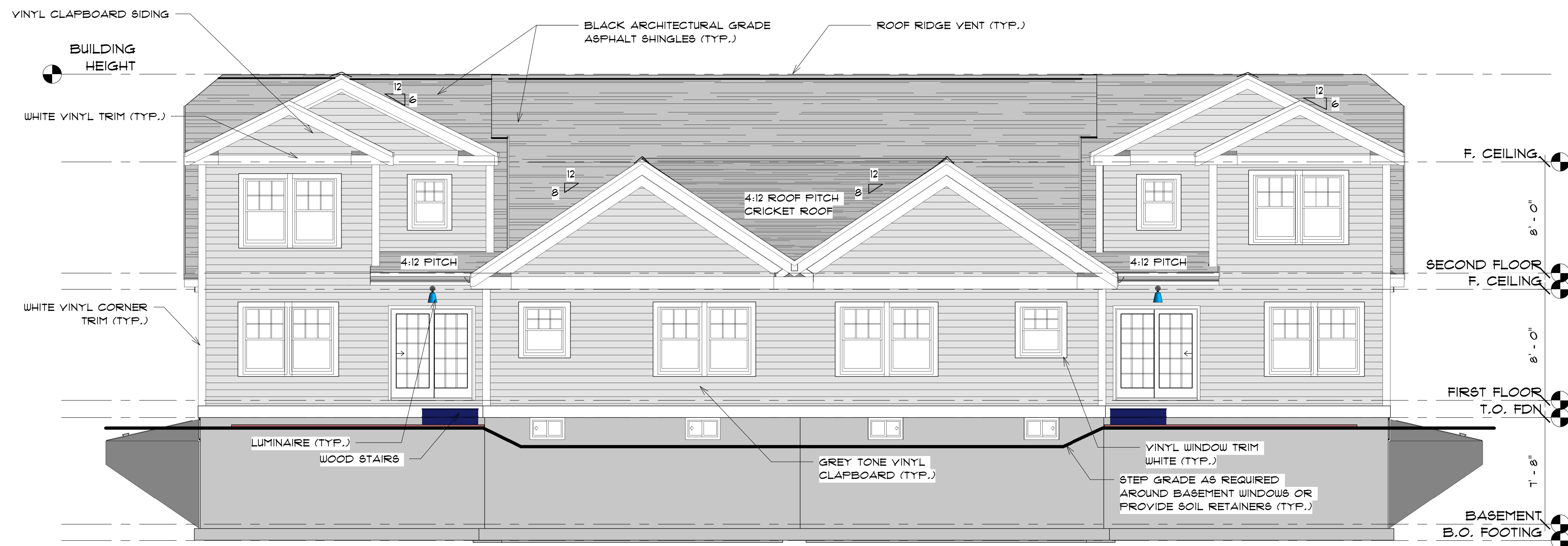
1 OF 1

EDC PROJECT NUMBER
3750



1 FRONT ELEVATION
3/16" = 1'-0"

CONTRACTOR TO VERIFY WITH CIVIL
ENGINEER FINAL BASEMENT / GARAGE
SLAB ELEVATIONS. ADJUST ELEVATIONS
AS REQUIRED.



2 REAR ELEVATION
3/16" = 1'-0"

SQUARE FOOTAGE CHAT	
FIRST FLOOR - 1,125 +/- SQ.FT.	
SECOND FLOOR - 1,120 +/- SQ.FT.	
GARAGE - 465 +/- SQ.FT.	
TOTAL - 2,710 SQ.FT.	

DUPLEX PROGRESS

BUILDING ENVELOPE ASPECTS TO COMPLY WITH
CURRENT ENERGY CODE

IT IS THE CONTRACTOR'S OR OWNER'S RESPONSIBILITY TO EMPLOY GAVIN AND SULLIVAN ARCHITECTS TO PERFORM ON SITE VERIFICATION IF REQUIRED OR DESIRED. IT IS THE OWNER'S OR CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT TIMELY NOTIFICATION OF THE PROJECT PROGRESS IS PROVIDED SO THAT ADEQUATE ON SITE ARCHITECTURAL PRESENCE IS OBTAINED. LIABILITY IS SEVERLY DIMINISHED IF ARCHITECT ON SITE VERIFICATION IS NOT PERFORMED.

ALL HVAC, ELECTRICAL, FIRE ALARM, AUTOMATIC FIRE SPRINKLERS, AND PLUMBING TO BE PERFORMED ON A DESIGN BUILD BASIS WITH REGISTERED ENGINEERS. ENGINEERS SHALL PROVIDE NARRATIVES, AFFIDAVITS, AND STAMPED DRAWINGS. FIRE SPRINKLER AND FIRE ALARM PLANS SHALL BE APPROVED BY THE SALEM FIRE DEPARTMENT.

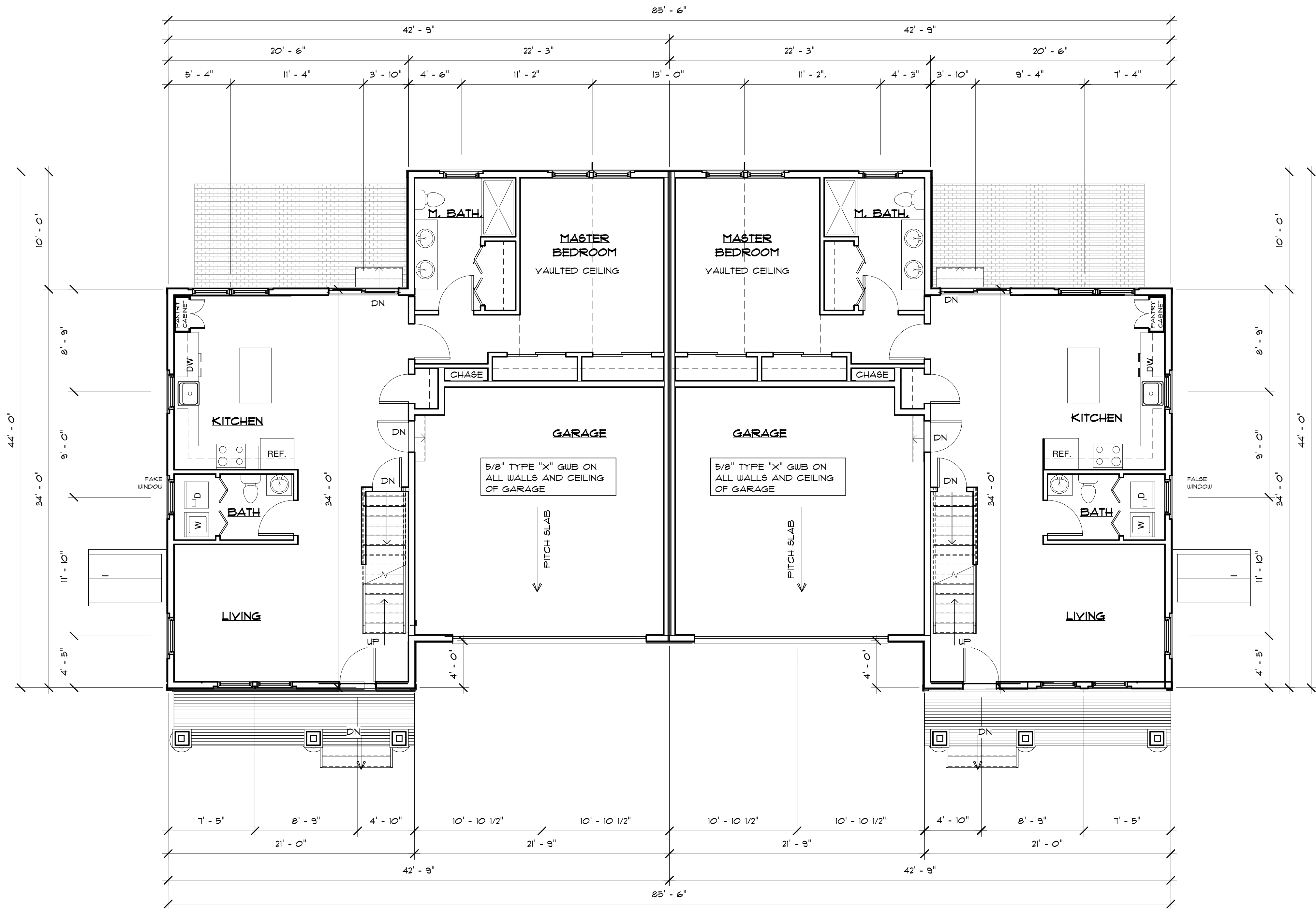
CONTRACTOR TO FIELD VERIFY ALL DETAILS AND DIMENSIONS BEFORE PROCEEDING WITH THE WORK. NOTES ON THIS CONSTRUCTION DOCUMENT ARE TYPICAL UNLESS OTHERWISE NOTED. IF THE CONTRACTOR SEES AN AREA OF THE BUILDING THAT IS INCOMPLETE AND IS NOT NOTED ON THIS DRAWING SET, HE MUST ALSO INCLUDE THIS AREA IN THIS WORK, MATCHING SIMILAR FINISH AREAS OF THIS BUILDING.

DESIGNED BY:
GAVIN & SULLIVAN ARCHITECTS, INC.
128 WARREN STREET LOWELL, MA.

PROPOSED MULTI - FAMILY FOR:
BLACK BROOK REALTY
MEDWAY, MA

ELEVATIONS
PROJECT: ***** SCALE AS NOTED
DATE: 05-25-2022 DRAWN BY: ADS

A1.0



1 FIRST FLOOR
3/16" = 1'-0"

DUPLEX PROGRESS

BUILDING ENVELOPE ASPECTS TO COMPLY WITH
CURRENT ENERGY CODE

IT IS THE CONTRACTOR'S OR OWNER'S RESPONSIBILITY TO EMPLOY GAVIN AND SULLIVAN ARCHITECTS TO PERFORM ON SITE VERIFICATION IF REQUIRED OR DESIRED. IT IS THE OWNER'S OR CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT TIMELY NOTIFICATION OF THE PROJECT PROGRESS IS PROVIDED SO THAT ADEQUATE ON SITE ARCHITECTURAL PRESENCE IS OBTAINED. LIABILITY IS SEVERLY DIMINISHED IF ARCHITECT ON SITE VERIFICATION IS NOT PERFORMED.

ALL HVAC, ELECTRICAL, FIRE ALARM, AUTOMATIC FIRE SPRINKLERS, AND PLUMBING TO BE PERFORMED ON A DESIGN BUILD BASIS WITH REGISTERED ENGINEERS. ENGINEERS SHALL PROVIDE NARRATIVES, AFFIDAVITS, AND STAMPED DRAWINGS. FIRE SPRINKLER AND FIRE ALARM PLANS SHALL BE APPROVED BY THE SALEM FIRE DEPARTMENT.

CONTRACTOR TO FIELD VERIFY ALL DETAILS AND DIMENSIONS BEFORE PROCEEDING WITH THE WORK. NOTES ON THIS CONSTRUCTION DOCUMENT ARE TYPICAL UNLESS OTHERWISE NOTED. IF THE CONTRACTOR SEES AN AREA OF THE BUILDING THAT IS INCOMPLETE AND IS NOT NOTED ON THIS DRAWING SET, HE MUST ALSO INCLUDE THIS AREA IN THIS WORK, MATCHING SIMILAR FINISH AREAS OF THIS BUILDING.

OVERALL FIRST FLOOR

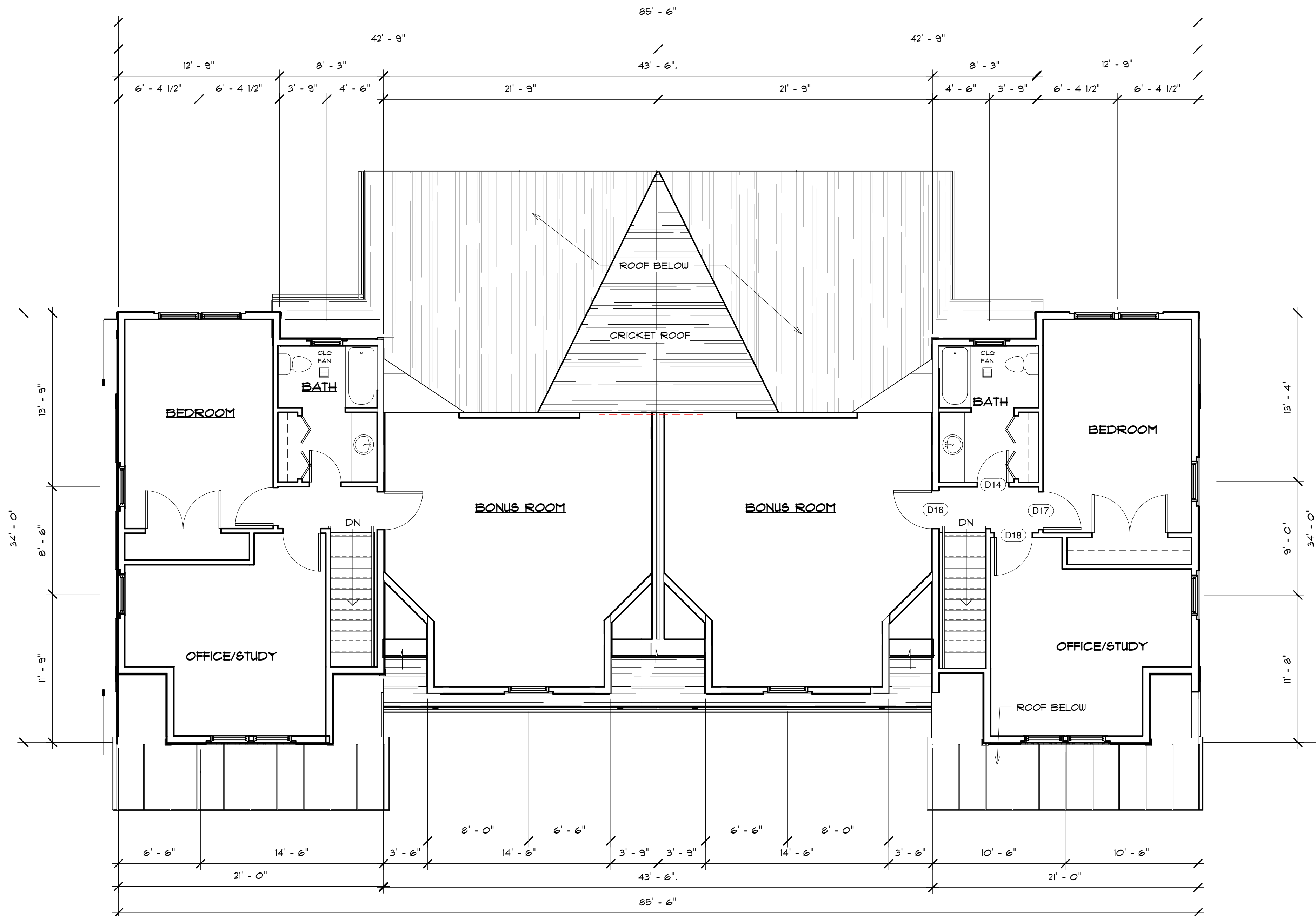
PROJECT: *****
DATE: 05-25-2022
SCALE AS NOTED
DRAWN BY: MJW

A2.0

PROPOSED MULTI - FAMILY FOR:
BLACK BROOK REALTY

MEDWAY, MA

DESIGNED BY:
GAVIN & SULLIVAN ARCHITECTS, INC.
128 WARREN STREET LOWELL, MA.



1 SECOND FLOOR PLAN
3/16" = 1'-0"

DUPLEX PROGRESS

BUILDING ENVELOPE ASPECTS TO COMPLY WITH
CURRENT ENERGY CODE

IT IS THE CONTRACTOR'S OR OWNER'S RESPONSIBILITY TO EMPLOY GAVIN AND SULLIVAN ARCHITECTS TO PERFORM ON SITE VERIFICATION IF REQUIRED OR DESIRED. IT IS THE OWNER'S OR CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT TIMELY NOTIFICATION OF THE PROJECT PROGRESS IS PROVIDED SO THAT ADEQUATE ON SITE ARCHITECTURAL PRESENCE IS OBTAINED. LIABILITY IS SEVERELY DIMINISHED IF ARCHITECT ON SITE VERIFICATION IS NOT PERFORMED.

ALL HVAC, ELECTRICAL, FIRE ALARM, AUTOMATIC FIRE SPRINKLERS, AND PLUMBING TO BE PERFORMED ON A DESIGN BUILD BASIS WITH REGISTERED ENGINEERS. ENGINEERS SHALL PROVIDE NARRATIVES, AFFIDAVITS, AND STAMPED DRAWINGS. FIRE SPRINKLER AND FIRE ALARM PLANS SHALL BE APPROVED BY THE SALEM FIRE DEPARTMENT.

CONTRACTOR TO FIELD VERIFY ALL DETAILS AND DIMENSIONS BEFORE PROCEEDING WITH THE WORK. NOTES ON THIS CONSTRUCTION DOCUMENT ARE TYPICAL UNLESS OTHERWISE NOTED. IF THE CONTRACTOR SEES AN AREA OF THE BUILDING THAT IS INCOMPLETE AND IS NOT NOTED ON THIS DRAWING SET, HE MUST ALSO INCLUDE THIS AREA IN THIS WORK, MATCHING SIMILAR FINISH AREAS OF THIS BUILDING.

DESIGNED BY:
GAVIN & SULLIVAN ARCHITECTS, INC.,
128 WARREN STREET LOWELL, MA.

PROPOSED MULTI - FAMILY FOR:
BLACK BROOK REALTY

MEDWAY, MA

OVERALL SECOND FLOOR

PROJECT: ***** SCALE AS NOTED

DATE: 05-25-2022 DRAWN BY: ADS

A2.1



June 14, 2022

**Medway Planning & Economic Development Board
Meeting**

**Boundary Lane Definitive Subdivision
Plan Public Hearing**

- Public Hearing Notice dated May 16, 2022
- Definitive Subdivision Plan Application
- Definitive Subdivision Plan dated February 17, 2022 by Connorstone Engineering
- Development Impact Report dated April 1, 2022
- Requests for waivers from the *Subdivision Rules and Regulations*
- Abutter notification dated May 17, 2022
- Email dated May 23, 2022 from Marshall family in support of the proposed subdivision
- Tetra Tech review letter dated June 8, 2022

Board Members

Matthew J. Hayes, P.E., Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Sarah Raposa, A.I.C.P., Member
Thomas A. Gay, Associate
Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT BOARD

May 16, 2022

RECEIVED TOWN CLERK
MAY 18 '22 AM 8:30

PUBLIC HEARING NOTICE
Boundary Lane Definitive Subdivision Plan
67R and 69 Summer Street

In accordance with the provisions of Chapter 41, Section 81A – 81GG, Massachusetts General Laws and the Planning and Economic Development Board's *Rules and Regulations for the Review and Approval of Land Subdivisions*, notice is given that the Planning & Economic Development Board will conduct a **public hearing on Tuesday, June 14, 2022 at 7:15 p.m. on the application of Zachary Lindsey et ux. of Medway, MA for approval of a definitive subdivision plan to create a 3 lot subdivision out of two properties located at 67R and 69 Summer Street. The hearing will take place in Sanford Hall at Medway Town Hall, 155 Village Street, Medway, MA. The meeting room is accessible via elevator for individuals with physical disabilities.**

The property owners are Linda Lindsey (69 Summer Street – 9.77 acres) and David & Renee Sistrand (67 Summer Street - 1.61 acres). The combined 11.38 acre site (*Medway Assessors Map 37, Parcels 033 and 036*) is located on the west side of Summer Street near the Summer Street/Highland Street intersection in the Agricultural Residential I zoning district.

The *Definitive Subdivision Plan of Boundary Lane* is dated August 20, 2021, last revised February 17, 2022, and was prepared by Connorstone Engineering, Inc. of Northborough, MA. The plan shows the reorganization of the subject properties into three residential lots, one lot with the existing house at 67 Summer Street, one lot with the existing house at 69 Summer Street, and a new lot for construction of a single family house. All properties will have frontage on an approximately 260' long, permanent private road to be known as Boundary Lane.

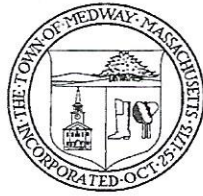
The application, plan and supporting documentation are available at the offices of the Medway Town Clerk and the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be inspected during regular office hours. The documents have will also be posted at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0>

Interested persons or parties are invited to review the plan, attend the public hearing, and express their views. Written comments may be forwarded to the Board or emailed to: planningboard@townofmedway.org. Questions may be directed to the Planning and Economic Development office at 508-533-3291.

Matthew J. Hayes
Chairman

Legal ad to be published in the Milford Daily News on:

- Monday, May 31, 2022
- Tuesday, June 7, 2022



Planning & Economic Development Board - Town of Medway, MA
LAND SUBDIVISION – FORM C

Application for Approval of a Definitive Subdivision Plan

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Subdivision Rules and Regulations. Please complete this entire Application. Submit three signed originals of the Application, three copies of the Definitive Plan, two copies of the Traffic Study (if applicable), two copies of the Development Impact Report, two copies of the stormwater report/drainage calculations, and the appropriate Definitive Subdivision Plan Filing Fee and the advance on the Plan Review to the Planning and Economic Development Board office.

The Town's Planning and Engineering Consultants will review the Application, plan and associated submittals. You or your duly authorized Agent/Official Representative is expected to attend the Board meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request.

Your absence at meetings may result in a delay of the Board's review and action on the Definitive Subdivision Plan.

_____, 20____

TO: The Planning & Economic Development Board of the Town of Medway, MA

The undersigned, being the Applicant as defined under Chapter 41, Section 81-L for approval of a Definitive Subdivision Plan, herewith submits this Definitive Subdivision Plan of property located in the Town of Medway and makes application to the Medway Planning & Economic Development Board for approval of such Definitive Subdivision Plan.

DEFINITIVE SUBDIVISION PLAN INFORMATION

Title of Plan: Boundary Lane

Prepared by: Vito Colonna, P.E.

Firm Name: Connorstone Engineering Inc.

Plan Date: August, 2021

A Preliminary Subdivision Plan X was _____ was not filed prior to this Definitive Plan.

If filed, the date of filing of the Preliminary Subdivision Plan was: April 22, 2021

Date when the Preliminary Subdivision Plan was reviewed by the Board: May 11, 2021

The Preliminary Subdivision Plan was:

X reviewed and discussed
____ approved as presented
____ approved with the following modifications/conditions: _____

_____ disapproved for the following reasons: _____

_____ no action taken

PROPERTY INFORMATION

Location Address: 67R & 69 Summer Street

The land shown on the plan is shown on Medway Assessor's Map 37 Parcel # 33 & 36

Total Acreage of Land to be Divided: 11.38

General Description of Property: Two - single family house lots with one existing dwelling on each lot served by a common driveway.

Medway Zoning District Classification: AR-1

Frontage Requirement: 180 feet Area Requirement: 44,000 sf

Scenic Road

Does any portion of this property have frontage on a Medway Scenic Road?
_____ Yes X No If yes, please name: _____

Wetlands

Is any portion of the site within a Wetland Resource Area?
X Yes _____ No

Groundwater Protection

Is any portion of the site within a Groundwater Protection Overlay District?
_____ Yes X No

Flood Plain/Wetland Protection District

Is any portion of the site within the Flood Plain/Wetland Protection Overlay District?
_____ Yes X No

The owner's title to the land that is the subject matter of this application is derived under deed from: SEE ATTACHMENT "A" to _____ dated _____ and recorded in Norfolk County Registry of Deeds, Book _____ Page _____ or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

SUBDIVISION INFORMATION

Subdivision Name: Boundary Lane

This is a: X Residential Subdivision _____ Non-Residential Subdivision

The plan shows the division of land into 3 building lots numbered 1,2, and 3 and 1 parcels not intended for building thereon.

The plan shows the following **existing** ways that are being proposed as lot frontage:

Prop. Roadway (Boundary Lane) as frontage for lot(s) 1,2,3

_____ as frontage for lot(s) _____

The plan shows the following **proposed** new ways that are being proposed as lot frontage:

_____ as frontage for lot(s) _____
_____ as frontage for lot(s) _____

Total Length of Proposed New Roadway(s): 350 feet

Are the new roads proposed to be public or permanent private ways?

_____ Public X Permanent Private Way

Proposed Utilities:

X Town Water X Well (existing houses connected to public water,
X Town Sewer _____ Septic proposed house to have an on-site well)

APPLICANT INFORMATION

Applicant's Name: Zachary T. Lindsey et.ux

Applicant's Address: 69 Summer Street
Medway, MA 02053

Name of Primary Contact: Zachary T. Lindsey

Telephone: _____
Office: 774-217-0284 Cell: _____

Email address: Zlindsey.04@gmail.com

_____ Please check here if the Applicant is the equitable owner (purchaser on a purchase and sales agreement.)

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner Name: <u>Linda Lindsey</u>	<u>David & Renee Sistrand</u>
<u>69 Summer Street, Medway, MA</u>	<u>67R Summer Street</u>
Address: <u>69 Summer Street, Medway, MA</u>	<u>Medway, MA 02053</u>
Primary Contact: <u>Zachary Lindsey</u>	
Telephone: _____	
Office: <u>774-217-0284</u>	
Email: <u>Zlindsey.04@gmail.com</u>	

CONSULTANT INFORMATION

ENGINEER: Connorstone Engineering, Inc.

Address: 10 Southwest Cutoff, Suite #7
Northborough, MA 01532

Primary Contact: Vito Colonna, P.E.

Telephone: _____
Office: 508-873-0972 Cell: _____

Email: vc@csei.net

SURVEYOR: Connorstone Engineering, Inc.

Address: 10 Southwest Cutoff
Northborough, MA 01532

Primary Contact: Varoujan Hagopian, PLS

Telephone: Office: 508-393-9727 Cell:

Email: VHH@csei.net

ATTORNEY: Kenney & Kenney

Address: 181 Village Street
Medway, MA 02053

Primary Contact: Stephen Kenney

Telephone: 508-533-6711 Fax:

Email: sjk@kenney-law.com

OFFICIAL REPRESENTATIVE INFORMATION

Name: Zachary T. Lindsey

Address: 69 Summer Street
Medway, MA 02053

Primary Contact: Zachary Lindsey

Telephone: 774-217-0284 Fax:

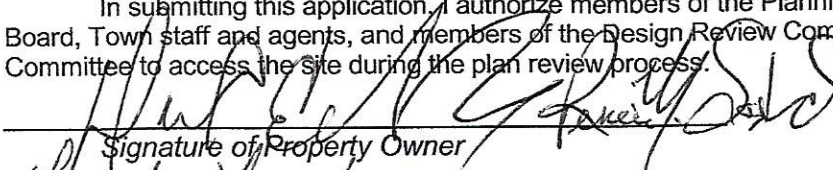
Email: Zlindsey.04@gmail.com

SIGNATURES

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true, accurate and complete to the best of my knowledge and belief. If applicable, I hereby authorize Zachary T. Lindsey to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this Definitive Subdivision Plan application.

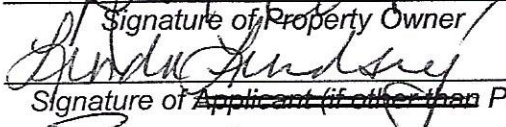
I agree to abide by the Medway Rules and Regulations for the Review and Approval of Land Subdivisions and complete construction of the subdivision in accordance with the Rules and Regulations and the approved Definitive Subdivision Plan.

In submitting this application, I authorize members of the Planning & Economic Development Board, Town staff and agents, and members of the Design Review Committee and Open Space Committee to access the Site during the plan review process.



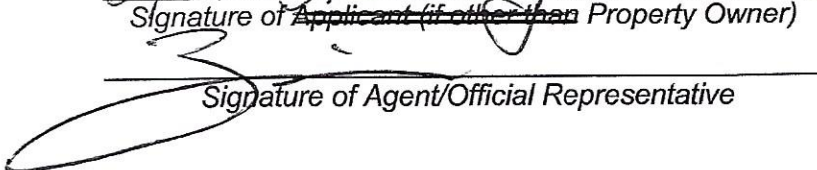
Signature of Property Owner

4/28/22
Date



Signature of Applicant (if other than Property Owner)

4/28/22
Date



Signature of Agent/Official Representative

4/28/22
Date

DEFINITIVE SUBDIVISION PLAN FEES

Filing Fee - \$2,500 plus \$2.50/linear foot of street centerline proposed

Advance on Plan Review Fee - \$2,500

Submit 2 separate checks each made payable to: Town of Medway

Fee Schedule Approved - 11-9-08

FOR PED OFFICE USE ONLY:

Date Form C and Definitive Subdivision Plan Recvd by Medway PED office: _____

Definitive Subdivision Plan Filing Fee Paid: Amount: _____ Check # _____

Advance on Plan Review Fee Paid: Amount: _____ Check # _____

Date Form C & Definitive Subdivision Plan Date Form C & Definitive Subdivision Plan
Received by Town Clerk Received by Board of Health

DEFINITIVE SUBDIVISION PLAN SUBMITTAL DOCUMENTS CHECKLIST

Town Clerk

- X One (1) signed original Definitive Subdivision Plan Application – Form C
- X One (1) copy of Definitive Subdivision Plan
- X One (1) copy of the Stormwater Management Report/Calculations
- One (1) copy of Traffic Study (*for subdivisions of 20 or more dwelling units*)
- X One (1) copy of Development Impact Report – Form F

Board of Health

- X One (1) signed original Definitive Subdivision Plan Application – Form C
- X One (1) copy of Definitive Subdivision Plan
- X One (1) copy of Soil Survey, Percolation and High Groundwater Tests prepared in accordance with Section 5.5.10 of the *Subdivision Rules and Regulations* (on plans)

Planning & Economic Development Board

- X One (1) signed original Definitive Subdivision Plan Application – Form C
(*Date Stamped by Town Clerk & Board of Health*)
- X Two (2) full size copies of Definitive Subdivision Plan prepared in accordance with Section 5.6 and 5.7 of the *Subdivision Rules and Regulations*
- X One (1) 11" x 17" size copy of the Definitive Subdivision Plan
- X Designer's Certificate – Form D
- X Certified Abutters List
- X Development Impact Report - Form F
- X Requests for Waivers of *Subdivision Rules and Regulations*. Use Form Q. One form per waiver request.
- X Two (2) copies of Stormwater Management Report/Calculations prepared in accordance with Section 5.5.9 of the *Subdivision Rules and Regulations*
- X Two (2) copies of the Long Term Operation and Maintenance Plan for drainage and stormwater management facilities.
- X Two (2) copies of Soil Survey, Percolation and High Groundwater Tests prepared in accordance with Section 5.5.10 of the *Subdivision Rules and Regulations* (shown on plans)
- N/A Two (2) copies of a Traffic Study (*for subdivisions with 20 or more dwelling units*) prepared in accordance with Section 5.5.12 of the *Subdivision Rules and Regulations*
- X Sight Distance Computations for all proposed new intersections
- ANRAD determination from Medway Conservation Commission (*if applicable*)
- X Proof of existing or pending ownership of all land within the proposed subdivision
- X PDF version of all application documents. (*Please email or provide a flash drive*)
- X Definitive Subdivision Plan Filing Fee (\$2,500 plus \$2.50/linear foot of street centerline proposed) – Payable to Town of Medway
- X Advance of Plan Review Fee (\$2,500) – Payable to Town of Medway

ATTACHMENT A – OWNER INFORMATION

69 Summer Street – Map 37, Lot 36

The owner's title to the land that is the subject matter of this application is derived under deed from: Linda Lindsey, Trustee of Rabbit Brook Realty Trust to Linda Lindsey dated September 20, 2006 and recorded in Norfolk County Registry of Deeds, Book 24557 Page 384.

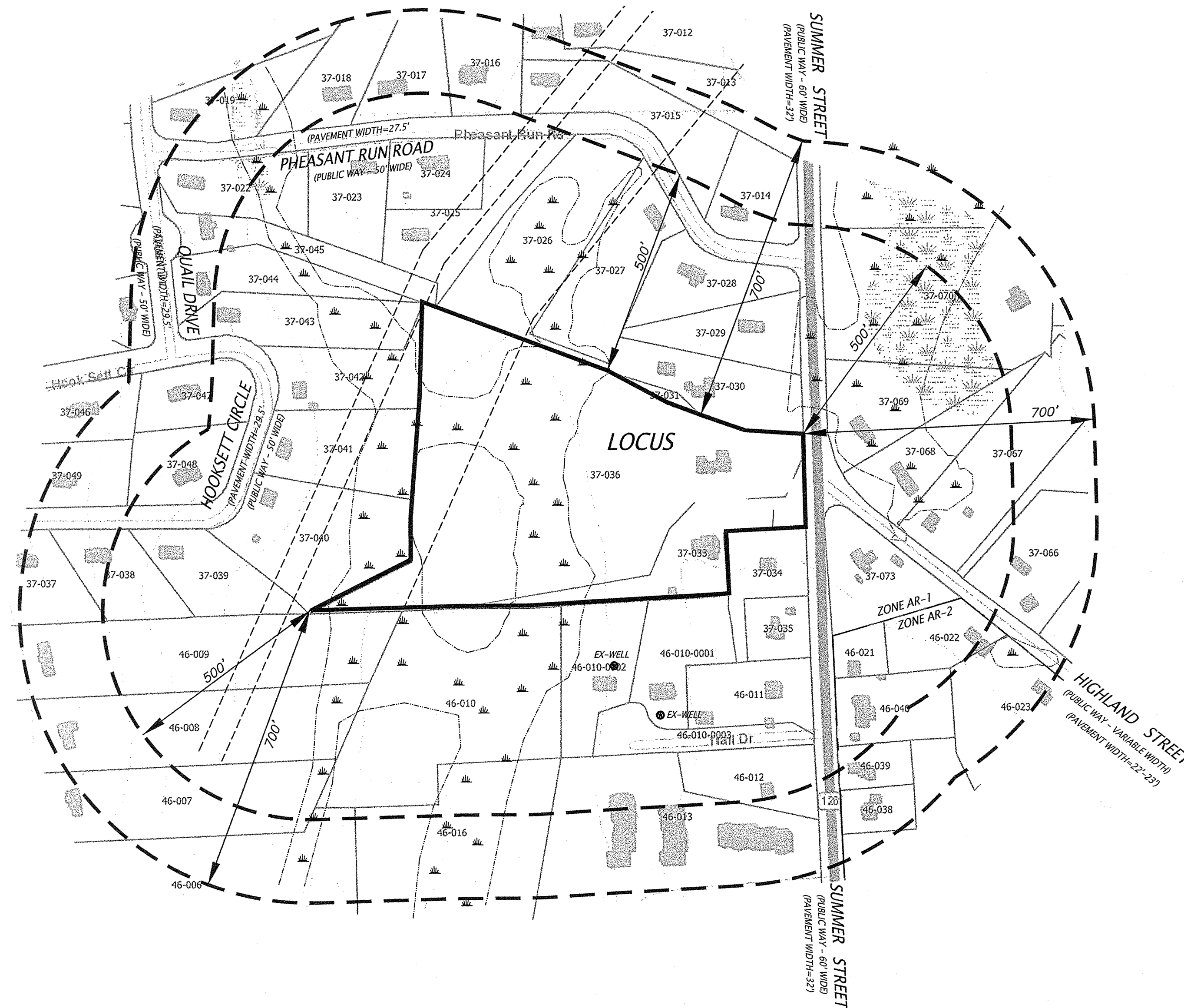
and

67R Summer Street – Map 37, Lot 33

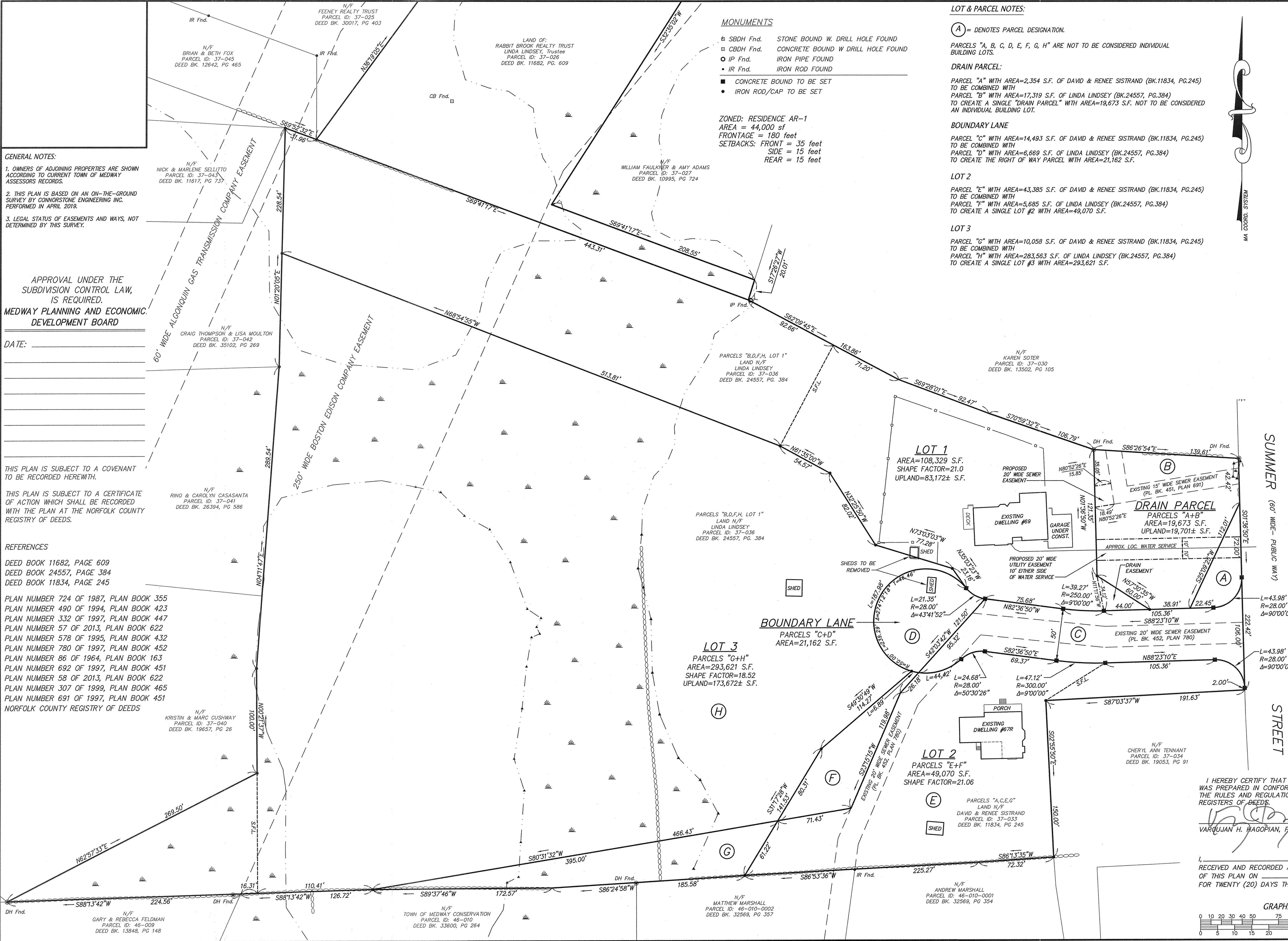
The owner's title to the land that is the subject matter of this application is derived under deed from: Linda Lindsey, Trustee of L&W Realty Trust to David & Renee Sistrand dated May 30, 1997 and recorded in Norfolk County Registry of Deeds, Book 11834 Page 245.

[illegible]

THIS PLAN IS SUBJECT TO A CERTIFICATE
OF ACTION WHICH SHALL BE RECORDED
WITH THE PLAN AT THE NORFOLK COUNTY
REGISTRY OF DEEDS.



SCALE: AS SHOWN SHEET 1 OF 2



GENERAL NOTES:

- OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF MEDWAY ASSESSORS RECORDS.
- THIS PLAN IS BASED ON AN ON-THE-GROUND SURVEY BY CONNORSTONE ENGINEERING INC. PERFORMED IN APRIL 2019.
- LEGAL STATUS OF EASEMENTS AND WAYS, NOT DETERMINED BY THIS SURVEY.

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW,
IS REQUIRED.
MEDWAY PLANNING AND ECONOMIC
DEVELOPMENT BOARD

DATE: _____

THIS PLAN IS SUBJECT TO A COVENANT
TO BE RECORDED HEREWITH.

THIS PLAN IS SUBJECT TO A CERTIFICATE
OF ACTION WHICH SHALL BE RECORDED
WITH THE PLAN AT THE NORFOLK COUNTY
REGISTRY OF DEEDS.

ZONED: RESIDENCE AR-1
AREA = 44,000 sf
FRONTAGE = 180 feet
SETBACKS: FRONT = 35 feet
SIDE = 15 feet
REAR = 15 feet

N/F
RINO & CAROLYN CASASANTA
PARCEL ID: 37-041
DEED BK. 26394, PG. 586

N/F
KRISTIN & MARC CUSHWAY
PARCEL ID: 37-040
DEED BK. 19657, PG. 26

N/F
GARY & REBECCA FELDMAN
PARCEL ID: 46-009
DEED BK. 13648, PG. 148

N/F
TOWN OF MEDWAY CONSERVATION
PARCEL ID: 46-010-0002
DEED BK. 33600, PG. 264

N/F
MATTHEW MARSHALL
PARCEL ID: 46-010-0001
DEED BK. 32569, PG. 357

N/F
ANDREW MARSHALL
PARCEL ID: 46-010-0001
DEED BK. 32569, PG. 354

PARCELS "A,C,E,G"
LAND N/F
DAVID & RENEE SISTRAND
PARCEL ID: 37-033
DEED BK. 11834, PG. 245

EXISTING DWELLING #67R
T.C.=264.38

EXISTING DWELLING #69
T.C.=260.22

PARCELS "B,D,F,H, LOT 1"
LAND N/F
LINDA LINDSEY
PARCEL ID: 37-036
DEED BK. 24557, PG. 384

PARCELS "B,D,F,H, LOT 1"
LAND N/F
LINDA LINDSEY
PARCEL ID: 37-036
DEED BK. 24557, PG. 384

N/F
WILLIAM FAULKNER & AMY ADAMS
PARCEL ID: 37-027
DEED BK. 10995, PG. 724

LAND OF:
RABBIT BROOK REALTY TRUST
LINDA LINDSEY, Trustee
PARCEL ID: 37-026
DEED BK. 11682, PG. 609

N/F
BRIAN & BETH FOY
PARCEL ID: 37-045
DEED BK. 12642, PG. 465

N/F
CRAIG THOMPSON & LISA MOULTON
PARCEL ID: 37-042
DEED BK. 33102, PG. 269

APPLICANT:

ZACHARY T. LINDSEY et ux.
69 SUMMER STREET
MEDWAY, MA

OWNERS:

LINDA LINDSEY
69 SUMMER STREET
MEDWAY, MA

DAVID & RENEE SISTRAND
67R SUMMER STREET
MEDWAY, MA

CONNORSTONE
ENGINEERING INC.

CIVIL ENGINEERS AND LAND SURVEYORS
10 SOUTHWEST CUTOFF, SUITE 7
NORTHBOROUGH, MASSACHUSETTS 01532
PHONE: 508-393-9727 FAX: 508-393-5242

DEFINITIVE SUBDIVISION PLAN
EXISTING CONDITIONS PLAN
BOUNDARY LANE
IN
MEDWAY, MASS.

2-17-2022 MISC. CON. COMM. EDITS
2-8-2022 MISC. CON. COMM. EDITS

REVISED: DESCRIPTION:

DRAWN BY: REM CHECK BY: VHH

DATE: AUGUST 20, 2021

SCALE: 1"=40' SHEET 1 OF 6.

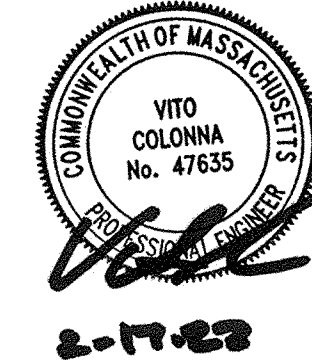
ASSESSOR MAP 37, LOTS 33 & 36

LEGEND

- DRAIN MAN HOLE
 - DRAINAGE LINE
 - CATCH BASIN
 - SEWER LINE
 - SEWER MAN HOLE
 - BITUMINOUS CURBING
 - EDGE OF PAVEMENT
 - GUARD RAIL
 - APPROX. WATERLINE
 - HYDRANT
 - WATERGATE
 - APPROX. GAS LINE
 - GAS GATE
- UTILITY POLE & GUY WIRE
 - CHAIN LINK FENCE
 - LIGHTPOST
 - HANDICAP SPACE
 - ELECTRIC TRANSFORMER SIGN
 - VERTICAL BENCHMARK
 - DECIDUOUS TREE >8"
 - CONIFEROUS TREE >8"
 - TREELINE
 - SPOT GRADE
 - WETLAND LINE
 - TELEPHONE MAN HOLE

MONUMENTS

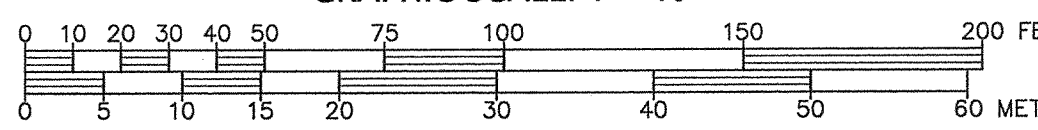
- SBDH Fnd. STONE BOUND W. DRILL HOLE FOUND
- SB Fnd. STONE BOUND FOUND
- IP Fnd. IRON PIPE FOUND



MA COORD. SYSTEM

I, _____ CLERK OF THE TOWN OF MEDWAY
RECEIVED AND RECORDED APPROVAL FROM THE PLANNING BOARD
OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN
FOR TWENTY (20) DAYS THEREAFTER.

GRAPHIC SCALE: 1"=40'



GENERAL NOTES:

- OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF MEDWAY ASSESSORS RECORDS.
- THIS PLAN IS BASED ON AN ON-THE-GROUND SURVEY BY CONNORSTONE ENGINEERING INC. PERFORMED IN APRIL 2019.
- LEGAL STATUS OF EASEMENTS AND WAYS, NOT DETERMINED BY THIS SURVEY.

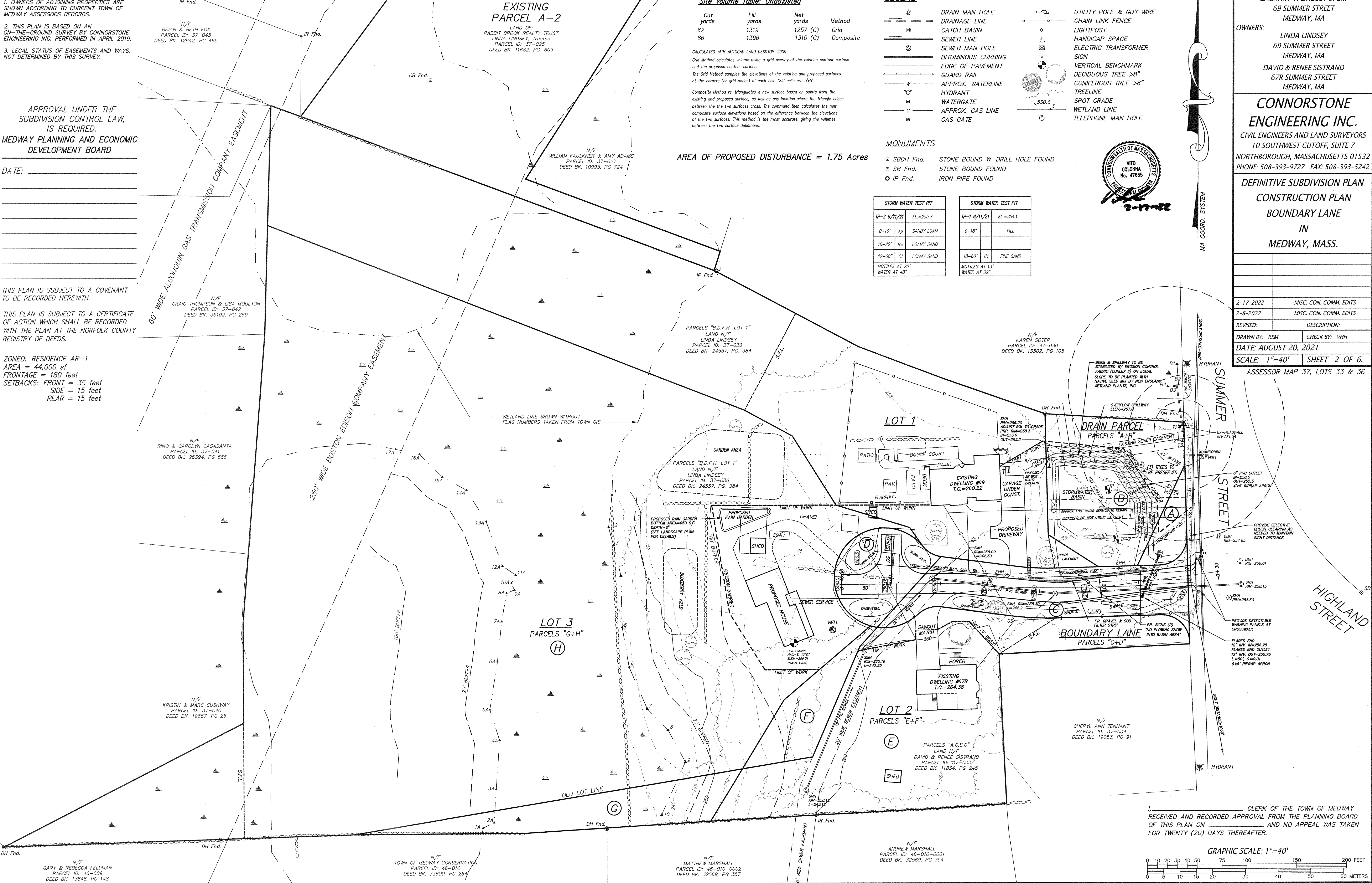
APPROVAL UNDER THE SUBDIVISION CONTROL LAW, IS REQUIRED.
MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD

DATE: _____

THIS PLAN IS SUBJECT TO A COVENANT TO BE RECORDED HEREWITH.

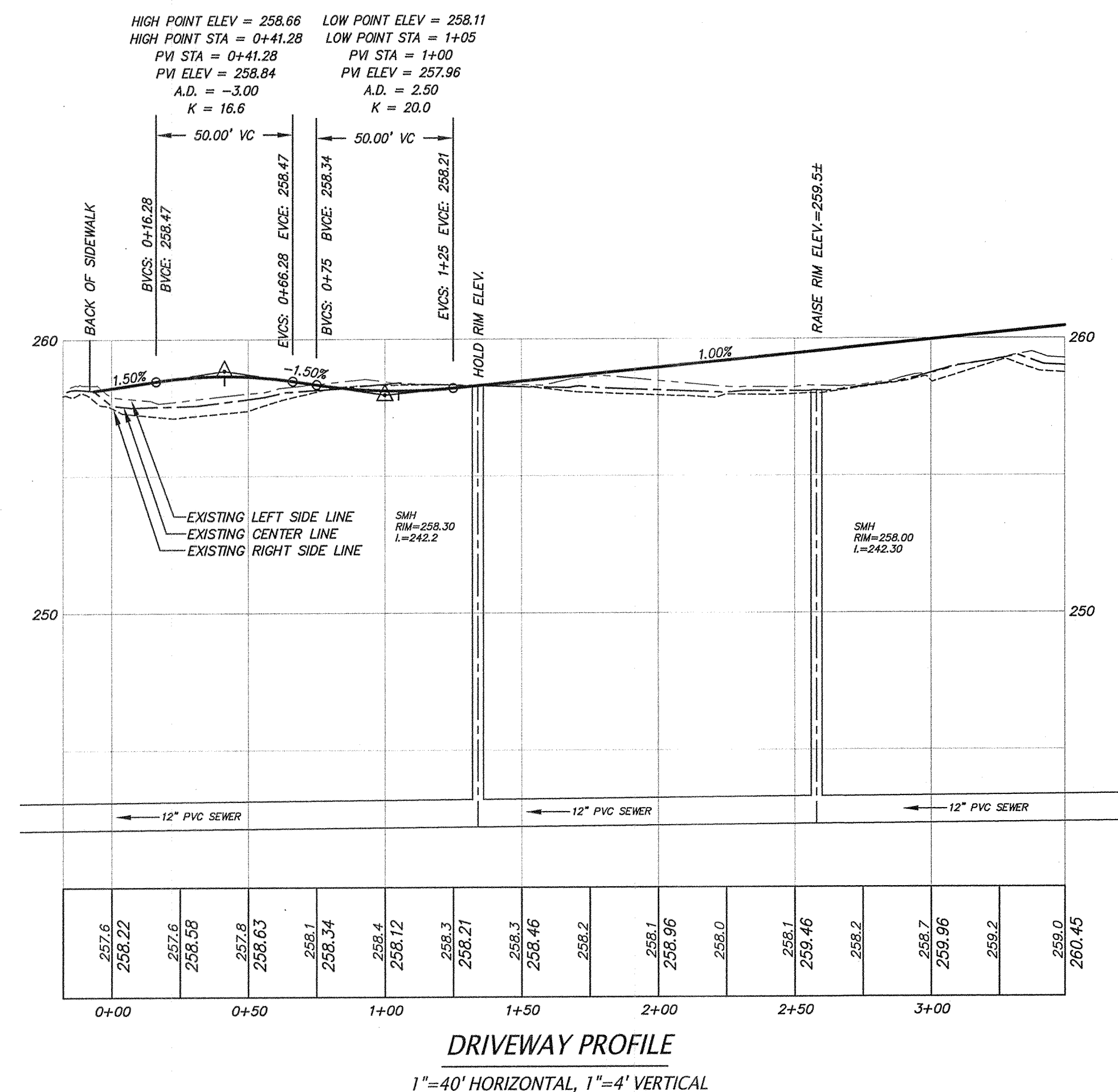
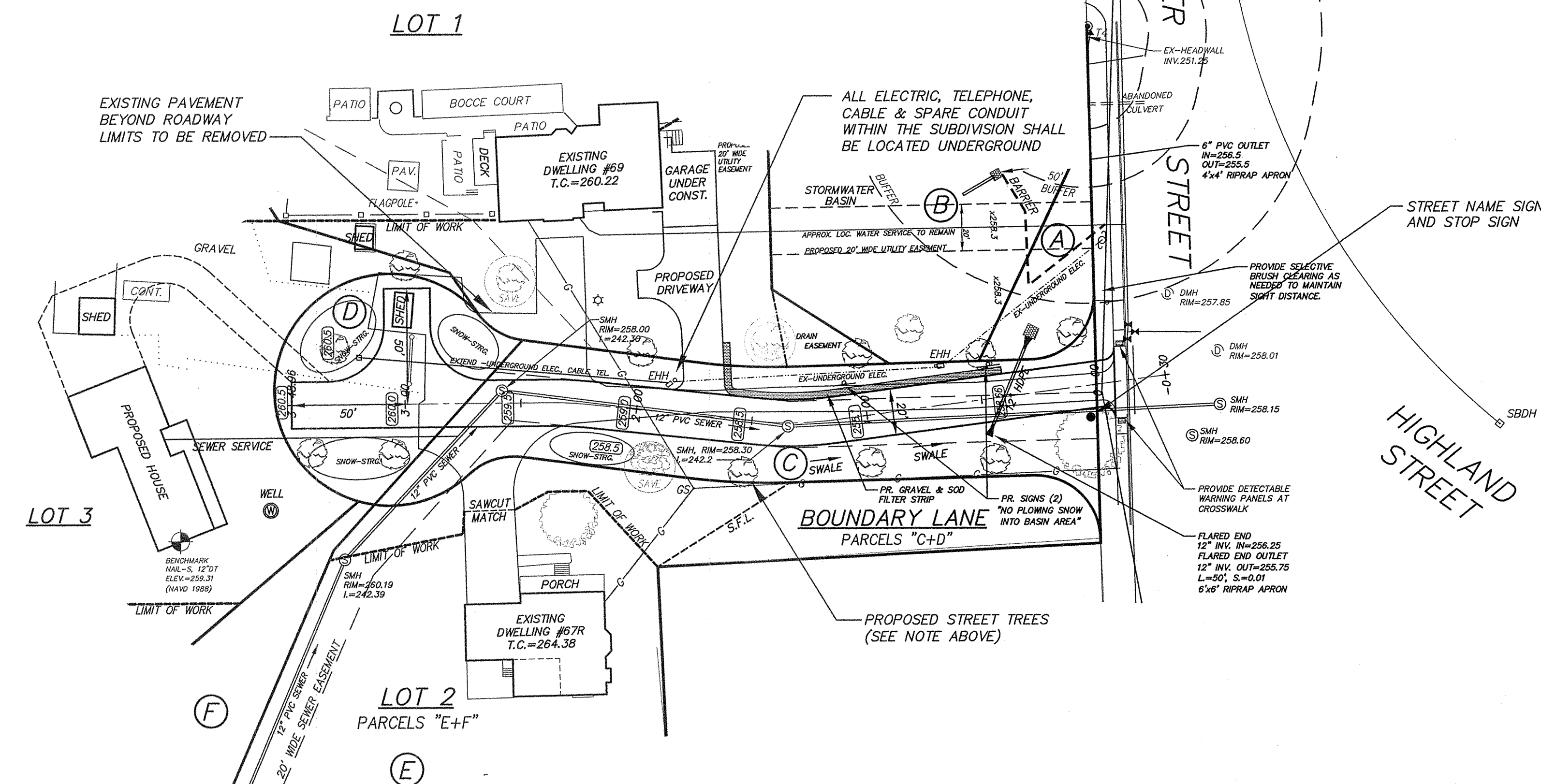
THIS PLAN IS SUBJECT TO A CERTIFICATE OF ACTION WHICH SHALL BE RECORDED WITH THE PLAN AT THE NORFOLK COUNTY REGISTRY OF DEEDS.

ZONED: RESIDENCE AR-1
AREA = 44,000 sf
FRONTAGE = 180 feet
SETBACKS: FRONT = 35 feet
SIDE = 15 feet
REAR = 15 feet

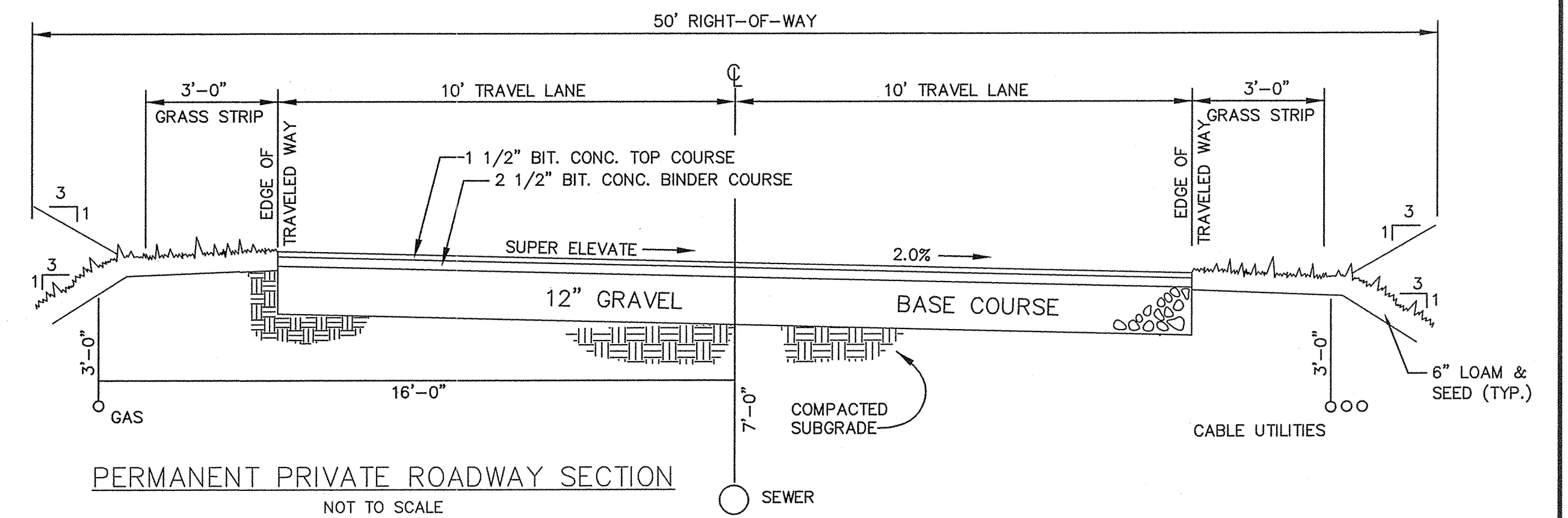


MINIMUM OF 3 SPECIES TO BE PLANTED.
STAGGER LAYOUT SO THAT NO ONE SPECIES
SHALL BE PLANTED NEXT TO A LIKE SPECIES

ROADWAY PLAN VIEW.
1"=40' HORIZONTAL



1"=40' HORIZONTAL, 1"=4' VERTICAL



CONSTRUCTION NOTES:

1. EXISTING UTILITY LINES SHOWN ON THIS DRAWING ARE FROM AVAILABLE INFORMATION AND ARE APPROXIMATE LOCATIONS. THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SUBSURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION AND INVERT ELEVATION OF ALL UTILITIES AND SUBSTRUCTURES PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES WITH RECORD DATA SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY. THE CONTRACTOR SHALL CONTACT DIG SAFE - 1-800-344-7233 (72 HOURS BEFORE DIGGING), AND TOWN DPW FOR UTILITY LOCATIONS PRIOR TO EXCAVATION. TEST PITS SHALL BE UTILIZED FOR UTILITY CONNECTIONS.
2. ALL MATERIALS AND CONSTRUCTION PRACTICES SHALL BE IN CONFORMANCE WITH THE STANDARDS AND SPECIFICATIONS MEDWAY DEPARTMENT OF PUBLIC WORKS, LATEST EDITION OF THE MASSACHUSETTS HIGHWAY DEPARTMENT (MHD) CONSTRUCTION STANDARDS AND THE MHD STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES; WHICHEVER IS MORE STRINGENT.
3. THE LAYOUT AND INSTALLATION OF ELECTRIC, GAS, TELEPHONE AND CATV UTILITY CONNECTIONS AND SERVICES SHALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPECTIVE UTILITY.
4. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE HIS WORK WITH THE APPROPRIATE HIGHWAY & UTILITY DEPARTMENTS. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING AND NEWLY INSTALLED UTILITIES IN GOOD WORKING ORDER AND SHALL PROTECT THEM FROM DAMAGE AT ALL TIMES UNTIL THE WORK IS COMPLETED AND ACCEPTED.
5. WORK WITHIN THE HIGHWAY LAYOUT, IF APPLICABLE, SHALL CONFORM TO THE CONDITIONS OF THE PERMIT ISSUED BY THE MASSACHUSETTS HIGHWAY DEPARTMENT AND/OR LOCAL AUTHORITY AS APPROPRIATE.
6. THE CONTRACTOR SHALL UTILIZE ALL MEASURES AND MATERIALS NECESSARY TO ENSURE THE SAFETY OF ALL PERSONS AND PROPERTIES AT THE SITE DURING CONSTRUCTION. ALL EXCAVATIONS SHALL CONFORM TO CURRENT OSHA STANDARDS.
7. ALL SIGN SIGNS AND MATERIAL SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC DEVICES" (MUTCD) AND THE OFFICE OF TRAFFIC OPERATIONS, FEDERAL HIGHWAY ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION.
8. ALL RAMPS, CURB CUTS, SIDEWALKS, AND ACCESSIBLE SPACES SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT REGULATIONS AND WITH ARCHITECTURAL ACCESS BOARD REGULATIONS (521 CMR 1A-47).
9. ALL EXCAVATION AND EARTHWORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITION OF THE MASSACHUSETTS HIGHWAY DEPARTMENT (MHD) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, SECTIONS 120, 140, 150, AND 170.

ADA / AAB REQUIREMENTS:

ALL IMPROVEMENTS, RAMPS, CURB CUTS, SIDEWALKS, AND DRIVEWAY CROSSINGS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT REGULATIONS AND WITH ARCHITECTURAL ACCESS BOARD REGULATIONS (521 CMR S 1-47) IN FORCE AND EFFECTIVE AT THE TIME OF CONSTRUCTION.

ZONED: AR-1
AREA = 44,000 sf
FRONTAGE = 180 feet
SETBACKS: FRONT = 35 feet
 SIDE = 15 feet
 REAR = 15 feet

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW,
IS REQUIRED.
MEDWAY PLANNING AND ECONOMIC
DEVELOPMENT BOARD

DATE: _____

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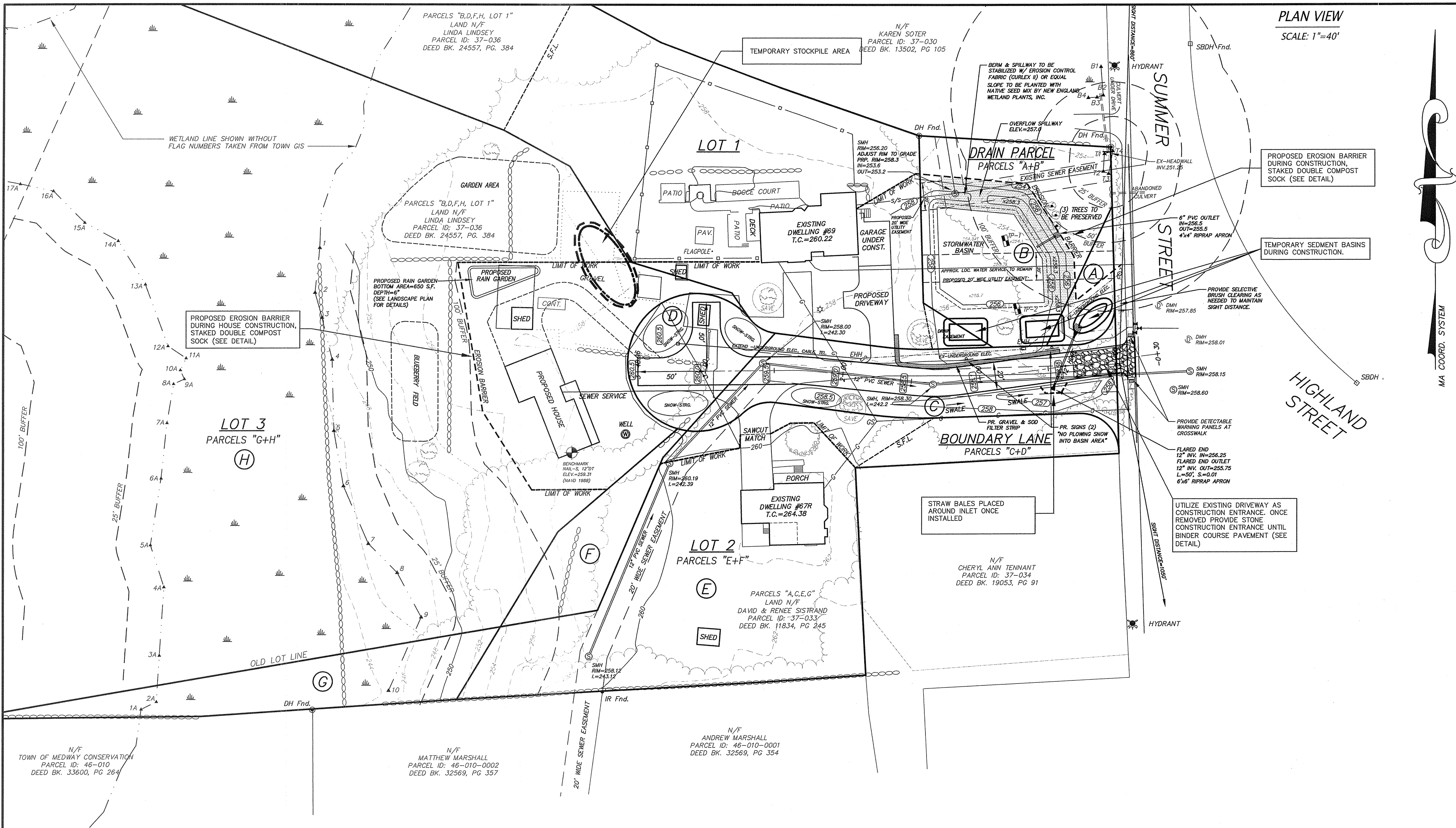
**CONNORSTONE
ENGINEERING INC.**

CIVIL ENGINEERS AND LAND SURVEYORS
10 SOUTHWEST CUTOFF, SUITE 7
NORTHBOROUGH, MASSACHUSETTS 01532
PHONE: 508-393-9727 FAX: 508-393-5242

DEFINITIVE SUBDIVISION PLAN
ROADWAY PLAN & PROFILE
BOUNDARY LANE
IN
MEDWAY, MASS.

2-17-2022	MISC. CON. COMM. EDITS
2-8-2022	MISC. CON. COMM. EDITS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: AUGUST 20, 2021	
SCALE: 1"=40'	SHEET 3 OF 6.

I, _____ CLERK OF THE TOWN OF MEDWAY
RECEIVED AND RECORDED APPROVAL FROM THE PLANNING BOARD
OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN
FOR TWENTY (20) DAYS THEREAFTER.



EROSION AND SEDIMENTATION CONTROL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE ORDER OF CONDITIONS ISSUED BY THE TOWN OF MEDWAY CONSERVATION COMMISSION, AND THE PROJECT STORMWATER POLLUTION PREVENTION PLAN.
2. PRIOR TO INITIATING CONSTRUCTION, ALL SEDIMENTATION AND EROSION CONTROL MEASURES SHALL BE INSTALLED AS SHOWN ON THE PLANS AND DETAIL DRAWINGS.
3. THIS PLAN DEPICTS THE MINIMUM REQUIRED SEDIMENTATION AND EROSION CONTROLS. THE CONTRACTOR SHALL EMPLOY ADDITIONAL SEDIMENTATION AND EROSION CONTROL MEASURES AS NECESSITATED BY SITE CONDITIONS, OR AS DIRECTED BY THE OWNER, THE OWNER'S REPRESENTATIVE, OR THE CONSERVATION COMMISSION TO ENSURE PROTECTION OF ALL WETLAND RESOURCES AND CONTROL SEDIMENT TRANSPORT. IF SEDIMENTATION PLUMES OCCUR, THE CONTRACTOR SHALL STOP WORK AND INSTALL ADDITIONAL SEDIMENTATION CONTROL DEVICES IMMEDIATELY TO PREVENT FURTHER SEDIMENTATION.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL TEMPORARY AND PERMANENT SEDIMENTATION AND EROSION CONTROLS UNTIL WORK IS COMPLETE AND ALL AREAS HAVE BEEN PERMANENTLY STABILIZED. AT SUCH TIME THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL SEDIMENTATION AND EROSION CONTROL MEASURES.
5. THE CONTRACTOR SHALL INSPECT SEDIMENTATION AND EROSION CONTROLS ON A DAILY BASIS AND IMMEDIATELY AFTER EACH RAINFALL. REPAIRS SHALL BE MADE BY THE END OF THE WORKING DAY. ACCUMULATED SEDIMENT SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR WHEN THE VOLUME REACHES 1/4 TO 1/2 THE HEIGHT OF COMPOST SOCK OR SEDIMENT TRAP, OR AS DIRECTED BY THE LOCAL AUTHORITY.
6. SOIL STOCKPILES SHALL BE STABILIZED TO PREVENT EROSION, AND A PERIMETER SEDIMENT CONTROL BARRIER SHALL BE INSTALLED. NO MATERIALS SUBJECT TO EROSION SHALL BE STOCKPILED OVERNIGHT WITHIN 100 FEET OF A WETLAND UNLESS COVERED.
7. TOPSOIL, STOCKPILES AND DISTURBED PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITY TEMPORARILY CEASES FOR AT LEAST 7 DAYS WILL BE STABILIZED WITH A TEMPORARY SEED AND MULCH NO LATER THAN 7 DAYS FROM THE LAST CONSTRUCTION ACTIVITY IN THAT AREA. THE TEMPORARY SEED SHALL BE EROSION CONTROL MIX. DISTURBED PORTIONS OF THE SITE WHERE FINAL GRADE HAS BEEN MET AND CONSTRUCTION ACTIVITY CEASES SHALL BE STABILIZED WITH PERMANENT SEED NO LATER THAN 7 DAYS AFTER THE LAST CONSTRUCTION ACTIVITY. THE PERMANENT SEED MIX CONSISTS OF BLUEGRASS, TALL FESCUE, AND ANNUAL RYE. PRIOR TO SEEDING, GROUND AGRICULTURAL LIMESTONE SHALL BE APPLIED AS REQUIRED. SEEDING SHALL BE NUTRIENT ENRICHED HYDROSEED AND CELLULOSE OR OTHER DEGRADABLE FIBERS CAPABLE OF RETAINING MOISTURE. IF NOT DURING THE GROWING SEASON, THESE AREAS SHALL BE MULCHED WITH STRAW AND SECURED.
8. DEWATERING OPERATIONS, IF REQUIRED, SHALL DISCHARGE ONTO STABILIZED AREAS, AND ALL DISCHARGE WATER IS TO PASS THROUGH SEDIMENTATION CONTROL DEVICES TO PREVENT IMPACTS UPON WATER BODIES, BORDERING VEGETATED WETLANDS, DRAINAGE SYSTEMS AND ADJUTING PROPERTIES. AT A MINIMUM ALL DISCHARGES SHALL BE INTERCEPTED BY STRAWBALE CORRAL AND STRAWBALE CHECK DAMS SPACED 10' APART.
9. COMPOST SOCK AND SILT FENCE SHALL BE INSTALLED ALONG THE EDGE OF PROPOSED DEVELOPMENT OR AS INDICATED ON THE PLANS. ADDITIONAL BARRIERS SHALL BE LOCATED AS CONDITIONS WARRANT, AND IN SOME AREAS WEED FREE BALE/SILT FENCING STRUCTURES MAY HAVE TO BE DUPLICATED AT REGULAR INTERVALS UP GRADIENT OF WETLANDS.
10. STREET SWEEPING IN THE VICINITY OF THE PROJECT AREA SHALL BE PERFORMED AS NEEDED UNTIL THE PROJECT LIMITS HAVE BEEN STABILIZED. ALL SEDIMENT TRACKED ONTO PUBLIC RIGHT-OF-WAYS SHALL BE SWEEPED AT THE END OF EACH WORKING DAY.
11. ALL EXISTING AND PROPOSED DRAINAGE SYSTEM INLETS, WHICH MAY RECEIVE STORMWATER FLOW FROM DISTURBED AREAS, SHALL BE PROVIDED WITH INLET PROTECTION (CATCH BASIN SILT SACKS). THE CONTRACTOR SHALL MAINTAIN THESE DEVICES PER THE MANUFACTURERS RECOMMENDATIONS UNTIL ALL WORK IS COMPLETED AND ALL AREAS HAVE BEEN ADEQUATELY STABILIZED.
12. DUST CONTROL MEASURES SHALL BE IMPLEMENTED AND MAINTAINED PROPERLY THROUGHOUT DRY WEATHER PERIODS UNTIL ALL DISTURBED AREAS HAVE BEEN PERMANENTLY STABILIZED. METHODS FOR DUST CONTROL SHALL INCLUDE WATER SPRINKLING AND/OR OTHER METHODS APPROVED BY THE ENGINEER.
13. ALL VEHICLES SHALL ENTER AND EXIT THE SIT VIA THE STABILIZED CONSTRUCTION ENTRANCE CONSISTING OF 2" TO 3" INCH CRUSHED STONE TO A DEPTH OF 6" FOR A MINIMUM OF THE FIRST 50 FEET FROM EXISTING PAVED STREETS. EXTEND THE PAD BEYOND 50 FEET AS NECESSARY BASED UPON FIELD CONDITIONS. IF THE SITE CONDITIONS ARE SUCH THAT THE GRAVEL PAD DOES NOT REMOVE THE MAJORITY OF THE MUD AND DEBRIS, THEN THE TIRES SHALL BE WASHED BEFORE ANY VEHICLES ENTER ADJACENT ROADWAYS. ALL WATER USED FOR TIRE WASHING SHALL BE COLLECTED AND TREATED PRIOR TO ENTERING THE DRAINAGE SYSTEM. THE CONTRACTOR SHALL INSPECT THE CONSTRUCTION ENTRANCE DAILY AND AFTER HEAVY USE.
14. EQUIPMENT NOT IN USE SHALL NOT BE PARKED WITHIN WETLANDS OR BUFFER AREAS.

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW,
IS REQUIRED.
MEDWAY PLANNING AND ECONOMIC
DEVELOPMENT BOARD

DATE: _____

THIS PLAN IS SUBJECT TO A COVENANT
TO BE RECORDED HEREWITH.

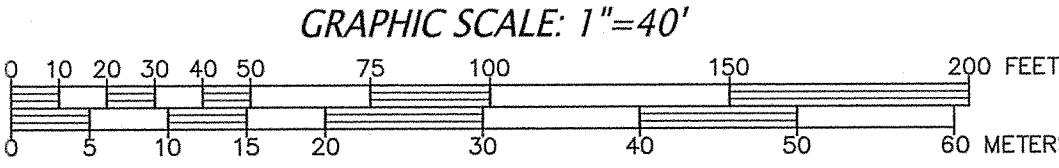
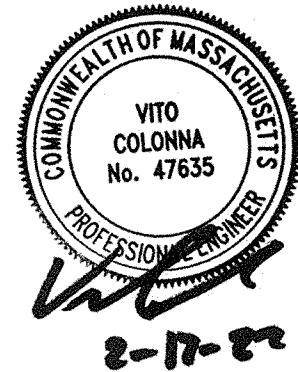
THIS PLAN IS SUBJECT TO A CERTIFICATE
OF ACTION WHICH SHALL BE RECORDED
WITH THE PLAN AT THE NORFOLK COUNTY
REGISTRY OF DEEDS.

GENERAL SEQUENCING PLAN ESTIMATED SCHEDULE ROADWAY THROUGH BINDER COURSE: 6 MONTHS LOT DEVELOPMENT 12 MONTHS

1. INSTALL SEDIMENT CONTROL BARRIERS AND CONSTRUCTION ENTRANCE OFF SUMMER STREET.
2. REMOVE THE EXISTING STRUCTURES AND PAVEMENT AREAS.
3. INSTALL TEMPORARY SEDIMENT TRAP/BERM.
4. CLEAR & PREP ROADWAY AREA.
5. BEGIN CONSTRUCTION OF ROADWAY.
6. INSTALL ROADWAY CROSS CULVERT PRIOR TO COMPLETING PLACEMENT OF FILL NEAR STATION 0+25 TO PREVENT PONDING ON ADJUTING LAND AND BLOCKAGE OF DRAINAGE FLOW PATHS.
7. INSTALL UTILITIES.
8. INSTALL DRAIN CULVERT.
9. INSTALL GRAVEL BASE AND BINDER COURSE PAVEMENT.
10. BEGIN LOT DEVELOPMENT.
11. PERFORM FINAL LANDSCAPING AND STABILIZATION.
12. CLEAN & FINAL INSTALLATION OF STORM WATER BASIN.
13. ADJUST STRUCTURES TO GRADE, AND PLACE FINAL TOP COURSE PAVEMENT.
14. REMOVE THE REMAINING SILTATION DEVICES AS THE AREA BECOMES STABLE.

THE ABOVE SEQUENCING MAY BE SUBJECT TO CHANGE DUE TO FIELD CONDITIONS AND CONTRACTOR'S MEANS AND METHODS. A FINAL SEQUENCING PLANE SHALL BE SUBMITTED TO THE ENGINEER AND TOWN FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION.

I, _____ CLERK OF THE TOWN OF MEDWAY
RECEIVED AND RECORDED APPROVAL FROM THE PLANNING BOARD
OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN
FOR TWENTY (20) DAYS THEREAFTER.

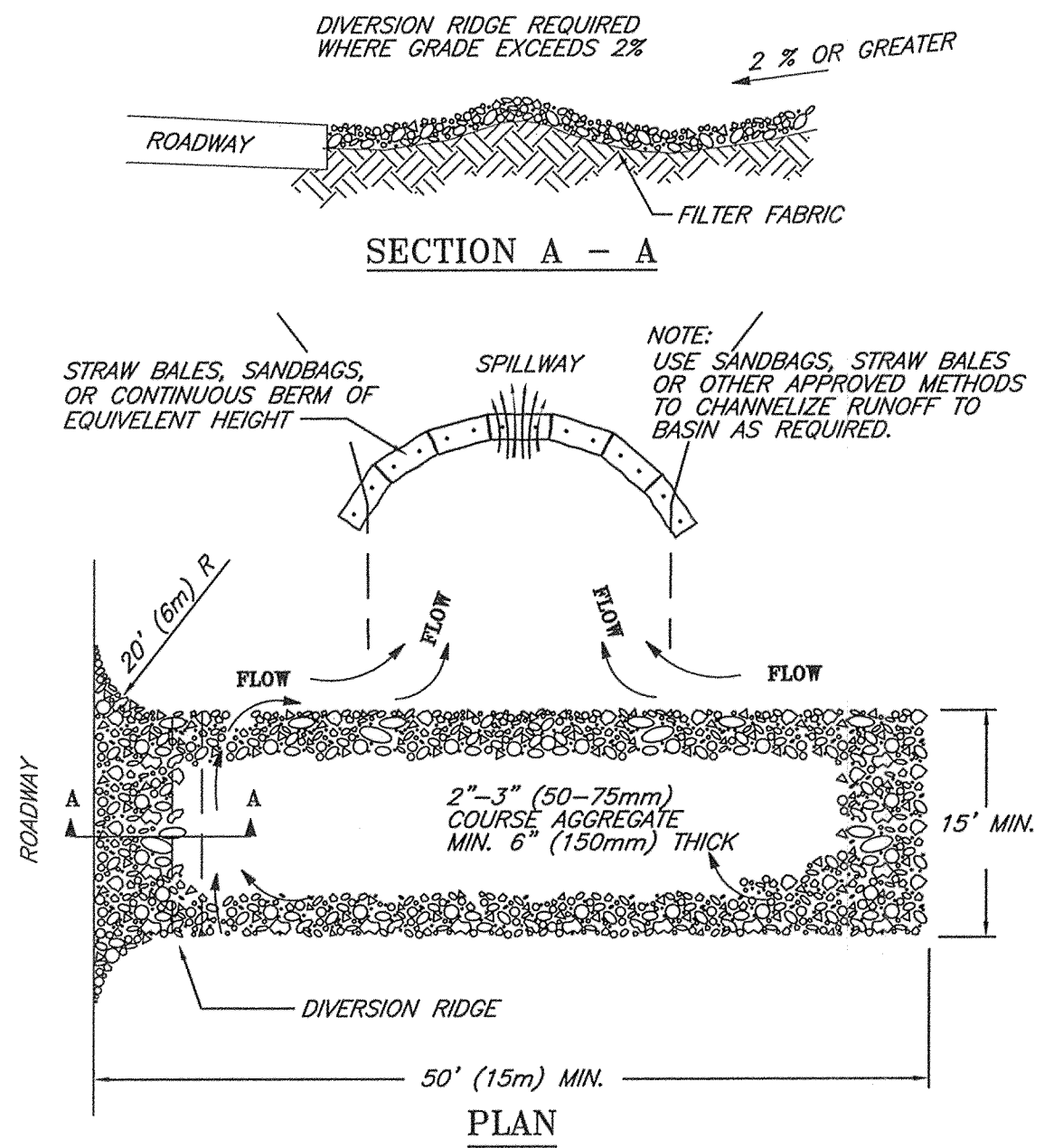


APPLICANT:
ZACHARY T. LINDSEY et ux.
69 SUMMER STREET
MEDWAY, MA
OWNERS:
LINDA LINDSEY
69 SUMMER STREET
MEDWAY, MA
DAVID & RENEE SISTRAND
67R SUMMER STREET
MEDWAY, MA

**CONNORSTONE
ENGINEERING INC.**
CIVIL ENGINEERS AND LAND SURVEYORS
10 SOUTHWEST CUTOFF, SUITE 7
NORTHBOROUGH, MASSACHUSETTS 01532
PHONE: 508-393-9727 FAX: 508-393-5242

**DEFINITIVE SUBDIVISION PLAN
EROSION & SEDIMENT
CONTROL PLAN
BOUNDARY LANE
MEDWAY, MASS.**

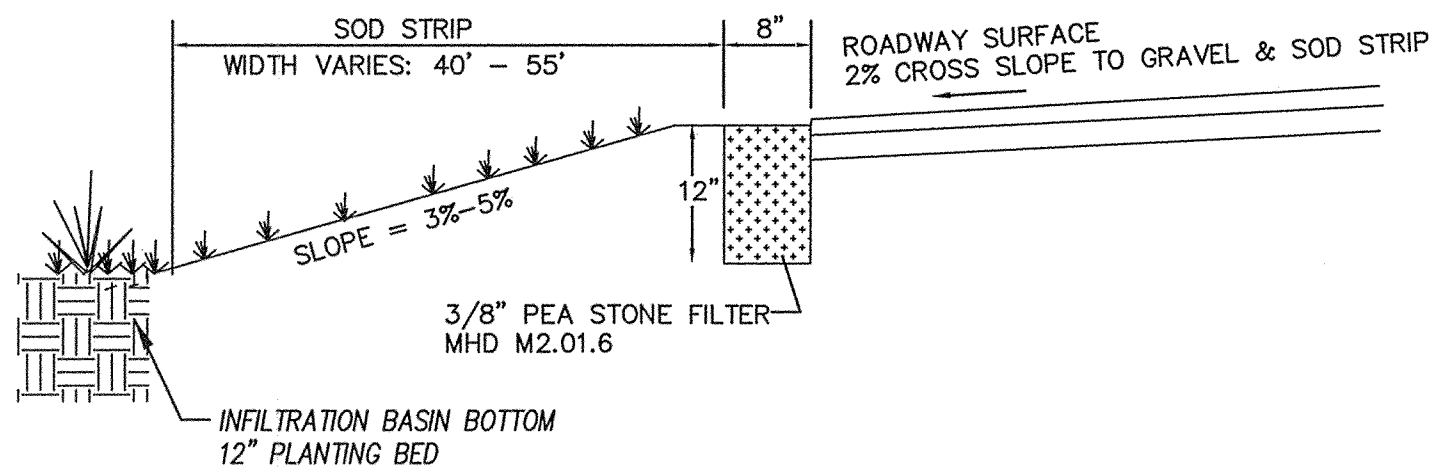
2-17-2022	MISC. CON. COMM. EDITS
2-8-2022	MISC. CON. COMM. EDITS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: AUGUST 20, 2021	
SCALE: 1"=60'	SHEET 4 OF 6.



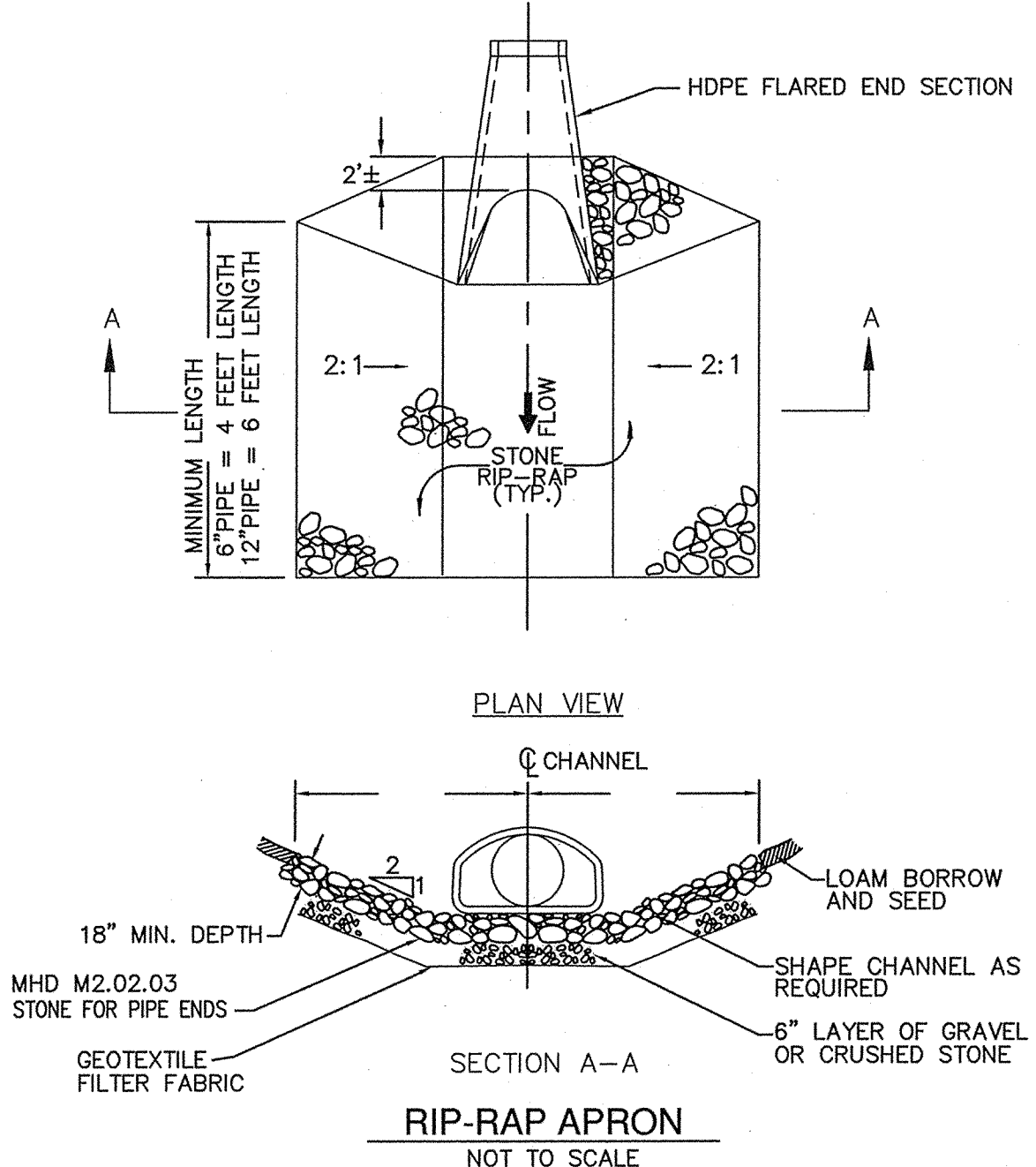
NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT

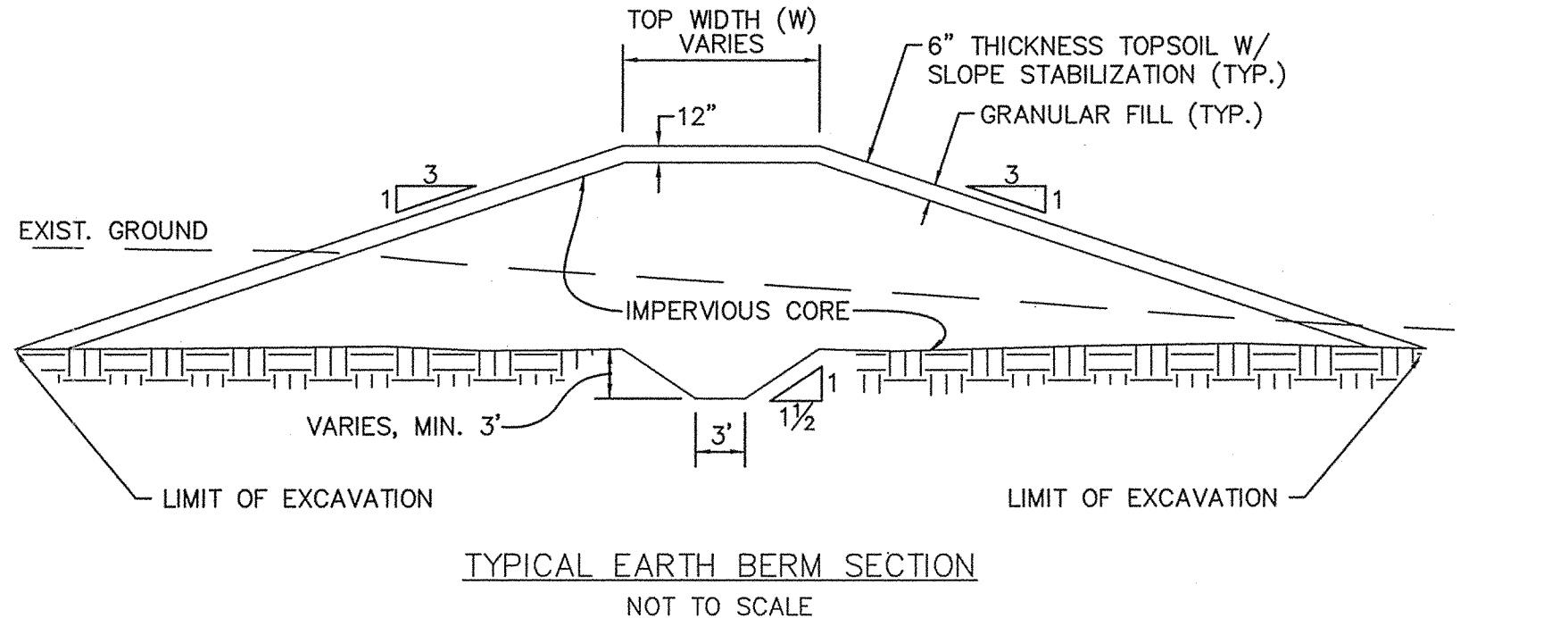
© 1994 JOHN MCGILLAH



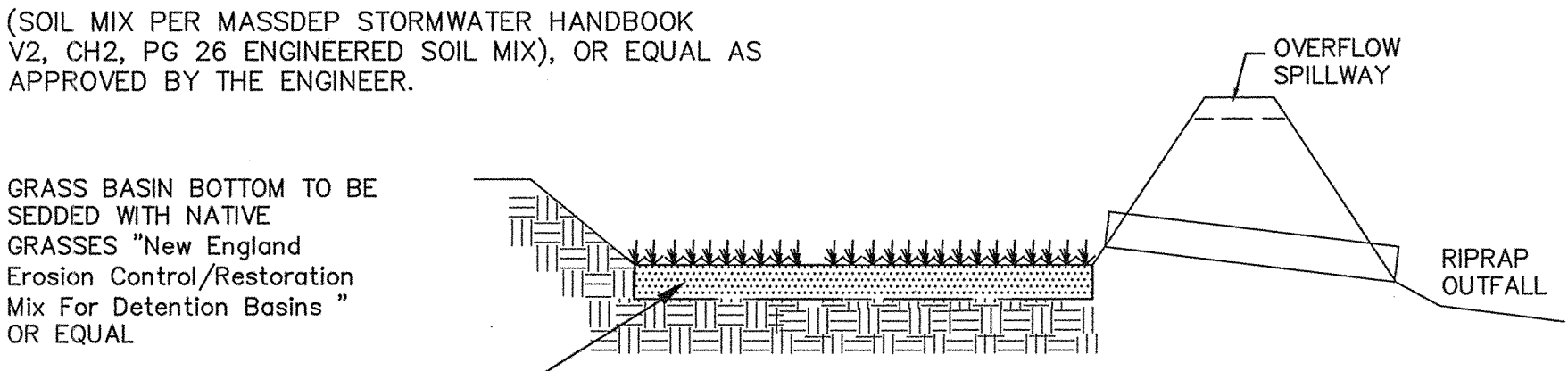
GRAVEL & SOD FILTER STRIP
NOT TO SCALE



RIP-RAP APRON
NOT TO SCALE

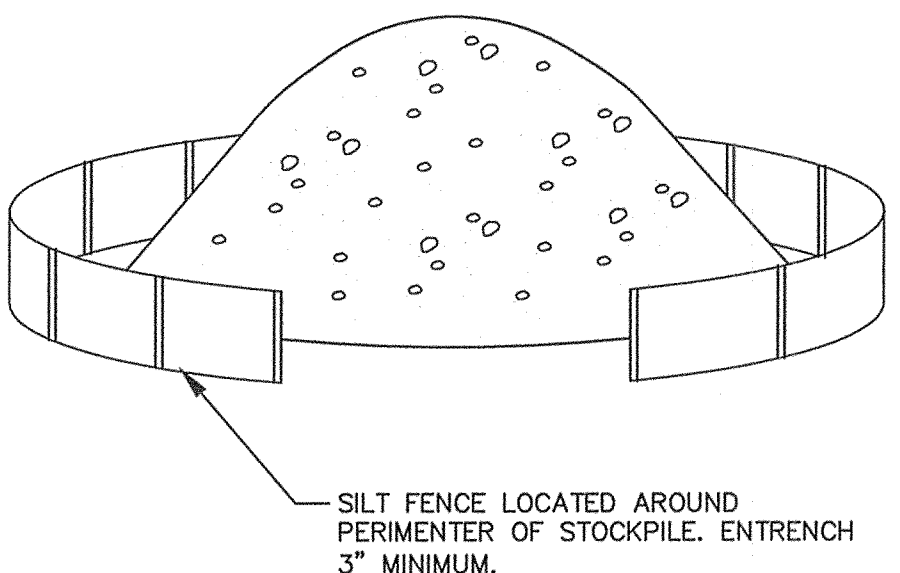


TYPICAL EARTH BERM SECTION
NOT TO SCALE



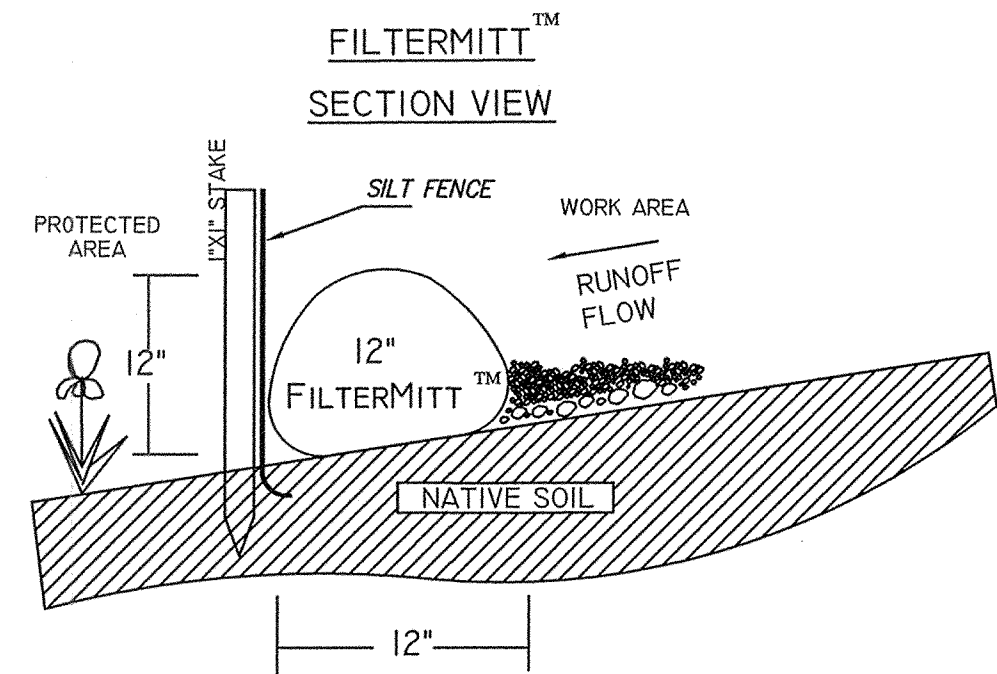
EXCAVATE A MINIMUM 6 INCHES IN TO NATURAL "C" LAYER, AND REMOVE ANY UNSUITABLE MATERIALS BELOW OR AROUND THE SYSTEM. ANY REPLACEMENT FILL REQUIRED SHALL BE CLEAN FREE DRAINING FILL WITH LESS THAN 5% PASSING THE #200 SIEVE (TITLE 5 FILL MEETS THIS REQUIREMENT)

TYPICAL INFILTRATION BASIN SECTION
NOT TO SCALE

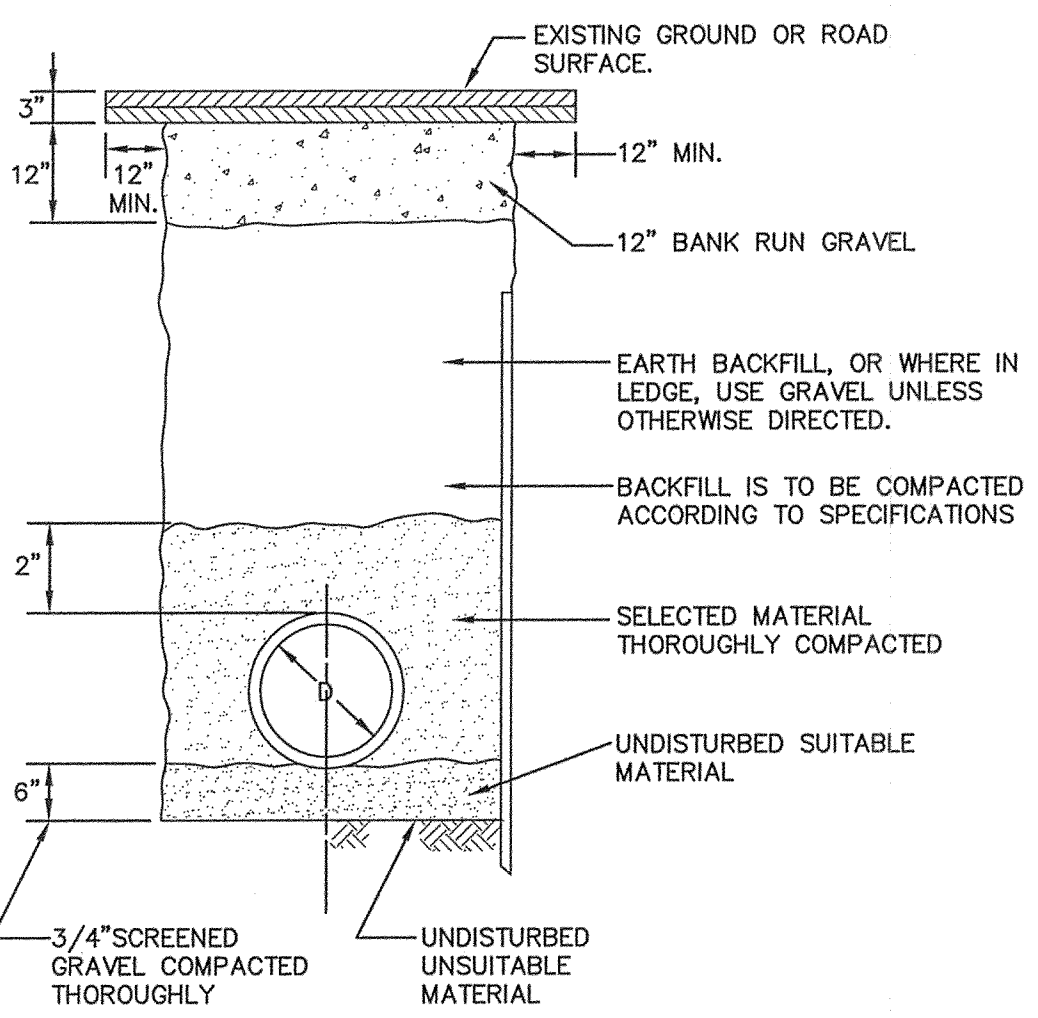


NOTES:
1. NO MATERIALS SUBJECT TO EROSION SHALL BE STOCKPILED OVERNIGHT WITHIN 100 FEET OF A WETLAND UNLESS COVERED.
2. STOCKPILES SHALL BE LOCATED ON DRY STABLE AREAS.
3. STOCKPILES TO REMAIN FOR GREATER THAN SEVEN DAYS SHALL BE STABILIZED WITH A TEMPORARY SEED MIXTURE.

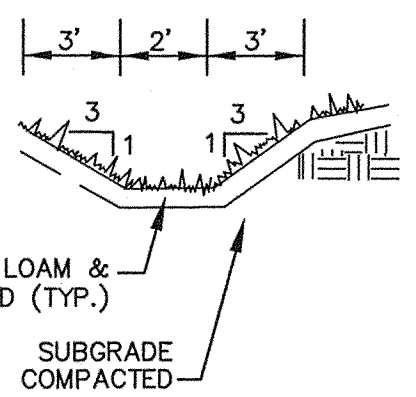
SOIL STOCKPILE DETAIL
NOT TO SCALE



SEDIMENT BARRIER DETAIL
(COMPOST FILTER SOCK WITH SILT FENCE)
NOT TO SCALE



TYPICAL DRAIN TRENCH DETAILS
NOT TO SCALE



TYPICAL SWALE DETAIL
NOT TO SCALE

I, _____ CLERK OF THE TOWN OF MEDWAY
RECEIVED AND RECORDED APPROVAL FROM THE PLANNING BOARD
OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN
FOR TWENTY (20) DAYS THEREAFTER.

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW,
IS REQUIRED.
**MEDWAY PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

DATE: _____

THIS PLAN IS SUBJECT TO A COVENANT
TO BE RECORDED HEREWITH.
THIS PLAN IS SUBJECT TO A CERTIFICATE
OF ACTION WHICH SHALL BE RECORDED
WITH THE PLAN AT THE NORFOLK COUNTY
REGISTRY OF DEEDS.



OWNERS:
LINDA LINDSEY
69 SUMMER STREET
MEDWAY, MA
RABBIT BROOK REALTY TRUST
69 SUMMER STREET
MEDWAY, MA
DAVID & RENEE SISTRAND
67R SUMMER STREET
MEDWAY, MA

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PHONE: 508-393-9727 FAX: 508-393-5242

**DEFINITIVE PLAN
CONSTRUCTION DETAILS**
OF
BOUNDARY LANE
IN
MEDWAY, MA

2/17/2022	MISC. CON. COMM. EDITS
2/8/2022	MISC. CON. COMM. EDITS
REVISED:	DESCRIPTION:
DRAWN BY: RM	CHECK BY: VC
DATE: AUGUST 20, 2021	
SCALE: NONE	SHEET 5 OF 6.

LAND SUBDIVISION - FORM F

Development Impact Report (DIR) PLANNING BOARD – Town of Medway, MA

OVERVIEW

The DIR is intended to serve as a guide to the applicant in formulating their development proposal, as well as a guide to the Planning Board in evaluating the proposed Subdivision Plan in the context of existing conditions and the Town's planning efforts. The DIR should be prepared as early in the design process as possible, even if certain aspects are unknown at that time.

The DIR seeks to raise the broad range of issues generally association with a subdivision development plan in a form and in language that is understandable to the layperson. The DIR shall identify and assess development impacts that could possibly be avoided or mitigated if recognized early in the development process. Other portions of the DIR request information that will help the Town plan ahead to provide adequate services in the future.

The DIR shall be filed with an application for approval of a Preliminary and a Definitive Subdivision Plan. It shall clearly and methodically assess the relationship of the proposed development to the natural, physical, and social environment of the surrounding area. In preparing the DIR, a systematic interdisciplinary approach shall be utilized to include professionals in the natural and social sciences and environmental design arts.

April 1, 2021

Date

1. Name of Proposed Subdivision: Boundary Lane
2. Location: 67R & 69 Summer Street
3. Name of Applicant (s): Zachary T. Lindsey et. ux
4. Brief Description of the Proposed Project: _____

3 Lot residential subdivision

Includes one (1) new house lot and two (2) existing house lots

5. Name of Individual Preparing this DIR Vito Colonna / Connorstone Engineering
Address: 10 Southwest Cutoff, Northborough, MA Phone: 508-393-9727

Professional Credentials: Professional Engineer MA #47635

SITE DESCRIPTION6. Total Site Acreage: 11.3

Approximate Acreage	At Present	After Completion
Meadow/brushland (<i>non-agricultural</i>)	0	0
Forested	4.6	4.4
Agricultural (<i>includes orchards, croplands, pasture</i>)	0.3	0.3
Wetlands	2.9	2.9
Water Surface Area	0	0
Flood Plain	0	0
Unvegetated (<i>rock, earth or fill</i>)	0	0
Roads, buildings and other impervious surfaces	0.7	0.7
Other (<i>indicate type</i>) - LAWN	2.8	3.0
TOTAL	11.3	11.3

7. Present permitted and actual land use by percentage of the site.

Uses	Percentage
Industrial	
Commercial	
Residential	32%
Forest	65%
Agricultural	3%
Other (specify)	

8. List the zoning districts in which the site is located and indicate the percentage of the site in each district. *NOTE – Be sure to include overlay zoning districts.*

Zoning District	Percentage
AR-1	100%

9. Predominant soil type(s) on the site: "Woodbridge"**Soil Drainage***(Use the U.S. Soil Conservation Service's definition)*

Soil Type	% of Site
Well drained	
Moderately well drained	60%
Poorly drained	40%

10. Are there any bedrock outcroppings on the site? ☐ Yes ☒ No

If yes, specify: _____

11. Approximate percentage of proposed site with slopes between:

<i>Slope</i>	<i>% of Site</i>
0 – 10%	93%
10 – 15%	6%
Greater than 15%	1%

12. In which of the Groundwater Protection Districts is the site located?

Zone(s) N/A

Proximity to a public well: 11,000 +/- feet

13. Does the project site contain any species of plant or animal life that is identified as rare or endangered? (*Consult the Massachusetts Heritage Program and the Medway Conservation Commission for information.*) ☐ Yes ☒ No

If yes, specify: _____

14. Are there any unusual site features such as trees larger than 30 inches, bogs, kettle ponds, eskers, drumlins, quarries, distinctive rock formations or granite bridges?

☐ Yes ☒ No

If yes, specify: _____

15. Are there any established foot paths running through the site or railroad right of ways? ☐ Yes ☒ No

If yes, please specify: _____

16. Is the site presently used by the community as an open space or recreation area? ☐ Yes ☒ No

If yes, please specify: _____

17. Does the site include scenic views or will the proposed development cause any scenic vistas to be obstructed from view? ☐ Yes ☒ No

If yes, please specify: _____

18. Are there wetlands, lakes, pond, streams or rivers within or contiguous to the site? ☒ Yes ☐ No

If yes, please specify: Wetlands located on-site

19. Is there any farmland or forest land on the site protected under Chapter 61A or 61B of the Massachusetts General Laws? ☐ Yes ☒ No

If yes, please specify: _____

20. Has the site ever been used for the disposal of hazardous waste? Has a 21E study been conducted for the site? ☐ Yes ☒ No

If yes, please specify: _____

21. Will the proposed activity require use and/or storage of hazardous materials, or generation of hazardous waste? ☐ Yes ☒ No

If yes, please specify: _____

22. Does the project location contain any buildings or sites of historic or archaeological significance? (Consult with the Medway Historical Commission) ☐ Yes ☒ No

If yes, please describe: _____

23. Is the project contiguous to or does it contain a building located in a national register historic district? ☐ Yes ☒ No

If yes, please describe: _____

CIRCULATION

24. What is the expected average weekday traffic and peak hour volumes to be generated by the proposed subdivision?

Average weekday traffic	29
Average peak hour volumes – morning	3
Average peak hour volumes - evening	3

25. Existing street(s) providing access to the proposed subdivision:

Please specify: Summer Street

26. Existing intersection(s) within 1000 feet of any access to the proposed development. Please specify intersection names: Highland Street

27. Location of existing sidewalks within 1000 feet of the proposed site: _____

Sidewalks on Summer Street

28. Location of proposed sidewalks and their connection to existing sidewalks:

None

29. Are there parcels of undeveloped land adjacent to the proposed site:

 Yes X No

Will access to these undeveloped parcels be provided from the proposed subdivision?

 Yes No

If yes, please describe: _____

If no, please explain why: _____

UTILITIES AND MUNICIPAL SERVICES

30. What is the total number of dwelling units proposed? 3

31. What is the total number of bedrooms in the proposed subdivision? 12

32. Stormwater Management

A. Describe the nature, location and surface water body receiving current surface water of the site: _____

(1.) On-site wetland and unnamed stream along rear of site, which flows to the south ultimately tributary to Hopping Brook. (2) Culvert in the front (north east) corner of the site, which flows north to wetland on the east side of Summer Street. These wetlands are ultimately tributary to Chicken Brook.

- B. Describe the how the proposed stormwater management system will operate and how the existing stormwater patterns will be altered: _____

On-site stormwater collection, detention, and treatment system including a surface detention basin.
Discharges shall match the peak rate, volume, and pattern of runoff when compared to the existing conditions.

- C. Will a NPDS Permit be required? _____ Yes _____ ☒ No

33. Please estimate the response time of the Fire Department to this site:
(Please consult with the Fire Department): _____ 5 to 7 minutes

34. Schools

- A. Projected number of new school age children: _____ 3

- B. Distance to nearest elementary school: _____ 2.5 Mile

MEASURES TO MITIGATE IMPACTS - Please attach a brief description of the measures that haven been taken during subdivision design and will be taken during subdivision construction for each of the following:

- 35. Maximize stormwater infiltration and groundwater recharge
- 36. Prevent surface and groundwater contamination
- 37. Reduce detrimental impacts to water quality
- 38. Maintain slope stability and prevent erosion
- 39. Conserve energy
- 40. Preserve wetlands
- 41. Preserve wildlife habitats, outstanding ecological or botanical features
- 42. Protect scenic views
- 43. Retain natural landscape features
- 44. Design street layouts to facilitate southern orientation of houses
- 45. Use curvilinear street patterns
- 46. Promote pedestrian and bicycle access and safety
- 47. Reduce the number of mature trees to be removed
- 48. Provide green belt/buffer areas
- 49. Preserve historically important structures and features on the site
- 50. Retain natural valley flood storage areas
- 51. Minimize the extent of waterways altered or relocated
- 52. Reduce the volume of cut and fill
- 53. Minimize the visual prominence of man-made elements even if necessary for safety or orientation
- 54. Minimize municipal maintenance frequency and costs
- 55. Reduce building site frontages or driveway egresses onto primary or secondary streets

In describing each of the above, please use layman's terms where possible while still being accurate and comprehensive. Where appropriate, please use graphic illustrations. Identify data sources, reference materials and methodology used to determine all conclusions.

MEASURES TO MITIGATE IMPACTS

35. *Maximum stormwater infiltration and groundwater recharge.*

Proposed private road has been directed to a stormwater management basin system sized and designed in accordance with DEP Stormwater Standards. The system will maximize infiltration to match the existing recharge conditions.

36. *Prevent surface and groundwater water contamination.*

Stormwater drainage from the roadway will be collected in Low Impact Development (LID) techniques including vegetated swales for pretreatment and directed to a Stormwater Basin for recharge and treatment. The system will be designed to remove a minimum 80% of the TSS, and will be designed in full compliance with the Massachusetts Stormwater Handbook and Stormwater Standards to ensure protection to water quality.

37. *Reduce detrimental impacts to water quality.*

As noted above, the stormwater system will be designed to remove a minimum 80% of the TSS, and will be designed in full compliance with the Massachusetts Stormwater Handbook and Stormwater Standards to ensure protection to water quality.

38. *Maintain Slope Stability and Prevent Erosion*

Proposed vegetated slopes will be limited to 2 horizontal to 1 vertical, which will be dressed with minimum 6 inches of loam and seeded. Any slope greater than 3 horizontal to 1 vertical will be seeded with hydroseed methods including a tackifier. The existing topography is relatively flat with little need to create large cut or fill slopes requiring special slope protection. Construction period erosion control would be implements and provided in the final definitive subdivision plans.

39. *Conserve Energy*

The proposed development and new home would be new construction meeting the current building codes for energy conservation.

40. *Preserve wetlands*

No wetlands or undisturbed areas within 25 feet of any wetland will be altered as part of the project, and sedimentation and erosion controls will be implemented during construction to mitigate potential temporary impacts.

41. *Preserve wildlife habitats, outstanding ecological or biological features*

The wetland areas onsite and the 25 foot buffer zone will not be altered by the proposed work, which will provide habitat for wildlife in the area. There are no mapped areas of estimated or priority habitats within the project limits.

42. *Protect scenic views*

The proposed project would not block or obstruct any existing scenic views or vistas. The existing frontage along Summer Street is currently developed with a single family home.

43. *Retain natural landscape features*

Existing vegetation will be preserved to the extent feasible, and all vegetation within 25 feet of the wetland will also be preserved.

44. *Design street layouts to facilitate southern orientation of houses.*

The proposed street layout options are limited due to the existing homes, and the street generally runs over the existing common driveway in an east west direction. The proposed home would have sun exposure.

45. *Use curvilinear street patterns*

The proposed street layout options are limited due to the currently existing homes, and the street generally runs over the existing common driveway to limit further land disturbance.

46. *Promote pedestrian and bicycle access and safety*

The size and scope of the subdivision with the addition of one house would not increase the pedestrian and bicycle safety. The existing sidewalk along Summer Street would be maintained and proper access provided across the entrance.

47. *Reduce the number of mature trees to be removed*

Mature trees would be preserved to the maximum extent feasible. Tree preservation would be reviewed in greater detail during the definitive design phase.

48. Provide green belt/buffer areas

A large buffer area would be provided to the rear of the proposed house with the on-site wetlands and power line easement. The other two homes are existing and well established.

49. Preserve historically important structures and features on the site

Not applicable, there are no known historic features on the subject site.

50. Retain natural valley flood storage areas

Not applicable, there are no valley flood storage areas on the subject site.

51. Minimize the extent of waterways altered or relocated

The proposed work will not require any filling of wetlands or waterways.

52. Reduce the volume of cut and fill

The amount of cut and fill has been reduced to the extent feasible. The proposed roadway does not require and large cuts or fills and closely follows the existing grade.

53. Minimize the visual prominence of man-made elements even if necessary for safety or orientation

The majority of the development including the one new home would be located to the rear portion of the lot reducing the visual impact from Summer Street.

54. Minimize municipal maintenance frequency and costs

The proposed project would have minimal effect on municipal services. There would be a net increase in one single family house, and the roadway would remain in private ownership. All future maintenance of the roadway would be the responsibility of the homeowners association.

55. Reduce building site frontages or driveway egresses onto primary or secondary streets

The existing conditions include common driveway access to Summer Street. This location would be utilized as the private road entrance. No new lot frontage on Summer Street would be created, and the three lots would have frontage on the proposed roadway.

LIST OF REQUESTED WAIVERS

- Section 7.6.2.b Waiver to not require installation of an extension of Municipal water within the proposed roadway. Proposed Lot 2 containing the new house would be serviced by an on-site private well.
- Section 7.7.2.p Waiver to allow less than a 30 foot setback from drainage basins to the proposed private road and Lot 1. The 30 foot buffer would be maintained to both Summer Street and the northerly abutter.
- Section 7.7.4.d Waiver from the requirement to install an independent drainage system to collect foundation perimeter drains. The only new house would be on Lot 2. This lot would discharge any foundation drainage the rear of the property away from the roadway.
- Section 7.9.5.a Waiver to allow a minimum center line grade of one percent (1%) to reduce the required earthwork and more closely match the existing conditions.
- Section 7.9.5.c Waiver to allow a vertical curve within the leveling area (not fixed slope). All slopes would be below the maximum 2% threshold.
- Section 7.10.1 & 2 Waiver from the requirement curbs and berms. The project has been proposed with low impact development (LID) grassed swales in place of traditional curbs and gutters.
- Section 7.21 Waiver from installation of additional street lighting. The existing utility pole on Summer Street located 50 feet north of the proposed roadway includes a street light.

Medway Planning and Economic Development Board
Request for Waiver from Subdivision Rules and Regulations
Complete 1 form for each waiver request

Project Name:	Boundary Lane
Property Location:	67-69 Summer Street
Type of Project/Permit:	Definitive Subdivision Plan
<i>Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.</i>	Section 7.6.2.b Utilities: Water Facilities
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Waiver from the requirement to provide Municipal Water facilities within the roadway
<i>What aspect of the Regulation do you propose be waived?</i>	Requirement to provide Municipal Water within roadway.
<i>What do you propose instead?</i>	Private well for the one new house.
<i>Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	The two existing houses are currently serviced by municipal water from Summer Street, and an existing well is located on Lot 2.
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	\$42,000.
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	Reduced work and disturbance within Summer Street. Maintaining equivalent level of fire protection without the need for additional infrastructure.
<i>What is the impact on the development if this waiver is denied?</i>	Increased cost, disturbance and work in Summer Street and future maintenance cost
<i>What are the design alternatives to granting this waiver?</i>	Providing municipal water main within the roadway.
<i>Why is granting this waiver in the Town's best interest?</i>	Maintaining equivalent level of service without the need for additional infrastructure and future maintenance.
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	Future maintenance cost.
<i>What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?</i>	Provide a private well for the new house.
<i>What is the estimated value of the proposed mitigation measures?</i>	\$14,000.
<i>Other Information?</i>	
Waiver Request Prepared By:	Connorstone Engineering Inc.
Date:	8-17-2021
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

Medway Planning and Economic Development Board
Request for Waiver from Subdivision Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Boundary Lane
Property Location:	67-69 Summer Street
Type of Project/Permit:	Definitive Subdivision Plan
Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.	Section 7.7.2.p Stormwater Management : Procedure
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Waiver to allow less than a 30 foot setback from drainage basin to the interior lot line of Lot 1 and the private way
What aspect of the Regulation do you propose be waived?	The requirement to provide 30 foot setback.
What do you propose instead?	Allow the edge of basin to be within 30 feet of Lot 1.
Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The proposed basin has been designed to fit with the existing topography, preserve trees along the roadway and blend into the abutting grades.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$0
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Waiver would allow an "LID" Low Impact Development drainage system that fits with the existing topography and site conditions.
What is the impact on the development if this waiver is denied?	Increased basin depth embankment heights, reduced groundwater recharge, removal of 2 existing street trees.
What are the design alternatives to granting this waiver?	Re-design basin with a lower bottom elevation closer to groundwater and increase berm height.
Why is granting this waiver in the Town's best interest?	More aesthetically pleasing, increased recharge, and the design provides a 30' setback to abutters and Summer St.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0
What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?	Low Impact Development (LID) drainage system .
What is the estimated value of the proposed mitigation measures?	\$0
Other Information?	
Waiver Request Prepared By:	Connorstone Engineering Inc.
Date:	8-17-2021
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

Medway Planning and Economic Development Board
Request for Waiver from Subdivision Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Boundary Lane
Property Location:	67-69 Summer Street
Type of Project/Permit:	Definitive Subdivision Plan
<i>Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.</i>	Section 7.7.4.d Stormwater Management : Construction
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Waiver from the requirement to install independant drain system in road for foundation perimeter drains
<i>What aspect of the Regulation do you propose be waived?</i>	The requirement to provide foundation drain in road.
<i>What do you propose instead?</i>	Proposed foundation drain to daylight at rear of new house.
<i>Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	The proposed house (lot 2) would be located downgradient of the roadway and has sufficient elevation to route a foundation drain to the rear of the lot (not toward abutting properties)
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	\$12,000
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	Waiver would allow a foundation drain for the new house while not requiring additional roadway infrastructure.
<i>What is the impact on the development if this waiver is denied?</i>	Installation of unnecessary infrastructure.
<i>What are the design alternatives to granting this waiver?</i>	Install independent drain within the roadway.
<i>Why is granting this waiver in the Town's best interest?</i>	Reduction in unused infrastructure within the roadway.
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	\$0
<i>What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?</i>	
<i>What is the estimated value of the proposed mitigation measures?</i>	\$0
<i>Other Information?</i>	
Waiver Request Prepared By:	Connorstone Engineering Inc.
Date:	8-17-2021
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

Medway Planning and Economic Development Board
Request for Waiver from Subdivision Rules and Regulations
Complete 1 form for each waiver request

Project Name:	Boundary Lane
Property Location:	67-69 Summer Street
Type of Project/Permit:	Definitive Subdivision Plan
<i>Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.</i>	Section 7.9.5.a Streets and Roadways: Grade.
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Waiver to allow a reduced centerline grade.
<i>What aspect of the Regulation do you propose be waived?</i>	The requirement to provide 2% grade.
<i>What do you propose instead?</i>	1% grade.
<i>Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	Minimize fill needed for road and impact on existing house driveways.
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	\$16,500 .
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	Waiver would allow a lower roadway to match the existing condition on the site and save impact on existing house driveways.
<i>What is the impact on the development if this waiver is denied?</i>	Roadway would be higher relative to existing landscape and houses..
<i>What are the design alternatives to granting this waiver?</i>	Provide a raised roadway and driveways.
<i>Why is granting this waiver in the Town's best interest?</i>	Preserves look and feel of existing landscape.
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	\$16,500 cost passed on to customers.
<i>What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?</i>	Preserve existing landscape .
<i>What is the estimated value of the proposed mitigation measures?</i>	\$16,500.
Other Information?	
Waiver Request Prepared By:	Connorstone Engineering Inc.
Date:	8-17-2021
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

Medway Planning and Economic Development Board
Request for Waiver from Subdivision Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	Boundary Lane
Property Location:	67-69 Summer Street
Type of Project/Permit:	Definitive Subdivision Plan
Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.	Section 7.9.5.c Streets and Roadways: Grade.
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Waiver to allow a vertical curve within 100 feet of an intersection.
What aspect of the Regulation do you propose be waived?	The requirement to provide a fixed grade.
What do you propose instead?	Allow a vertical curve (not fixed grade)
Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Minimize fill needed for road and better match the existing topography and drainage patterns.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$3,000.
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Waiver would allow the roadway to match the existing topography, and still maintain a maximum grade of 2% or less.
What is the impact on the development if this waiver is denied?	Roadway would be higher relative to existing landscape and houses.
What are the design alternatives to granting this waiver?	Provide a fixed grade and increase the height of the roadway.
Why is granting this waiver in the Town's best interest?	Preserves look and feel of existing landscape.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0
What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?	Preserve existing landscape reduce earthwork.
What is the estimated value of the proposed mitigation measures?	\$0.
Other Information?	
Waiver Request Prepared By:	Connorstone Engineering Inc.
Date:	8-17-2021
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

Medway Planning and Economic Development Board
Request for Waiver from Subdivision Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	Boundary Lane
Property Location:	67-69 Summer Street
Type of Project/Permit:	Definitive Subdivision Plan
<i>Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.</i>	Section 7.10.1&2 Curbs and Berms
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Waiver from the requirement for curbs and berms.
<i>What aspect of the Regulation do you propose be waived?</i>	The requirement to provide curbs and berms.
<i>What do you propose instead?</i>	Grass swales and waterways.
<i>Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	Eliminate need for closed drainage system and provide Low Impact Development (LID) drainage
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	\$9,400.
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	Waiver would allow an LID drainage design which is less expensive and provides superior water quality treatment.
<i>What is the impact on the development if this waiver is denied?</i>	Roadway would have curbs, berms and closed drainage.
<i>What are the design alternatives to granting this waiver?</i>	Provide curbs berms and closed drainage system.
<i>Why is granting this waiver in the Town's best interest?</i>	Preserves look and feel of existing landscape and enhances water quality.
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	\$0
<i>What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?</i>	Preserve existing landscape and provide water quality swales .
<i>What is the estimated value of the proposed mitigation measures?</i>	\$0.
<i>Other Information?</i>	
Waiver Request Prepared By:	Connorstone Engineering Inc.
Date:	8-17-2021
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

Medway Planning and Economic Development Board
Request for Waiver from Subdivision Rules and Regulations
Complete 1 form for each waiver request

Project Name:	Boundary Lane
Property Location:	67-69 Summer Street
Type of Project/Permit:	Definitive Subdivision Plan
<i>Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.</i>	Section 7.21 Street Lighting
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Waiver from the requirement for street lighting.
<i>What aspect of the Regulation do you propose be waived?</i>	The requirement to provide street lighting.
<i>What do you propose instead?</i>	Retain existing street light on Summer Street
<i>Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	The proposed road is a private driveway and full street lighting is not necessary or desired. There is an existing street light on Summer Street 50 feet away.
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	\$30,000.
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	Waiver would allow an existing level of lighting at the intersection and along the private drive. Additional lighting is considered to be detrimental to the environment.
<i>What is the impact on the development if this waiver is denied?</i>	Roadway would have street lights and increased illumination.
<i>What are the design alternatives to granting this waiver?</i>	Retain existing level of lighting.
<i>Why is granting this waiver in the Town's best interest?</i>	Preserves look and feel of existing landscape and reduces energy consumption.
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	\$0
<i>What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?</i>	Preserve existing levels of lighting.
<i>What is the estimated value of the proposed mitigation measures?</i>	\$0
<i>Other Information?</i>	
Waiver Request Prepared By:	Connorstone Engineering Inc.
Date:	8-17-2021
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

Board Members

Matthew J. Hayes, P.E., Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Sarah Raposa, A.I.C.P., Member
Thomas A. Gay, Associate
Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS PLANNING AND ECONOMIC DEVELOPMENT BOARD

May 16, 2022

ABUTTER NOTICE of PUBLIC HEARING Boundary Lane Definitive Subdivision Plan 67R and 69 Summer Street

In accordance with the provisions of Chapter 41, Section 81A – 81GG, Massachusetts General Laws and the Planning and Economic Development Board's *Rules and Regulations for the Review and Approval of Land Subdivisions*, notice is given that the Planning & Economic Development Board will conduct a ***public hearing on Tuesday, June 14, 2022 at 7:15 p.m. on the application of Zachary Lindsey et ux. of Medway, MA for approval of a definitive subdivision plan to create a 3 lot subdivision from two properties located at 67R and 69 Summer Street. The hearing will take place in Sanford Hall at Medway Town Hall, 155 Village Street, Medway, MA. The meeting room is accessible via elevator for individuals with physical disabilities.***

The property owners are Linda Lindsey (69 Summer Street – 9.77 acres) and David & Renee Sistrand (67 Summer Street - 1.61 acres). The combined 11.38 acre site (*Medway Assessors Map 37, Parcels 033 and 036*) is located on the west side of Summer Street near the Summer Street/Highland Street intersection in the Agricultural Residential I zoning district.

The *Definitive Subdivision Plan of Boundary Lane* is dated August 20, 2021, last revised February 17, 2022 and was prepared by Connorstone Engineering, Inc. of Northborough, MA. The plan shows the reorganization of the subject properties into three residential lots, one lot with the existing house at 67 Summer Street, one lot with the existing house at 69 Summer Street, and a new lot for construction of a single family house. All properties will have frontage on an approximately 260' long, permanent private road to be known as Boundary Lane.

You are receiving this notice as you are the record owner of property located within 300' of the subject site or you are a party in interest. This is the only written notice you will receive about the public hearing.

OVER ➡

The application, subdivision plan and supporting documentation are available at the offices of the Medway Town Clerk and the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be inspected during regular office hours. The documents will also be posted at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0>

Interested persons or parties are invited to review the plan, attend the public hearing, and express their views. Written comments may be forwarded to the Board or emailed to: planningboard@townofmedway.org. Questions may be directed to the Planning and Economic Development office at 508-533-3291.

Matthew J. Hayes
Chairman

Legal ad to be published in the Milford Daily News on:

- Monday, May 31, 2022
- Tuesday, June 7, 2022

Susan Affleck-Childs

From: Courtney Murray Marshall, M.Ed. <8cmurray@gmail.com>
Sent: Monday, May 23, 2022 8:02 PM
To: Planning Board
Subject: [External] Abutter to 67R & 69 Summer Street

Medway Planning and Economic Development Board

We are fortunate enough to be abutters to the Lindsey and Sistrand Families. As lifelong members of the Medway community, we would like to support Zachary Lindsey and the 67R & 69 Summer Street project. Having gone through the same process to build Trail Drive, we understand how important it is to support current Medway community members that are trying to stay and develop their family's land. We look forward to the development of the former "Brown Family Farm" land on Summer Street.

Thank you,

Courtney L Murray Marshall, M.Ed. and Andy J Marshall (2 Trail Drive, Medway, MA)

Matthew W Marshall (3 Trail Drive, Medway, MA)

Wayne E Marshall and Sheila A Marshall (65 Summer Street, Medway, MA)



June 8, 2022

Ms. Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
Medway Town Hall
155 Village Street
Medway, MA 02053

**Re: 67R-69 Summer Street (Boundary Lane)
Definitive Subdivision Review (Permanent Private Way)
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 67R-69 Summer Street in Medway, MA. Proposed Project includes the development of a 3-lot residential subdivision, appurtenant roadway, utilities, and stormwater drain infrastructure.

TT is in receipt of the following materials:

- A plan set (Plans) titled "Definitive Subdivision Plan, 'Boundary Lane' in Medway, Massachusetts", dated August 20, 2021, revised February 17, 2022, prepared by Connorstone Engineering, Inc (CEI).
- An Application for Approval of a Definitive Subdivision Plan, dated April 28, 2022.

The Plans and accompanying materials were reviewed for conformance with the following regulatory documents:

- Town of Medway Planning & Economic Development Board Rules and Regulations, Chapter 100 – Land Subdivision, Rules and Regulations for the Review and Approval of Land Subdivisions. (Adopted April 26, 2005)

The Project was also reviewed for good engineering practice and overall plan efficiency. Review of the Project for zoning related matters is being conducted by Town personnel and is excluded from this review.

DEFINITIVE SUBDIVISION REVIEW

Land Subdivision Rules and Regulations (Chapter 100)

1. The Applicant has not supplied the required ANRAD determination from the Medway Conservation Commission (Conservation). (Ch. 100 §5.5.14)
2. A Certified List of Abutters within seven hundred feet (700') of the boundaries of the land shown in the subdivision has not been provided. In the application package, it appears that the Certified List of Abutters was forwarded to PEDB by the Assessor's Office on 4/15/2022. (Ch. 100 §5.7.5)
3. The Applicant shall confirm whether the sewer from existing dwelling #67R ties into the 12" PVC sewer on-site or if the dwelling has its own septic system. Means of sewer disposal/treatment for the existing dwelling shall be displayed on the Existing Conditions Plan. (Ch. 100 §5.7.9)
4. Location of the minimum lines of building setback (front, side and rear yard depths) as required by the Zoning By-Law is not shown on the Plans. The calculation of the lot shape factor shall also be provided for each lot. (Ch. 100 §5.7.14)
5. Existing topographic data shall extend at least 20 feet beyond the Project's property boundaries. (Ch. 100 §5.7.21)

6. Provisions for street lighting have not been proposed. (Ch. 100 §5.7.28)
7. The Project meets the threshold of the Town of Medway Article XXVI - Stormwater Management and Land Disturbance Bylaw and will be required to address items listed in the Subdivision Regulations under the Bylaw. It should be noted that the Project was reviewed for compliance with this Bylaw during the Applicant's permitting process with the Medway Conservation Commission. (Ch. 100 §7.3.1)
8. Water mains, with hydrants, valves, and other fittings, shall be proposed on-site to provide adequate water supply for domestic and fire protection uses. A waiver has been requested from this Regulation. (Ch. 100 §7.6.2.b)
9. The Applicant is proposing one well to supply water for the dwellings on Lot 2 and Lot 3. The Applicant shall confirm, through testing that the well can support both dwellings. We anticipate this will be closely monitored during the Applicant's expected permitting process with the Medway Board of Health. (Ch. 100 §7.6.2.c)
10. Sewer services shall be constructed and installed within the subdivision as necessary to provide all lots therein adequate municipal sewer service. Existing dwelling #67R does not appear to have a proposed sewer connection to the municipal sewer service. Refer to Comment #3 for confirmation of existing sewer treatment for dwelling #67R. (Ch. 100 §7.6.2.d)
11. The proposed dwelling at Lot 2 does not appear to have a gas service connection. Gas mains shall be installed if gas connection is available. (Ch. 100 §7.6.2.f)
12. The Applicant has not proposed a spare conduit for the proposed electric/tel/data installation. (Ch. 100 §7.6.2.h)
13. Proposed Stormwater Basin is located within 30 feet from its parcel line. A waiver has been requested from this Regulation (Ch. 100 §7.7.2.p)
14. An independent drainage system to collect and discharge subsurface runoff from the foundation perimeter drains has not been provided for all dwellings along Boundary Lane. A waiver has been requested from this regulation. (Ch. 100 §7.7.4.d)
15. The Applicant has not supplied curb radii at roadway intersection with Highland Street. (Ch. 100 §7.9.2.d)
16. The centerline grade of the roadway is less than two percent along its length. A waiver has been requested from this regulation. (Ch. 100 §7.9.5.a)
17. A level slope area is required for the first 100-feet of roadway. The proposed roadway changes grade within the first 100-feet. A waiver has been requested from this Regulation. (Ch. 100 §7.9.5.c)
18. The Applicant shall confirm with the Fire Chief that the proposed turnaround at the end of Boundary Lane is adequate for emergency vehicles. Turnarounds shall be designed as a cul-de-sac turnaround or a hammerhead (T-shaped) turnaround. (Ch. 100 §7.9.6.e)
19. Vertical granite curbing shall be installed at the intersection of the development roadway and Summer Street. A waiver has been requested from this Regulation. (Ch. 100 §7.10.1)
20. Curbing shall be provided for the full length of all streets along each side of the roadway. The proposed roadway for the Project is superelevated and utilizes country drainage to convey stormwater to the proposed Stormwater Basin. A waiver has been requested from this regulation (Ch. 100 §7.10.2)
21. The Applicant has not proposed street lighting and should coordinate with Medway Public Safety Officer to determine if they are required. A waiver has been requested from this Regulation. (Ch. 100 §7.21)

General Comments

22. TT recommends test pitting be performed to locate the existing water service to Lot 1 as it enters the limits of the proposed Stormwater Basin to ensure the service will not be damaged during clearing, grubbing, and excavation activities.

23. The Applicant shall coordinate with the PEDB and Medway Public Safety Officer to determine if a painted "STOP" and stop line are required at the intersection of the development roadway and Summer Street.
24. Provide a sewer service connection detail, electric/tel/data trench detail, reinforced concrete bound detail and sign installation detail on the Plans.

These comments are offered as guides for use during the Town's review and additional comments may be generated during the course of review. The applicant shall be advised that any absence of comment shall not relieve him/her of the responsibility to comply with all applicable local, state and federal regulations for the Project. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

Very truly yours,



Steven M. Bouley, P.E.
Project Manager



Bradley M. Picard, E.I.T.
Civil Engineer

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June 14, 2022

**Medway Planning & Economic Development Board
Meeting**

**Plan Review Fee for Masters Touch
Site Plan – 83 Main Street**

- Tetra Tech plan review fee estimate dated June 8, 2022 for \$4,893

NOTE – This is for a minor site plan for building and site improvements at 83 Main Street. Masters Touch is a custom home, design build construction and remodeling company, presently located in Holliston. Project info is on the PEDB web page at:

<https://www.townofmedway.org/planning-economic-development-board/pages/masters-touch-site-plan-83-main-street>

This will be on the agenda for the 7-12-22 PEDB meeting.



June 8, 2022

Ms. Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
155 Village Street
Medway, MA 02053

**Re: Peer Review Proposal
Minor Site Plan Review
83 Main Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway Planning and Economic Development Board (the Client) for professional engineering services associated with the above-referenced Project (the Project). The objective of our services is to provide technical review and general assistance to the Board during its review of the above-referenced Project for compliance with the following regulatory documents:

- Town of Medway Planning & Economic Development Board Rules and Regulations, Chapter 200 – Site Plans, Rules & Regulations for Submission, Review and Approval of Site Plans (last Amended October 8, 2019)
- Town of Medway General Bylaws – Article XXVI, Stormwater Management and Land Disturbance
- Massachusetts Department of Environmental Protection (MA DEP) Stormwater Management Standards (Standards) and associated Stormwater Management Handbook (Handbook).

The Plans and supporting documentation will also be reviewed for general site planning design and sound engineering practice. We have excluded from our scope, the review of the application package as it relates to Town of Medway Zoning Bylaws.

SCOPE OF SERVICES

The following specifically describes the Scope of Services to be completed:

Task 1 Site Visit

A. Perform one (1) site visit to review the site and its surroundings.

- Budget Assumption: 1 Visit
3 hours @ \$167/hr = \$501
Total = \$501

Task 2 Design Review

A. Review the permit Application, and supporting documentation, and incorporate comments into review letter in Item 2.D below.

- Budget Assumption: 1 hour @ \$167/hr = \$167
1 hour @ \$120/hr = \$120
Total = \$287

B. Review one (1) set of proposed Plans against the above-mentioned regulatory documents and Bylaws and sound engineering practice and incorporate comments into review letter in Item 2.D below.

- Budget Assumption: 2 hours @ \$167/hr = \$334
4 hours @ \$120/hr = \$480
Total = \$814

- C. Review one (1) set of Proposed Plans and Stormwater Report for compliance with applicable town stormwater related standards, MA DEP Stormwater Standards and good engineering practice and incorporate comments into review letter in Item 2.D below.
- Budget Assumption: 2 hours @ \$167/hr = \$334
4 hours @ \$120/hr = \$480
Total = \$814
- D. Prepare one (1) letter summarizing findings for presentation to the Town of Medway PEDB.
- Budget Assumption: 2 hours @ \$167/hr = \$334
4 hours @ \$120/hr = \$240
Total = \$574
- E. Coordinate with Applicant to address items in initial review letter and issue one (1) revised letter upon receipt of modifications. This task is limited to minor changes in the site plans which directly address comments from our initial review letter. Major changes to the Plans and/or Stormwater Report will require additional funds.
- Budget Assumption: 4 hours @ \$167/hr = \$668
Total = \$668

Task 3 Meetings

- A. Participate in three (3) hearings/meetings with the Town of Medway PEDB by video conference, including time for preparation for each meeting.
- Budget Assumption: 6 hours @ \$167/hr = \$1,002
Total = \$1,002

BUDGET

The fee for the work outlined in this proposal will be billed on a Time and Expenses basis according to Tetra Tech's and Medway's then current contract rates. Reimbursable expenses budget for execution of the tasks included in this scope of work are limited to mileage, field equipment, internal-use printing costs and hard-copy production of deliverables for submission and are billed at a fixed fee of five (5) percent of labor costs. We suggest that you establish a budget as summarized below, which will not be exceeded without your approval.

Please be advised that this estimate is for initial review of submitted materials, is based on our current understanding of the Project needs and is for budget purposes only. The total actual cost of our services will largely depend on the number and complexity of revisions and resubmittals, quality and completeness of the information submitted by the applicant and the depth to which specific issues are explored. Cost for each task is based on a comparison with other similarly sized projects we have reviewed. Please be advised, additional funding will be required if additional or revised materials are submitted, if additional subject areas require review or additional coordination is required beyond what is specifically described above.

The breakdown of this fee by task is as follows:

Task	Task Description	Budget
Task 1	Site Visit	\$501
Task 2	Design Review	\$3,157
Task 3	Meetings	\$1,002
	Labor Subtotal	\$4,660
	Expenses (5%)	\$233
	Total	\$4,893

SCHEDULE AND CONDITIONS

We recognize that timely performance of these services is an important element of this proposal and will put forth our best effort, consistent with accepted professional practices to complete the work described within the Client's schedule. We are not responsible for delays in performance caused by circumstances beyond our control or that could not have been anticipated or prevented.

To signify your acceptance of this Agreement, please sign and return one copy and the retainer to us along with the attachments. When signed by representatives of both parties, this Proposal will become an agreement between Tetra Tech, Inc. (ENGINEER) and Town of Medway (CLIENT). The Agreement is subject to the existing contract Terms and Conditions between the Engineer and Client. The price is valid for 60 days from the date of this letter.

We appreciate the opportunity to provide these services, and we look forward to working with you. Please contact us if you have any questions or require additional information.

Very truly yours,



Steven M. Bouley, P.E.
Project Manager



Sean P. Reardon, P.E.
Vice President

Certified by:

Authorized Representative
Town of Medway

Date

M:\SITE\BOULEY\MEDWAY_PEDB_83 MAIN ST_2022-06-08.DOCX



June 14, 2022
Medway Planning & Economic Development Board
Meeting

ANR Plan – 14 Franklin Street

- ANR application
- ANR Project Narrative
- *ANR Plan of Land for 14 Franklin Street*, dated March 12, 2022, revised May 20, 2022, stamped June 6, 2022
- Review memo from Susy Affleck-Childs dated June 6, 2022

NOTE – Since the review memo was provided to the applicant, the ANR plan has been revised. The version provided to you in the board packet is the revised plan. I recommend the PEDB endorse the plan as presented.



Planning & Economic Development Board - Town of Medway, MA
LAND SUBDIVISION – FORM A

**Application for Endorsement of Plan
Believed Not to Require Subdivision Approval (ANR)**

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Subdivision Rules and Regulations.
Please complete this entire Application.

Submit two (2) signed originals of this ANR Application, two copies of the ANR Plan, an electronic version (PDF) of the ANR plan, two Project Explanations, and the appropriate ANR application/filing fee checks to the Medway Planning and Economic Development office, 155 Village ST, Medway, MA 02053.

The Applicant certifies that the information included in this Application is a true, complete and accurate representation of the facts regarding the property under consideration.

In submitting this application, the Applicant and Property Owner authorize the Planning & Economic Development Board and its agents to access the site during the plan review process.

The Town's Planning Consultant will review the Application, Project Explanation and ANR plan and provide a recommendation to the Planning & Economic Development Board.

A copy of that letter will be provided to you. Revisions to the plan may be needed.

**You or your duly authorized agent is expected to attend the Board meeting
when the ANR Plan will be considered to answer any questions and/or submit such
additional information as the Board may request.**

Your absence may result in a delay in the Board's review and decision.

June 3, 2022

TO: The Planning & Economic Development Board of the Town of Medway, MA

The undersigned, wishing to record the accompanying plan of property in the Town of Medway and believing that the plan does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits this Application and ANR Plan to the Medway Planning and Economic Development Board and requests its determination and endorsement that the Board's approval under the Subdivision Control Law is not required.

PROPERTY INFORMATION

ANR Location Address(es): 14 Franklin St. Medway

The land shown on the plan is shown on Medway Assessor's Map # _____ Parcel(s) # 57-078

Total Acreage of Land to be Divided: 46,103 sq. ft.

Subdivision Name (if applicable): Parcel A - Not a buildable lot (5,359 sq ft)

Medway Zoning District Classification: AR-11

Frontage Requirement: N/A Area Requirement: N/A

Is the road on which this property has its frontage a designated **Medway Scenic Road**? Yes

The owner's title to the land that is the subject matter of this application is derived under deed from: Michael Themeli to Lynne Tatevosian dated February 11, 2019 and recorded in Norfolk County Registry of Deeds, Book 36604 Page 172 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

ANR PLAN INFORMATION

Plan Title: Plan of Land in Medway, MA
Prepared by: Colonial Engineering Inc
P.E. or P.L.S registration #: 34303 Plan Date: March 14, 2022 Revised May 20, 2022

APPLICANT INFORMATION

Applicant's Name: Lynne Tatevosian
Address: 14 Franklin St.
Medway MA
Telephone: 781-726-1988 Email: Tatevosian@comcast.net

PROPERTY OWNER INFORMATION

(If different than the applicant or if the plan shows a land swap between two adjacent properties)

Property Owner's Name: Same
Address: _____

Telephone: _____ Email: _____

ENGINEER or SURVEYOR INFORMATION

Name: Anthony M. Dellorco Colonial Engineering Inc
Address: 11 Aurl St.
Medway MA 02053
Telephone: 508-533-1644 Email: colonial.eng@verizon.net

ATTORNEY INFORMATION

Name: N/A
Address: _____

Telephone: _____ Email: _____

OFFICIAL REPRESENTATIVE INFORMATION

Name: N/A

Address: _____

Telephone: _____ Email: _____

PROJECT EXPLANATION

Provide a cover letter with a detailed explanation of how you propose to divide the land, what land transaction will occur, and what land reconfiguration will result from the endorsement and recording of this ANR Plan.

APPROVAL NOT REQUIRED JUSTIFICATION

The Applicant believes that the Board's approval under the Subdivision Control Law is not required for the following reasons: *(Check all that apply.)*

- ☐ 1. The accompanying plan does not show a division of land.
- ☐ 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on _____ *(name of way(s), which is:*
- ☐ a. A public way. Date of street acceptance: _____
- ☐ b. A way certified by the Town Clerk as being maintained and used as a public way. *(Attach Town Clerk's certification)*
- ☐ c. A way shown on a definitive subdivision plan entitled _____
that was previously endorsed by the Planning and Economic Development Board on _____ and recorded at the Norfolk County Registry of Deeds on _____
Provide detailed recording information: _____
- ☐ d. A private way in existence on the ground before 1952 when the Subdivision Control Law was adopted in the Town of Medway, which has, in the opinion of the Planning & Economic Development Board, adequate width, suitable grades, and adequate construction to provide vehicular access to the lot(s) for their intended purpose of _____ and to permit the installation of municipal services to serve the lot(s) and any buildings thereon.
- ☒ 3. The division of land shown on the accompanying plan is not a "subdivision" for the following reasons: Parcel A is not a buildable lot.

SIGNATURES

The undersigned, being the Applicant as defined under Chapter 41, Section 81P for endorsement of an Approval Not Required Plan, herewith submits this application and Approval Not Required Plan to the Medway Planning and Economic Development Board for review and endorsement.

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property under consideration.

(If applicable, I hereby authorize N/A to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this Approval Not Required Application.)

In submitting this application, I authorize the Board, its consultants and agents, and Town staff to access the site during the plan review process.

Hyman Latorian
Signature of Property Owner

June 3, 2022
Date

Same
Signature of Applicant (if other than Property Owner)

Date

N/A
Signature of Agent/Official Representative

Date

ANR PLAN FILING FEE

\$250 plus \$100 per lot or parcel for a plan involving three (3) or more lots/parcels, not to exceed a maximum of \$750.

Please prepare two checks: one for \$100 and one for the balance.
Each check should be made payable to: Town of Medway

Fee approved 11-2-06

APPLICATION CHECKLIST – All items must be submitted

- ☒ 2 signed original ANR applications (FORM A)
- ☒ 2 full size prints of ANR plan
- ☒ Electronic version of ANR plan – A flash drive may be provided or a PDF of the plan may be emailed to: planningboard@townofmedway.org.
- ☒ 2 copies of the Project Explanation
- ☒ Application/Filing Fee (2 checks) – Check with PEDB office for amounts.

ANR Application/Filing Fee Paid:

Amount: \$100 Check # 1704
Amount: 350 Check # 1705

June 3, 2022

Planning & Economic Development Board

Attn: Ms. Susan Affleck-Childs

Town of Medway, MA

Re: Parcel 57-078 - Project Explanation - Land Subdivison for 14 Franklin Street, Medway

Dear Ms. Affleck-Childs,

I reside at and own 14 Franklin Street, a lot with approximately 46,103 square feet. I wish to carve out approximately 5,359 square feet on the north corner of my lot as a non-buildable lot with no frontage to create Parcel A, as indicated on the ANR Plan of Land in Medway dated March 14, 2022.

The sole intent is to convey Parcel A to the owners of the abutting property, Mr & Mrs. Paul Santosuosso – 2 Franklin Creek Lane, so that they will have a larger back yard. The Santosuosso's house is currently at the minimum back setback.

Please see the attached ZBA notice of decision dated May 4, 2022, granting a Modification of Special Permit and Variance. As indicated in the Decision, if Parcel A is conveyed to the abutter as intended, the frontage of my property would not be affected, and the remaining lot (Lot 3) would have sufficient square footage (40,744 square feet) for the two-family dwelling that has been constructed on the Lot.

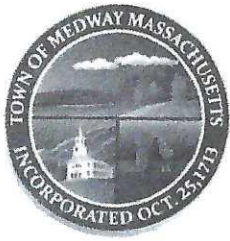
I appreciate the Board's consideration of this request/application and look forward to the Board meeting to answer any questions.

Kind regards,

A handwritten signature in black ink, appearing to read "Lynne Tatevosian", with a long horizontal flourish extending to the right.

Lynne Tatevosian

781-726-1988



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
TOWN CLERK'S OFFICE

Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3204
Fax (508) 321-4988
sohannesian@townofmedway.org
www.townofmedway.org

Town Clerk
Stefany Ohannesian

June 3, 2022

CERTIFICATE

I, STEFANY OHANNESIAN, TOWN CLERK OF THE TOWN OF MEDWAY, HEREBY CERTIFY THAT NOTICE OF A **MODIFICATION** OF A FRONTAGE VARIANCE AND SPECIAL PERMIT GRANTED BY THE ZONING BOARD OF APPEALS ON AUGUST 7, 2019 HAS BEEN FILED IN THE MATTER OF:

LYNNE TATEVOSIAN
14 FRANKLIN STREET
MEDWAY, MA 02053

FILED IN THE TOWN CLERK'S OFFICE ON **MAY 13, 2022**

NO APPEAL WAS RECEIVED DURING THE NEXT TWENTY DAYS AFTER SUCH RECEIPT AND RECORDING OF SAID DECISION WITH THE TOWN CLERK'S OFFICE.

DATED AT MEDWAY, MA.....**JUNE 3, 2022**

A TRUE COPY

ATTEST

Stefany Ohannesian

Board Members
Brian White, Chair
Gibb Phenegar, Vice Chair
Christina Oster, Clerk
Joe Barresi, Member
Tom Emero, Member
Carol Gould, Associate Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 321-4890
zoning@townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

FILED FOR RECORD
JUN 12 2022

20 Day Appeal
June 2, 2022

DECISION
REQUEST FOR MODIFICATION OF
VARIANCE AND SPECIAL PERMIT
14 FRANKLIN STREET

Applicant(s): Lynne Tatevosian
14 Franklin Street
Medway, MA 02053

Location of Property: 14 Franklin Street (Assessor Parcel ID: 57-078).

Approval Requested: The application is for a **modification** of the frontage variance and special permit granted on August 7, 2019, which allowed the construction of a two-family dwelling; the modification is requested to change the shape of the lot by creating a non-buildable Parcel A with about 5,395 sq. ft. along the northern border of the lot.

Members Participating: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Members Voting: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Date of Decision: May 4, 2022

Decision: **GRANTED**

Board Members
Brian White, Chair
Gibb Phenegar, Vice Chair
Christina Oster, Clerk
Joe Barresi, Member
Tom Emero, Member
Carol Gould, Associate Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 321-4890
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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

DECISION
REQUEST FOR MODIFICATION OF
VARIANCE AND SPECIAL PERMIT
14 FRANKLIN STREET

Applicant(s): Lynne Tatevosian
14 Franklin Street
Medway, MA 02053

Location of Property: 14 Franklin Street (Assessor Parcel ID: 57-078).

Approval Requested: The application is for a **modification** of the frontage variance and special permit granted on August 7, 2019, which allowed the construction of a two-family dwelling; the modification is requested to change the shape of the lot by creating a non-buildable Parcel A with about 5,395 sq. ft. along the northern border of the lot.

Members Participating: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Members Voting: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Date of Decision: May 4, 2022

Decision: **GRANTED**

I. PROCEDURAL HISTORY

1. On April 4, 2022, the Applicants submitted an application for a modification to the Board's decision of August 7, 2019, which had approved a special permit under Section 5.4, Table 1.C of the Zoning Bylaw, allowing the construction of a two-family dwelling that has the exterior appearance of a single family dwelling, and a variance from Section 6.1 Table 2 of the Zoning Bylaw to allow for construction of the two-family dwelling on a lot with 89.31 feet of frontage where 150 feet is required. That decision is recorded at the Norfolk Registry of Deeds at Book 37108, Page 442. The original 2019 decision was modified by decision of the Board dated March 18, 2020 recorded at the Norfolk County Registry of Deeds at Book 38126 Page 185. The current application is for a further requested modification to change the shape of the lot by creating a non-buildable Parcel A with about 5,395 sq. ft. along the northern border of the lot.
2. Notice of the public hearing was published in the MetroWest Daily News on April 20, 2022, and April 27, 2022, and notice sent by mail to all parties in interest and posted in Town Hall as required by G.L. c. 40A, §11.
3. The public hearing was opened on May 4, 2022. The hearing was closed the same evening.
4. The property is located in the Agricultural Residential II (AR-II) District. The front setback requirement is 35 feet and the side and rear setback requirements are 15 feet. The minimum lot area requirement is 22,500 sq. ft. and the minimum frontage requirement is 150 feet. Two-family dwellings are allowed by special permit.
5. The Board notified Town departments, boards, and committees of this application. The Board did not receive any comments.
6. All documents and exhibits received during the public hearing are contained in the Zoning Board of Appeal's files and listed in Section V. of this Decision.

II. TESTIMONY

The applicant, Lynne Tatevosian, stated that she wanted to create a non-buildable Parcel A from a portion of her lot, as shown on the plan she submitted, so that she could convey it to the owners of the abutting property, the Santosussos. The Santosusso's house is currently at the minimum side lot setback, so conveying Parcel A would give them some side yard area. The members agreed that the conveyance of Parcel A, in the north corner of the lot, does not affect the variance for frontage or the special permit for the two-family dwelling that were previously granted by the Board. Ms. Saint Andre explained that the prior decisions for 14 Franklin Street are based on the plans that were previously submitted, so a modification is necessary to make sure there are no issues with the change in the lot. She noted that if Parcel A is conveyed to the abutter, the property will have about 40,774 square feet, well in excess of the 30,000 square feet required for construction of a two-family dwelling.

III. FINDINGS

In making its findings and reaching the decision described herein, the Board is guided by G.L. c. 40A, as amended, and by the Medway Zoning Bylaw. The Board also considered evidence and testimony presented at the public hearing.

The Board incorporates its findings from the original 2019 decision and the 2020 modification and finds that the proposed modification of the size of the lot meets the requirements for modification of the special permit and variance. The original decision and the 2020 modification required the applicant to construct the two-family dwelling in accordance with the plans that had been submitted, including plans showing the lot on which the two-family dwelling would be constructed. Those plans show a lot, labeled "Lot 1 and 2" with 46,103 square feet of area. The Modified Plan submitted with this application shows a portion of the property carved out to create a new Parcel A, which will be a non-buildable lot with no frontage and approximately 5,359 square feet. The applicant stated that her intent is to convey Parcel A to the owners of the abutting property so that they will have a larger lot. The Zoning Bylaw, Section 6.1 Table 2, requires a minimum of 30,000 square feet for construction of a two-family home. If Parcel A is conveyed to the abutter as intended, the remaining lot, Lot 3 as shown on the Modified Plan, will still have sufficient square footage (40,744 square feet) for the two-family dwelling that has been constructed on the Lot. The frontage of the applicant's property will not be affected.

IV. CONDITIONS OF APPROVAL

Based upon the findings of the Board and testimony and information received into the record during the public hearing process, the Board hereby GRANTS the Applicant, Lynne Tatevosian a **MODIFICATION** to the special permit and variance granted August 7, 2019, under Section 5.4 Table 1.C of the Zoning Bylaw, and Section 6.1 of the Zoning Bylaw, as modified by the Board's decision of March 18, 2020. This Decision will modify the previous decisions of this Board as set forth in the application, to allow the creation and conveyance of Parcel A as shown on the Modified Plan without affecting or invalidating the special permit and variance, and subject to the **CONDITIONS** herein.

All provisions of the original decision dated August 7, 2019 and as modified by the decision of March 18, 2020 continue in effect, including all conditions, except as modified by this decision, and are incorporated herein as if fully set forth.

V. INDEX OF DOCUMENTS

A. The request for modification included the following plans and information that were provided to the Board at the time the application was filed:

1. Plan titled "14 Franklin Street Approval-Not-Required Plan of Land," by Colonial Engineering, LLC, dated March 14, 2022. (the "Modified Plan")

VI. VOTE OF THE BOARD

By a vote of 4 – 0 on a motion made by Gibb Phenegar and seconded by Joe Barresi, the Zoning Board of Appeals hereby **GRANTS** the Applicant, Lynne Tatevosian, a **MODIFICATION** to the variance and special permit granted August 7, 2019 as modified by decision dated March 18, 2020, modifying the previous decisions of this Board to allow the creation and conveyance of Parcel A as shown on the Modified Plan, a copy of which is attached hereto, without affecting or invalidating the special permit and variance, and subject to the **CONDITIONS** herein.

Member:	Vote:	Signature:
Brian White	Aye	_____
Gibb Phenegar	Aye	_____
Tom Emero	Aye	_____
Joe Barresi	Aye	_____

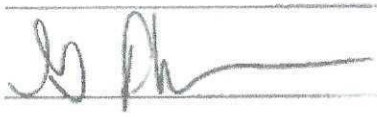
The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in General Laws, chapter 40A, section 15.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, chapter 40A, section 17, and shall be filed within 20 days after the filing of this notice in the office of the Medway Town Clerk.

In accordance with General Laws c. 40A, Section 11, no variance or special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title, bearing the certification of the Town Clerk, in the case of a variance, that twenty days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed within said twenty day period or that any duly filed appeal has been dismissed or denied; and in the case of a special permit, that 20 days have elapsed after the decision has been filed in the office of the Town Clerk and either that no appeal has been filed or the appeal has been filed within such time. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the Applicant. A copy of the recorded Decision certified by the Registry, and notification by the Applicant of the recording, shall be furnished to the Board.

VI. VOTE OF THE BOARD

By a vote of 4 – 0 on a motion made by Gibb Phenegar and seconded by Joe Barresi, the Zoning Board of Appeals hereby **GRANTS** the Applicant, Lynne Tatevosian, a **MODIFICATION** to the variance and special permit granted August 7, 2019 as modified by decision dated March 18, 2020, modifying the previous decisions of this Board to allow the creation and conveyance of Parcel A as shown on the Modified Plan, a copy of which is attached hereto, without affecting or invalidating the special permit and variance, and subject to the **CONDITIONS** herein.

Member:	Vote:	Signature:
Brian White	Aye	
Gibb Phenegar	Aye	
Tom Emero	Aye	
Joe Barresi	Aye	

The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in General Laws, chapter 40A, section 15.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, chapter 40A, section 17, and shall be filed within 20 days after the filing of this notice in the office of the Medway Town Clerk.

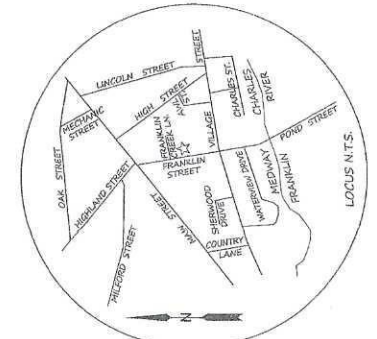
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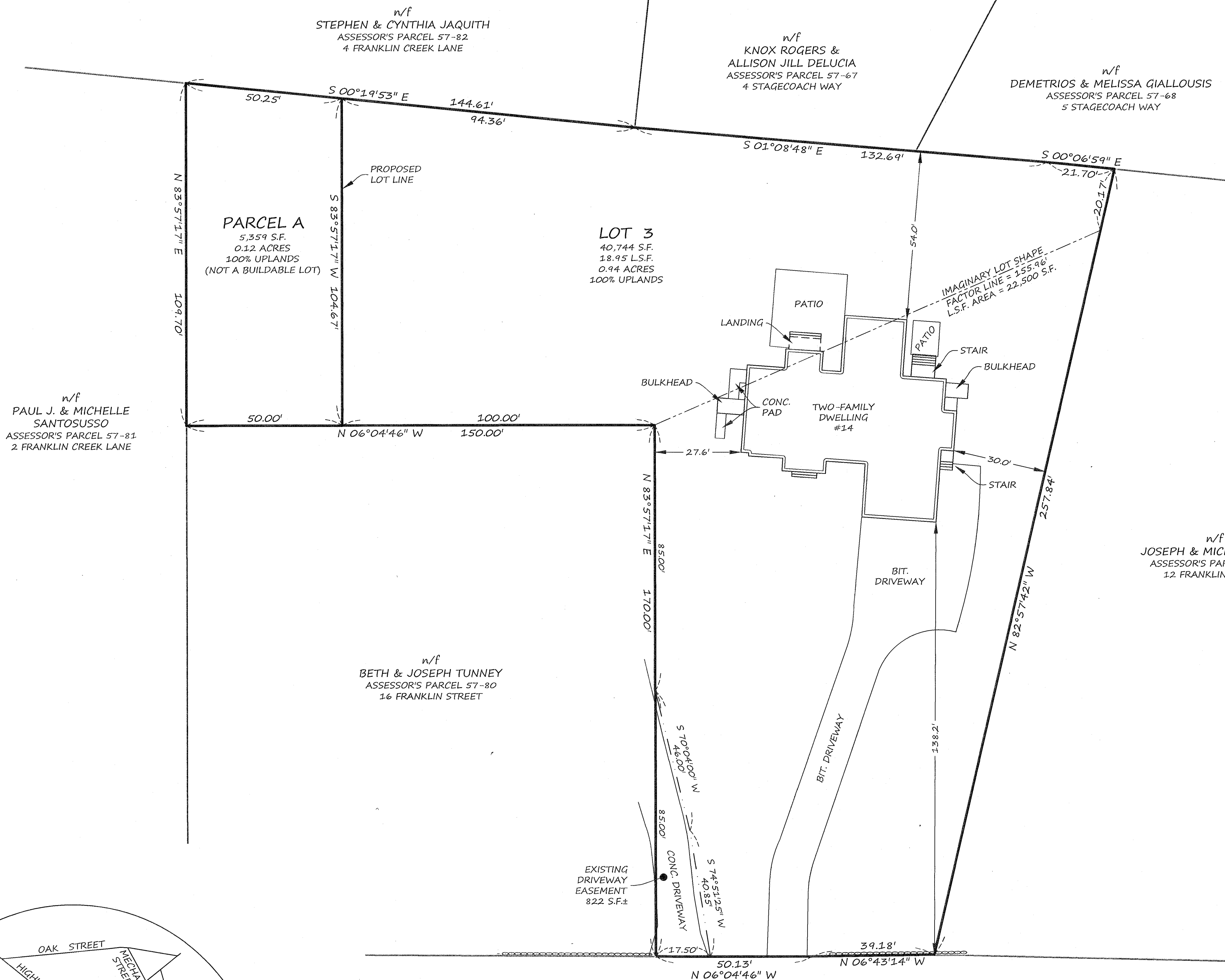
DATE: 3-14-22
Anthony J. Dellore
 REGISTERED LAND SURVEYOR

30, 200 FOR FRONTAGE VARIANCE.

PLAN SCALE: 1" = 20'

SHEET 1 OF 1





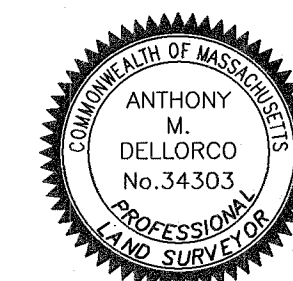
*VARIANCE GRANTED FOR REDUCED LOT FRONTAGE

PLAN & DEED REFERENCE
DEED BOOK 36604, PAGE 172
PLAN BOOK 679 NO. 33

BEING A SUBDIVISION OF LOTS 1 & 2
SHOWN ON PLAN ENTITLED "PLAN OF
LAND IN MEDWAY, MA" PREPARED BY
COLONIAL ENGINEERING INC. AND DATED
JANUARY 14, 2019, REVISED JANUARY
17, 2019 INTO LOT 3 AND UNBUILDABLE
PARCEL A.

I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMITY WITH THE
RULES AND REGULATIONS OF THE
REGISTERS OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS

DATE: 6/6/22
Anthony M. DeMarco
 REGISTERED LAND SURVEYOR



APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED.

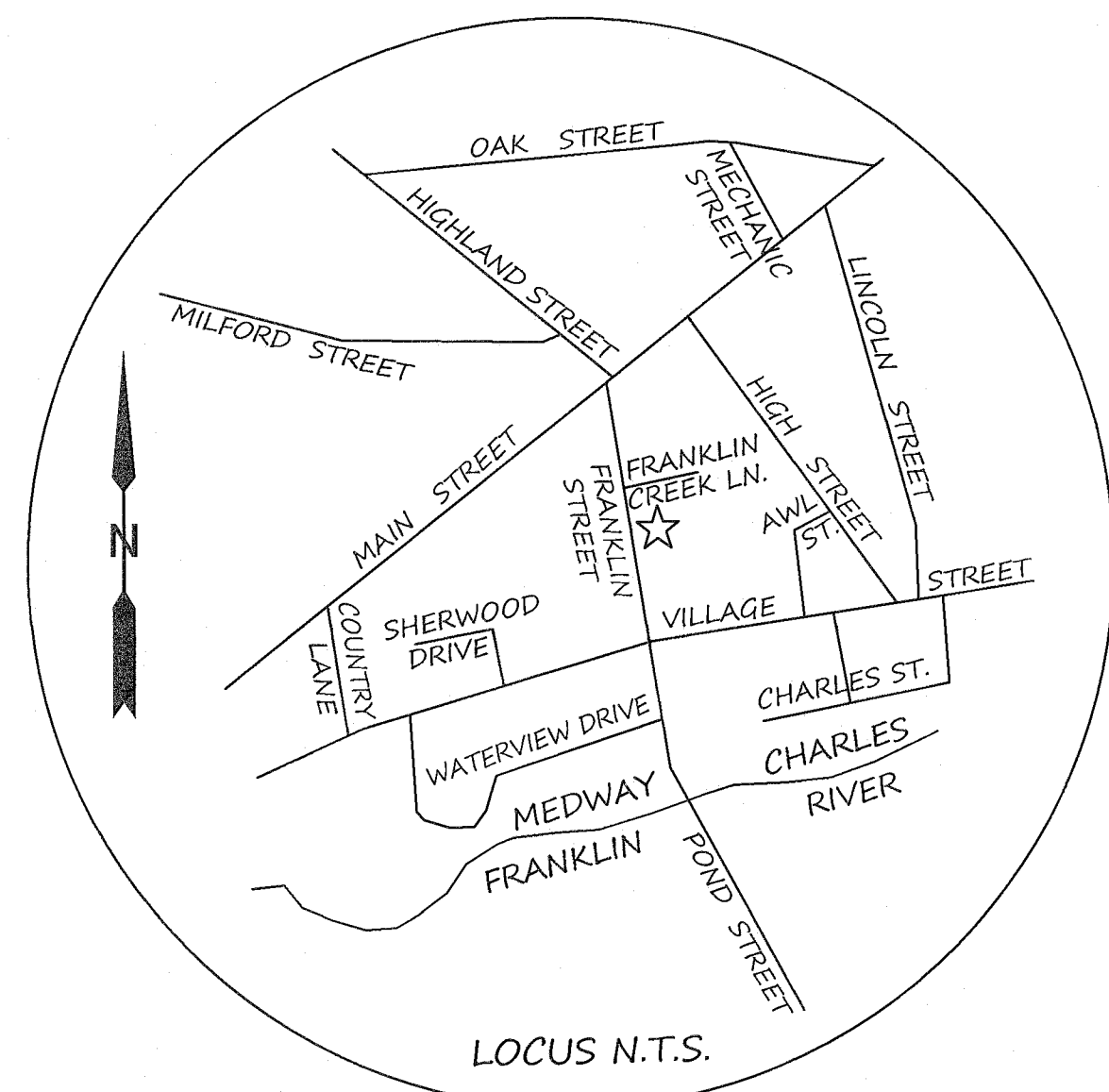
DATE APPROVED: _____

MEDWAY PLANNING BOARD

PLANNING BOARD ENDORSEMENT DOES
NOT CONSTITUTE A DETERMINATION OF
COMPLIANCE WITH MEDWAY
ZONING-BYLAWS.

NOTE: SUBJECT PROPERTY IS NOT CLASSIFIED AS CHAPTER 61A OR 61B.

NOTE: SEE DECISIONS FROM MEDWAY ZONING BOARD OF APPEALS DATED JUNE 20, 2018, AUGUST 7, 2019, MARCH 18, 2020, AND MAY 4, 2022 FOR FRONTAGE VARIANCE AND SPECIAL PERMIT.

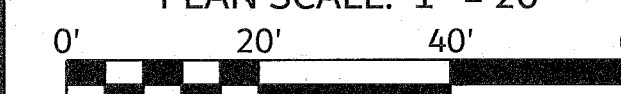


FRANKLIN (PUBLIC - SCENIC VARIABLE WIDTH) STREET

n/f
NATALIA CHEB
ASSESSOR'S PARCEL 57-125
11 FRANKLIN STREET

P.O. BOX 95
MEDWAY, MA 02053
508-533-1644

PLAN SCALE: 1" = 20'



SHEET 1 OF 1

Susan E. Affleck-Childs

Planning and Economic
Development Coordinator



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: sachilds@
townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT OFFICE

MEMORANDUM

June 6, 2022

TO: Planning and Economic Development Board members
FROM: Susy Affleck-Childs
RE: ANR Plan for 14 Franklin Street

I have reviewed the Approval Not Required Plan of Land, ANR application, and accompanying submittal letter filed for the Board's endorsement by Lynne Tatevosian of 14 Franklin Street. The plan is dated March 14, 2022, revised May 20, 2022 and was prepared by Colonial Engineering, Inc. of Medway, MA; the plan was stamped by Anthony Dellorco, PLS. The plan shows the division of the 46,103 sq. ft. property at 14 Franklin Street in the AR-II zoning district as follows:

- Parcel A – 5,359 sq. ft., located in the northeast corner of the property
- Lot 3 – 40,744 sq. ft. with 89.31 linear feet of frontage on Franklin Street, for which a frontage variance was granted by the Zoning Board of Appeals in August 2019. NOTE – The ZBA also granted a 2-family special permit.

Ms. Tatevosian wishes to convey Parcel A to abutting property owners Paul and Santususso at 2 Franklin Creek Lane so that they may have a larger side yard.

Because of the previously granted variance, the applicant sought further authorization from the ZBA to change the shape of the lot as shown on the noted ANR plan by splitting off Parcel A. The ZBA approved this modification on May 4, 2022.

I have comments as follows:

1. Lot 3 will have more than the required 30,000 sq. ft. area for a 2-family house.
2. The land division has no impact on the previously authorized reduced frontage on Franklin Street, a Medway public way and does not change access to 14 Franklin Street.
3. Access to Parcel A is not an issue as it is not a buildable lot and will be conveyed to the adjacent property owner.
4. The plan should be revised as follows:
 - a) The note depicting the building at 14 Franklin Street as a Single-Family Dwelling should be corrected to read: 2-Family Dwelling
5. The plan is drawn at a scale of 20' to the inch; the regulations specify a scale of 40' to an inch but authorize the Board to accept a different scale. The varied scale is appropriate so to provide the property details in a more readable form.

6. All other details required to be shown on an ANR plan pursuant to Section 3.2 ANR Plan Contents of the *Medway Subdivision Rules and Regulations*.

The proposed division of land does not constitute a “subdivision” and the Board’s approval under the Subdivision Control Law is not required. I recommend the Board endorse the ANR plan with the above noted plan revision. The Applicant should submit a revised plan for consideration at the June 14, 2022 Planning and Economic Development Board meeting.



June 14, 2022
Medway Planning & Economic Development Board
Meeting

Construction Reports

- Monthly report (Guerriere & Halon) – Medway Mill Site Plan
- Monthly report (Legacy Engineering) – William Wallace Village
- Monthly report (Connorstone Engineering) – Choate Trail Subdivision
- Monthly Report (Ron Tiberi) – Cutler Place
- Monthly Report (Ron Tiberi) – Evergreen Village

NOTE from Steve Bouley - We don't have any construction reports for this period. All projects currently under construction are focusing on their units at the moment or are in a lull in construction activity.



**Guerriere &
Halnon, Inc.**
ENGINEERING & LAND SURVEYING

www.gandhengineering.com

Est. 1972

Milford Office
333 West Street, P. O. Box 235
Milford, MA 01757-0235
(508) 473-6630/Fax (508) 473-8243

Franklin Office
55 West Central Street
Franklin, MA 02038-2101
(508) 528-3221/Fax (508) 528-7921

Whitinsville Office
1029 Providence Road
Whitinsville, MA 01588-2121
(508) 234-6834/Fax (508) 234-6723

F3519

June 3, 2022

Town of Medway
Planning and Economic Development Board
155 Village Street
Medway, MA. 02053
Attn: Susan Affleck-Childs

RE: Medway Mills – Monthly Inspection Report: 165 Main Street, Medway, MA 02053.

On behalf of the Applicant, 165 Main Street Realty Trust, and in accordance with Major Site Plan Decision dated June 22, 2021 General Conditions of Approval Paragraph (G)(4), Guerriere & Halnon, Inc. conducted the monthly site inspection on May 25, 2022 and observed the following construction activities:

- Construction of the paver walkway has been completed;
- Erosion control measures have been installed on the east side of the project site and appear to be in satisfactory condition;
- Planting of trees and shrubs is underway throughout the site;
- Construction of the swale on east side of the project has begun;
- Construction of the infiltration basin has largely been completed and the area loamed, and
- Work on restoration areas A & B has begun.

Should you have any questions or require additional information, please contact our office.

Sincerely,
Guerriere & Halnon, Inc.

Amanda Cavaliere
Amanda Cavaliere
Franklin Office Manager



cc: Mr. John Greene, Applicant



dan@legacy-ce.com

508-376-8883(o)

508-868-8353(c)

730 Main Street

Suite 2C

Millis, MA 02054

CONSTRUCTION INSPECTION REPORT

Date of Inspection: 6/7/2022

Time On-Site: 2:45 pm

Weather: 80F, P. Cloudy

Location: William Wallace Village, 274 Village Street, Medway, MA

Inspection By: Daniel J. Merrikin, P.E.

Date of Report: 6/7/2022

Observation Requested by: DTRT LLC

Medway Planning & Economic Development Board

Activity Summary:

At the time of inspection work on the following structures was ongoing:

- Unit 2/4 is substantially complete and occupied.
- Unit 18 (old house) is substantially complete and occupied.
- Aside from garage doors, unit 6/8 is weather tight and interior construction continues.
- Aside from garage doors, unit 20/22/24 is weather tight and interior construction continues.
- Unit 10/12 is framed, roofed with doors and windows, and is awaiting siding installation.
- Unit 14/16 building foundations is partially excavated.
- The mail kiosk is substantially complete.

Note the following site construction activities since our last inspection.

- Site work on the site is still minimal as the primary focus is currently building construction. Utility service installation to buildings under construction but otherwise, there has been little site work since our last inspection.
-



Erosion Controls:

Note the following:

- Perimeter erosion controls were inspected and found to be in adequate condition.
- Temporary sediment basins appear to be functioning well and newly installed stormwater systems are protected with erosion controls. The partially excavated foundation for unit 14/16 is acting as a temporary sediment basin. Once the foundation is installed, the area will be re-evaluated to determine if additional erosion controls are needed.

Recommended Improvements:

1. None.







CONNORSTONE ENGINEERING, INC.

10 SOUTHWEST CUTOFF, #7
NORTHBOROUGH, MASSACHUSETTS 01532
TEL: 508-393-9727 FAX: 508-393-5242

Construction Observation Report

Project Information

Project Name: Choate Trail
Location: Copper Drive (off Highland Street) Medway, MA
Report Number: 10
Inspection Date: 6/3/2022
Inspection Time: 9:00 am

On Friday Tuesday, June 3, 2022, Vito Colonna, PE, from Connorstone Engineering, Inc. (CSEI) performed a progress inspection in accordance with the Definitive Subdivision Approval Condition VII.B.5.c. The following report summarizes the observations made during the site visit.

Recent Precipitation Events:

Based upon available data, since the last inspection the site received the following precipitation.

- Previous 72 hours: 0.3 inches (raining at the time of inspection)

Completed / On-Going Work

Time Period: 3/8/2022 to 6/3/2022

- No site work performed during this period.

Site Conditions / Recommendations:

1. The entrance showed no signs of tracking onto Highland Street.
2. The internal Roadway (Copper Drive) had only minor tracking/sediment on the paved areas. Construction entrances were in place at Lot 2 and 4. The entrance to Lot 3 to be installed prior to future lot development. As construction recommences, the entrances shall be maintained as required to reduce tracking.
3. The overall site condition was generally stable, and the perimeter erosion barriers (compost filter sock & silt fence) appeared in good condition and functioning as intended. No sediment or erosion was observed beyond the barriers or limit of work.
4. Catch basins were equipped with silt sacks that appeared to be in good condition, and the gutter mouths had been blocked off as recommended. One silt sack required adjustment and was re-set at the time of inspection.
5. Stockpiles of loam / soil were located on future Lots 3 and 4, and appeared generally stable with no notable erosion.

Vito Colonna, PE
Connorstone Engineering, Inc.



Progress Report

Project Details

Project name	Cutler Place	
Location	6 Cutler Street	Medway MA
Owner	Cutler Place LLC	Medway MA
Reporting period	4-30-2022 thru 5-31-2022	
Report compiled by	Ron Tiberi P.E. 	9 Mass Ave Natick MA
Date inspected/ submitted	5/31/22	

Summary

Erosion controls partially installed & maintained. Limited Site Activity.

Activities

Activity 1 Construction Controls

Status	Achieved
Objective	Foundation set, rain garden laid out
Activity dates	
Progress	
Comments	Sanitary Facilities on-site, No construction trailers

Activity 2 Erosion Controls

Status	Achieved
Objective	Erosion controls implemented
Activity dates	During Month
Progress	Completed & maintained
Comments	

Activity 3 Water & Sewer Utilities

Status	
Objective	
Activity dates	
Progress	
Comments	

Activity 4 Parking Area

Status	
Objective	
Activity dates	
Progress	
Comments	

Activity 5 Building

Status	IN Progress
Objective	Selective demolition & Interior framing original building, new addition foundation
Activity dates	Thru Month
Progress	
Comments	

Activity 6 Site Features

Status	
Objective	
Activity dates	
Progress	
Comments	

Photographs

#1



Building addition foundation

#2



Rear Building – stripped asphalt & new framing

Progress Report

Project Details

Project name	Evergreen	
Location	22 Evergreen Road	Medway MA
Owner	Broken Tree LLC	Medway MA
Reporting period	4-30-2022 thru 5-31-2022	
Report compiled by	Ron Tiberi P.E. 	9 Mass Ave Natick MA
Date inspected/ submitted	5/31/22	

Summary

Erosion controls installed & maintained. Road set to binder level & site rough graded to subgrade. Phase 2 Structure framed & enclosed. Drainage system 90% installed. Limited Site Activity.

Activities

Activity 1 Construction Controls

Status	Achieved
Objective	Layout & Construction controls set and provided by Cheney Engineering
Activity dates	
Progress	Asbuilt information surveyed
Comments	Sanitary Facilities on-site, No construction trailers

Activity 2 Erosion Controls

Status	Achieved
Objective	Erosion controls implemented and approved on site Temporary sedimentation basins installed & maintained
Activity dates	During Month
Progress	Completed & maintained
Comments	

Activity 3 Access Road

Status	In progress
Objective	Paved to binder coarse
Activity dates	
Progress	Partially completed 85%,
Comments	3 Infiltration system installed

Activity 4 Water & Sewer Utilities

Status	Achieved
Objective	Sewer line and water lines connected to units, Water lines charged. GAS Services Installed; Underground installed
Activity dates	
Progress	Completed
Comments	

Activity 5 Building

Status	In Progress
Objective	Building 2 enclosed, water & sewer connections completed
Activity dates	Current
Progress	
Comments	

Activity 6 Site Features

Status	Achieved
Objective	Segmented retaining wall being constructed behind building 1 approved and backfilled
Activity dates	
Progress	100%
Comments	

Photographs

#1



Building 2 Enclosed

#2



Rear Building 2 – rough graded



June 14, 2022
Medway Planning & Economic Development Board
Meeting

Correspondence

- ZBA decision dated May 18, 2022 re: outdoor display special permit for Shaw's at Medway Commons.
Provided to you as an FYI.
- MA Supreme Judicial Court decision Tracer Lane II Realty LLC vs. City of Waltham re: validity of zoning bylaw regulation of installation of solar energy systems.

Board Members
Brian White, Chair
Gibb Phenegar, Vice Chair
Christina Oster, Clerk
Tom Emero, Member
Rori Stumpf, Member
Carol Gould, Associate Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 321-4890
zoning@townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

DECISION
SPECIAL PERMIT
65 MAIN STREET

RECEIVED TOWN CLERK
MAY 24 '22 PM 2:47

20 Day Appeal
June 13, 2022

Applicant(s): Shaw's Supermarkets, Inc.
65 Main Street
Medway, MA 02053

Location of Property: 65 Main Street (Assessor Parcel ID: 41-023).

Approval Requested: The application is for the issuance of a **special permit** under Section 3.4 of the Zoning Bylaw and Section 5.4, Schedule of Uses, for outdoor display of merchandise.

Members Participating: Brian White (Chair), Gibb Phenegar (Vice Chair), Christina Oster (Clerk), Joe Barresi (Member)

Members Voting: Brian White (Chair), Gibb Phenegar (Vice Chair), Christina Oster (Clerk), Joe Barresi (Member)

Date of Decision: May 18, 2022

Decision: **GRANTED WITH CONDITIONS**

Board Members
Brian White, Chair
Gibb Phenegar, Vice Chair
Christina Oster, Clerk
Tom Emero, Member
Rori Stumpf, Member
Carol Gould, Associate Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 321-4890
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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

DECISION
SPECIAL PERMIT
65 MAIN STREET

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Members Voting: Brian White (Chair), Gibb Phenegar (Vice Chair), Christina Oster (Clerk), Joe Barresi (Member)

Date of Decision: May 18, 2022

Decision: **GRANTED WITH CONDITIONS**

I. PROCEDURAL HISTORY

1. On April 26, 2022, the Applicant filed for the issuance of a **special permit** under Section 3.4 of the Zoning Bylaw and Section 5.4, Schedule of Uses, for outdoor display of merchandise.
2. Notice of the public hearing was published in the MetroWest Daily News on May 4, 2022, and May 11, 2022, and notice sent by mail to all parties in interest and posted in Town Hall as required by G.L. c. 40A §11.
3. The public hearing was opened on May 18, 2022. The hearing was closed the same evening.
4. The Property is located in the Central Business (CB) District. The front setback requirement is 10 feet, and the side and rear setback requirements are 25 feet. The minimum lot area requirement is 10,000 sq. ft.
5. The Board notified Town departments, boards and committees of this application.
6. All documents and exhibits received during the public hearing are contained in the Zoning Board of Appeal's files and listed in Section V. of this Decision.

II. TESTIMONY

Andrea McCarthy, the Applicant's representative, was present to explain the application. Ms. McCarthy explained that the outdoor display is allowed as an accessory use and believes that Shaw's does meet the requirements as laid out in the Medway Zoning Bylaw. Ms. McCarthy explained that the outdoor display will be the same as has been done in the past, having a seasonal display. She noted that the location of the display is against the building and does not interfere with the traffic on the sidewalk, and the display will be brought inside each night.

Mr. Phenegar noted that there is an overhang where the display is located, and it does have sprinklers. Ms. Saint Andre stated that the Board did not receive any comments from the Medway Fire Department regarding this application, Ms. McCarthy stated that Shaw's did speak with the Fire Department, and they did not have an issue with the display.

Ms. Saint Andre noted that the Zoning Bylaw requires 6 feet of clearance on the sidewalks, but the sketches provided to the Board did not include the pillars that are located on the sidewalk. Ms. McCarthy stated that Shaw's understands the clearance requirement and will make sure that the display meets that requirement and takes the pillars into account.

Ms. Saint Andre asked if the display will also be located on the right side of the store as shown in the sketch provided to the Board. Ms. McCarthy stated that there will be a smaller display on the right side of the store, which will also be under the overhang.

III. FINDINGS

In making its findings and reaching the decision described herein, the Board is guided by G.L. c. 40A, as amended, and by the Medway Zoning Bylaw. The Board also considered evidence and testimony presented at the public hearing.

A. Section 3.4 Special Permit Decision Criteria

The Board found the application meets all the required Special Permit Decision Criteria for Section 3.4 on the following findings:

1. The proposed site is an appropriate location for the proposed use.

The site is used as a retail store in a shopping center and has ample room for the outdoor display. This area has been used in the past with no issues.

2. Adequate and appropriate facilities will be provided for the operation of the proposed use.

The display will be placed against the wall of the store, leaving more than six feet of clearance for pedestrians and access.

3. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians, or the environment.

The outdoor display area will not interfere with access to or ingress from the store, and will leave more than six feet of sidewalk clearance.

4. The proposed use will not cause undue traffic congestion or conflicts in the immediate area.

The display is located on the sidewalk next to the building, outside of the fire lane.

5. The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site, or operational attributes of the proposed use.

The display will not cause any detrimental effects and will be an improvement in the appearance.

6. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.

The outdoor display is an accessory use in a shopping plaza that is in keeping with the commercial character of the district.

7. The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw.

The outdoor display supports the most appropriate use of land.

8. The proposed use is consistent with the goals of the Medway Master Plan.

The special permit promotes the goal of helping to retain businesses in town.

9. The proposed use will not be detrimental to the public good.

The outdoor display will not be detrimental to the public good.

The Board finds that the Applicant has demonstrated through evidence submitted, including the plans, the proposed pictures of the site, review of the square footage and usage of the proposed outdoor display areas, that it has met all the required Special Permit Decision Criteria under Section 3.4 of the Zoning Bylaw.

IV. CONDITIONS OF APPROVAL

Based upon the findings of the Board and testimony and information received into the record during the public hearing process, the Board hereby **GRANTS** the Applicant, Shaw's Supermarkets, Inc. a **SPECIAL PERMIT** under Section 3.4, Special Permit of the Zoning Bylaw, and Section 5.4, Schedule of Uses, for outside display of merchandise, for the construction of an outdoor display on property located at 65 Main Street (Parcel ID: 41-023), subject to the following **CONDITIONS**

1. This special permit is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies, or commissions. Any changes to the special permit and that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Board for review as a new request.
2. Any work or use that deviates from this Decision may be a violation of the Medway Zoning Bylaw. All conditions imposed by this Decision are mandatory, and any violation of a condition imposed by this decision may be a violation of the Medway Zoning Bylaw. Any violations of this Decision may prevent the issuance of a building permit and/or occupancy permit, or result in the issuance of a cease and desist order, noncriminal penalties, or fines, as further provided in Section 3.1 of the Zoning Bylaw. Please note that Section 3.1.F of the Zoning Bylaw provides:
 1. Anyone who violates a provision of this Zoning Bylaw, or any condition of a variance, site plan review decision or special permit, shall be punishable by a fine of not more than three hundred dollars for each offense. Each day during which any portion of a violation continues shall constitute a separate offense.
 2. As an alternative means of enforcement, the Building Commissioner may impose noncriminal penalties pursuant to G.L. c. 40, § 21D and Article XX of the Town's General Bylaws, in accordance with the following schedule:
 - First offense: warning (verbal or written)
 - Second offense: one hundred dollars
 - Third offense: two hundred dollars
 - Fourth and each subsequent offense per violation: three hundred dollars
3. As provided in Section 3.4.E of the Zoning Bylaw, special permits shall lapse within two years, which shall not include such time required to pursue or await the determination of an appeal under

G.L. c. 40A, §17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a special permit for construction, if construction has not begun by such date, except for good cause. Upon receipt of a written request by the applicant filed at least 30 days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested.

4. All outdoor display shall be in compliance with the Plans submitted to the Board as listed in Section V of this Decision and attached hereto, provided, however, that the Building Commissioner may approve minor changes that are of such a nature as are usually approved as “field changes” that do not require further review by the Board. The dimensions shall not be changed without Board approval, except that minor changes in dimension that do not increase the size of the display or encroach on the required six feet of clearance may be allowed by the Building Commissioner as field changes.

5. Only products offered for sale by the store may be displayed. The sidewalk space shall not be leased to or used by an outside vendor or include self-contained fixtures such as vending machines, or coin operated amusements.

6. Merchandise must be displayed such that a minimum of 6 feet of sidewalk clearance is maintained at all times for pedestrians and handicap accessibility. Items should be located immediately adjacent to the building and may not extend beyond the subject business’ storefront space. Display items shall not obstruct the normal ingress and egress from the store.

7. Outdoor display racks and shelving shall be:

- a. Constructed of sturdy materials such as wood, iron, steel, clay, canvas, aluminum, or plastic. Prohibited shelving materials are glass, porcelain, and other breakable materials, including any items that may pose a hazard.
- b. Maintained and in good condition at all times. Broken, rusting, degraded, torn, tattered or similar items shall be removed promptly.

8. Displays shall specify that the actual sale of outdoor merchandise shall take place inside the store.

10. No additional business signage beyond pricing and product information is authorized by this special permit.

V. INDEX OF DOCUMENTS

A. The application included the following plans and information that were provided to the Board at the time the application was filed:

1. Application dated April 25, 2022
2. Plan entitled “Medway Commons, Medway Massachusetts, Route 109 – Main Street”, dated December 9, 2002, prepared by Appledore Engineering, Inc. (the Plot Plan)

B. During the course of the review, the following additional materials were submitted to the Board.

1. Plan showing Shaw’s Supermarket sidewalk with proposed outdoor display areas, undated (the Sketch Plan).
2. Planning and Economic Development Board comment memo, dated May 16, 2022.

VI. VOTE OF THE BOARD

By a vote of 4 to 0 on a motion made by Brian White and seconded by Christina Oster, the Zoning Board of Appeals hereby **GRANTS** the Applicant, Shaw's Supermarket, Inc. a **SPECIAL PERMIT** under Section 3.4 Special Permit of the Zoning Bylaw for an outdoor display on property located at 65 Main Street (Parcel ID: 41-023), in accordance with the application and Plans provided and subject to the **CONDITIONS** herein. The Plans provided are attached to this decision.

Member:	Vote:	Signature:
Brian White	Aye	_____
Gibb Phenegar	Aye	_____
Christina Oster	Aye	_____
Joe Barresi	Aye	_____

The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in General Laws, chapter 40A, section 15.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, chapter 40A, section 17, and shall be filed within 20 days after the filing of this notice in the office of the Medway Town Clerk.

In accordance with General Laws chapter 40A, section 11, no special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title, bearing the certification of the Town Clerk that twenty days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed within said twenty day period or the appeal has been filed within such time. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The fee for recording or registering shall be paid by the Applicant. A copy of the recorded Decision, and notification by the Applicant of the recording, shall be furnished to the Board.

VI. VOTE OF THE BOARD

By a vote of 4 to 0 on a motion made by Brian White and seconded by Christina Oster, the Zoning Board of Appeals hereby **GRANTS** the Applicant, Shaw's Supermarket, Inc. a **SPECIAL PERMIT** under Section 3.4 Special Permit of the Zoning Bylaw for an outdoor display on property located at 65 Main Street (Parcel ID: 41-023), in accordance with the application and Plans provided and subject to the **CONDITIONS** herein. The Plans provided are attached to this decision.

Member:

Vote:

Signature:

Brian White

Aye

Gibb Phenegar





Aye

Christina Oster

Aye

Joe Barresi

Aye

The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in General Laws, chapter 40A, section 15.

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#1 LEFT SIDE

DISPLAY

25 FT X 5 FEET

Bottle Room

DISPLAY

10 FT X 5 FT

ENTRANCE

↑
11 FT
↓

SIDEWALK

↑
11 FT
↓

PARKING LOT

PARKING LOT

#2 RIGHT SIDE

ENTRANCE

DISPLAY

20 FT X 5 FT

Sprinkler Room

EXIT DOORS

SIDEWALK

SIDEWALK
11 FT

PARKING LOT

PARKING LOT

NOTICE: All slip opinions and orders are subject to formal revision and are superseded by the advance sheets and bound volumes of the Official Reports. If you find a typographical error or other formal error, please notify the Reporter of Decisions, Supreme Judicial Court, John Adams Courthouse, 1 Pemberton Square, Suite 2500, Boston, MA, 02108-1750; (617) 557-1030; SJCReporter@sjc.state.ma.us

SJC-13195

TRACER LANE II REALTY, LLC vs. CITY OF WALTHAM & another.¹

Suffolk. March 7, 2022. - June 2, 2022.

Present: Budd, C.J., Gaziano, Lowy, Cypher, Kafker, Wendlandt,
& Georges, JJ.

Renewable Energy. Zoning, By-law, Validity of by-law or ordinance, Accessory building or use, Permitted use.

Civil action commenced in the Land Court Department on June 12, 2019.

The case was heard by Howard P. Speicher, J., on motions for summary judgment.

The Supreme Judicial Court on its own initiative transferred the case from the Appeals Court.

Bernadette D. Sewell, Assistant City Solicitor, for the defendants.

David C. Fixler (John J. Griffin, Jr., & John F. Farraher, Jr., also present) for the plaintiff.

The following submitted briefs for amici curiae:

Thomas Melone for Allco Renewable Energy Limited.

Ben Robbins & Daniel B. Winslow for New England Legal Foundation.

Sander A. Rikleen, David A. Michel, & Stella T. Oyalabu for First Parish in Bedford, Unitarian Universalist.

¹ Inspector of buildings for Waltham.

Michael Pill, pro se.

Maura Healey, Attorney General, & David S. Frankel & Megan M. Herzog, Special Assistant Attorneys General, for the Commonwealth.

Margaret E. Sheehan & Jonathan Polloni for Save the Pine Barrens, Inc., & others.

David K. McCay, Lauren E. Sparks, & Tatiana Tway for town of Charlton & another.

Kate Moran Carter, Charles N. Le Ray, & Nicholas P. Shapiro for Real Estate Bar Association for Massachusetts, Inc., & another.

LOWY, J. Tracer Lane II Realty, LLC (developer), seeks to build a solar energy system centered in Lexington and an access road to the facility through Waltham. Although the solar energy system would be centered on property zoned for commercial use, the access road would be on property zoned for residential use. Waltham officials indicated to the developer that the developer could not construct the access road because the road would constitute a commercial use in a residential zone. However, a Land Court judge determined on cross motions for summary judgment that this prohibition was improper because G. L. c. 40A, § 3, ninth par., which protects solar energy systems from local regulation that is not "necessary to protect the public health, safety or welfare," allowed the developer to lay the access road. We affirm.²

² We acknowledge the amicus briefs submitted by Allco Renewable Energy Limited; New England Legal Foundation; First Parish in Bedford, Unitarian Universalist; Michael Pill; the Commonwealth; Save the Pine Barrens, Inc., select board of

Background. 1. Facts and procedural history. The following facts are undisputed. The developer owns land in Lexington and in Waltham. The Lexington property is in an area zoned for commercial and manufacturing use, whereas the Waltham property is in an area zoned for residential use. The developer intends to construct a one-megawatt solar energy system centered on the Lexington property that will cover an area of approximately 413,600 square feet and contribute solar energy to the electrical grid. To access the part of the solar energy system that is on the Lexington property, the developer intends to build an access road over its Waltham property. Construction vehicles would use the access road while the solar energy system was being built, and maintenance trucks would periodically use the access road thereafter. The access road would include overhead wires and utility poles connecting the structure in Lexington to the electrical grid.

Pelham, select board of Wendell, planning board of Buckland, planning board of Pelham, planning board of Shutesbury, planning board of Wendell, conservation commission of Wendell, Save Massachusetts Forests, Wareham Land Trust, Jones River Watershed Association, Concerned Citizens of Franklin County, and RESTORE: The North Woods; town of Charlton and town of Warren; and the Real Estate Bar Association for Massachusetts, Inc., and the Abstract Club.

We do not address in this opinion arguments made by amici that are not "sufficiently related" to the arguments raised by the parties. Police Dep't of Salem v. Sullivan, 460 Mass. 637, 640 n.6 (2011).

Waltham officials indicated informally to the developer that the developer could not lay the access road because, according to Waltham, the road was not permitted in a residential zone. The developer then brought a complaint against Waltham and its building inspector in the Land Court pursuant to G. L. c. 240, § 14A, seeking a declaration that Waltham could not prohibit the developer from building the access road.³ The parties cross-moved for summary judgment.

A Land Court judge allowed the developer's motion and declared that any prohibition on constructing the access road was improper pursuant to G. L. c. 40A, § 3, portions of which are often referred to as the Dover Amendment. That section states, in relevant part: "No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare." G. L. c. 40A, § 3, ninth par.

³ General Laws c. 240, § 14A, states, in pertinent part: "The owner of a freehold estate in possession in land may bring a petition in the land court against a city or town wherein such land is situated . . . for determination as to the validity of a municipal ordinance, by-law or regulation . . . which purports to restrict or limit the present or future use, enjoyment, improvement or development of such land"

Waltham and its building inspector appealed, and we transferred the case to this court on our own motion.

2. Waltham's zoning code. The parties dispute the extent to which Waltham's zoning code permits solar energy systems. According to the developer, the zoning code does not permit solar energy systems at all because, according to the code, "Any use of any building, structure or premises, not expressly permitted . . . , is hereby prohibited." Because the zoning code does not mention solar energy systems, the developer argues, it prohibits them.

Waltham asserts that the zoning code expressly permits solar energy systems in industrial zones, which encompass approximately one to two percent of Waltham's total area.⁴ According to the zoning code, industrial zones may include "[e]stablishments for the generation of power for public or private consumption purposes that are further regulated by Massachusetts General Laws."

⁴ The Waltham zoning map is in the record. To determine the percentage of Waltham that is in an industrial zone, we, like the Land Court judge, used the geographic information system version of the zoning map, available at <https://web-gis.city.waltham.ma.us/GPV51/Viewer.aspx> [<https://perma.cc/WDX3-4CS4?type=image>]. See *Bask, Inc. vs. Borges*, Mass. Land Ct., No. 19 MISC 000529, 28 LCR 568, 575 n.48 (Dec. 23, 2020) (where zoning map was in record, court took judicial notice of geographic information system version of map).

Waltham also argues that the zoning code permits "accessory" solar energy systems in residential and commercial zones. The zoning code defines "accessory use" as the "[u]se of land, building or part of building that is customarily incidental and clearly subordinate to the principal use of the premises." The zoning code also defines accessory use as applied to residential and commercial zones.⁵

Discussion. 1. Standard of review and legal background.

"Summary judgment is appropriate where there are no genuine issues of material fact and the moving party is entitled to judgment as a matter of law." Boelter v. Selectmen of Wayland, 479 Mass. 233, 237 (2018), quoting Boazova v. Safety Ins. Co., 462 Mass. 346, 350 (2012). See Mass. R. Civ. P. 56 (c), as amended, 436 Mass. 1404 (2002). "We review a decision on a motion for summary judgment de novo and, thus, 'accord no deference to the decision of the motion judge.'" Boelter,

⁵ According to the zoning code, an accessory use in a residential zone is an "[a]ccessory use[] customarily incidental to any residential use permitted herein, provided that such use shall not include any activity conducted for gain, or any private walk or way giving access to such activity or any activity prohibited under this chapter." An accessory use in a commercial zone is an "[a]ccessory use[] customarily incidental to commercial uses allowed by this chapter, including but not limited to day care, cafeteria and health club facilities for employees only, and further including satellite dish antennas and similar transmission devices used for private business purposes of businesses located on the lot."

supra, quoting Drakopoulos v. U.S. Bank Nat'l Ass'n, 465 Mass. 775, 777 (2013).

The statute at issue here, G. L. c. 40A, § 3, "was originally enacted to prevent municipalities from restricting educational and religious uses of land, but the Legislature has expanded [the statute] over time to ensure that other land uses would be free from local interference" (citation omitted). Crossing Over, Inc. v. Fitchburg, 98 Mass. App. Ct. 822, 829 (2020). The Legislature demonstrated its intent to protect solar energy systems from local regulation when it passed "An Act promoting solar energy and protecting access to sunlight for solar energy systems." St. 1985, c. 637. See Berriault v. Wareham Fire Dist., 365 Mass. 96, 97 (1974) (statute's title evidence of legislative intent). That statute added a paragraph to G. L. c. 40A, § 3, that states: "No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare." G. L. c. 40A, § 3, ninth par., inserted by St. 1985, c. 637, § 2. When interpreting this paragraph, we keep in mind that it was enacted to help promote solar energy generation throughout the Commonwealth. Cf. Watros v. Greater Lynn Mental Health & Retardation Assoc., 421 Mass. 106, 113-114 (1995) (interpreting

G. L. c. 40A, § 3, second par., in light of Legislature's "overall intent . . . to prevent local interference with the use of real property for educational purposes").

2. Whether the access road is governed by G. L. c. 40A, § 3, ninth par. The solar energy provision applies to "solar energy systems" and "structures that facilitate the collection of solar energy." G. L. c. 40A, § 3, ninth par.⁶ Waltham acknowledges that the structure proposed to be built on the Lexington property is a "solar energy system." It argues, however, that the access road proposed to be built on the Waltham property is not governed directly by G. L. c. 40A, § 3, ninth par. We disagree.

Because we have not yet analyzed the ninth paragraph of G. L. c. 40A, § 3, we turn to the abundant case law interpreting that section's other paragraphs. See Rogers v. Norfolk, 432 Mass. 374, 377-378 (2000) (looking to other paragraphs of G. L. c. 40A, § 3, for guidance when interpreting third paragraph for first time). In those cases, we have considered ancillary structures to be part of the protected use at issue. See Martin v. Corporation of the Presiding Bishop of the Church of Jesus

⁶ For purposes of G. L. c. 40A, § 3, ninth par., a "solar energy system" is "a device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generating, or water heating." G. L. c. 40A, § 1A.

Christ of Latter-Day Saints, 434 Mass. 141, 149 (2001) (church steeple need not have independent religious function to be considered part of religious use); Watros, 421 Mass. at 113-114 ("No distinction is made by the statute regarding its applicability to 'principal' or 'accessory' buildings, and it is clear that the over-all intent of the Legislature was to prevent local interference with the use of real property for educational purposes"); Trustees of Tufts College v. Medford, 415 Mass. 753, 754-755, 763-764 (1993) (applying statute to college's parking garage). See also Henry v. Board of Appeals of Dunstable, 418 Mass. 841, 844 (1994) ("the scope of the agricultural or horticultural use exemption encompasses related activities"). We reach the same conclusion here. Given the access road's importance to the primary solar energy collection system in Lexington -- it will facilitate the primary system's construction, maintenance, and connection to the electrical grid -- we conclude that the access road is part of the solar energy system. Cf. Beale v. Planning Bd. of Rockland, 423 Mass. 690, 694 (1996) (access road in one zoning district leading to another zoning district "is considered to be in the same use as the parcel to which the access leads"). Therefore, G. L. c. 40A, § 3, ninth par., applies to the access road.

3. Whether G. L. c. 40A, § 3, ninth par., prohibits Waltham's decision. The solar energy provision provides that a

municipality shall not "prohibit or unreasonably regulate the installation of solar energy systems . . . except where necessary to protect the public health, safety or welfare."

G. L. c. 40A, § 3, ninth par. That statutory language provides municipalities with more flexibility than statutory protections for land use for education, religion, and child care, which allow only for reasonable regulations on such matters as bulk and height. See G. L. c. 40A, § 3, second par. ("No zoning ordinance or by-law shall . . . prohibit, regulate or restrict the use of land or structures for religious purposes or for educational purposes . . . ; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements"), third par. ("No zoning ordinance or bylaw . . . shall prohibit, or require a special permit for, the use of land or structures . . . for the primary, accessory or incidental purpose of operating a child care facility; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements").

The case law addressing these other protected uses is nevertheless helpful in deciding whether a prohibition or

regulation of solar energy systems is valid. When evaluating an ordinance or by-law's facial validity under other sections of G. L. c. 40A, § 3, we have balanced the interest that the ordinance or by-law advances and the impact on the protected use. See Rogers, 432 Mass. at 379 ("The proper test for determining whether the provision in issue contradicts the purpose of G. L. c. 40A, § 3, third par., is to ask whether the footprint restriction furthers a legitimate municipal interest, and its application rationally relates to that interest, or whether it acts impermissibly to restrict the establishment of child care facilities in the town, and so is unreasonable").

The interest that Waltham's zoning code presumably advances -- preservation of each zone's unique characteristics -- is legitimate. See Rogers, 432 Mass. at 380 ("preservation of the residential character of neighborhoods is a legitimate municipal purpose to be achieved by local zoning control"). And, as just discussed, municipalities have more flexibility in restricting solar energy systems than they do, for instance, in the context of education, religion, or child care. Nevertheless, Waltham's zoning code unduly restricts solar energy systems.

Assuming Waltham is correct that the zoning code permits solar energy systems at all, it allows large-scale systems like the one at issue here in at most one to two percent of its land area. These standalone, large-scale systems, not ancillary to

any residential or commercial use, are key to promoting solar energy in the Commonwealth. See Executive Office of Energy and Environmental Affairs, Massachusetts 2050 Decarbonization Roadmap, at 4, 59 n.43 (Dec. 2020) ("the amount of solar power needed by 2050 exceeds the full technical potential in the Commonwealth for rooftop solar, indicating that substantial deployment of ground-mounted solar is needed under any circumstance in order to achieve [n]et [z]ero [greenhouse gas emissions by 2050]").⁷ Nothing in the record suggests that this stringent limitation is "necessary to protect the public health, safety or welfare." G. L. c. 40A, § 3, ninth par. Where Waltham has prohibited solar energy systems like the one here in all but one to two percent of its land area, its zoning code violates the solar energy provision.

Like all municipalities, Waltham maintains the discretion to reasonably restrict the magnitude and placement of solar energy systems. An outright ban of large-scale solar energy systems in all but one to two percent of a municipality's land area, however, restricts rather than promotes the legislative goal of promoting solar energy. In the absence of a reasonable basis grounded in public health, safety, or welfare, such a prohibition is impermissible under the provision.

⁷ Available at <https://www.mass.gov/doc/ma-2050-decarbonization-roadmap/download> [<https://perma.cc/J593-CVNM>].

Conclusion. Because G. L. c. 40A, § 3, ninth par., prohibits Waltham from banning the solar energy system here, including its access road, from all but one to two percent of Waltham's land area, we affirm the judgment below.

Judgment affirmed.



June 14, 2022

**Medway Planning & Economic Development Board
Meeting**

**Milford Regional Hospital Site Plan and
Groundwater Protection District Public
Hearing**

- Public Hearing Continuation Notice dated May 11, 2022
- Site Plan dated April 14, 2022 by Guerriere & Halnon. (Same version as previously presented at the May 10th hearing.)
- Traffic Impact Assessment report dated April 2022 by Vanasse & Associates for the Applicant
- Tetra Tech project review letter dated May 23, 2022 which includes traffic comments.
- Review memo dated May 10, 2022 from Sergeant Jeff Watson along with Road Safety Audit of Main Street at Medway Commons and Walgreens Driveways (March 2022) by Vanasse & Associates
- Email dated May 15, 2022 from resident Matt Fricker
- Email dated May 11, 2022 from resident Andrew Page

Board Members

Matthew Hayes, P.E., *Chair*
Robert Tucker, *Vice Chair*
Richard Di Iulio, *Clerk*
Jessica Chabot, *Member*
Sarah Raposa, A.I.C.P., *Member*
Thomas Gay, *Associate Member*



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

RECEIVED TOWN CLERK
MAY 11 '22 PM 12:46

MEMORANDUM

May 11, 2022

TO: Stefany Ohannesian, Town Clerk
Town of Medway Departments, Boards and Committees

FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator

RE: **Public Hearing Continuation for Milford Regional Hospital Medical Center Site Plan and Groundwater Protection Special Permit**
86 Main Street
Continuation Date – Tuesday, June 14, 2022 at 7:45 p.m.

At its May 10, 2022 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Lobisser Companies of Hopedale, MA for approval of a major site plan and a groundwater protection special permit for the proposed 21,900 sq. ft. medical office building to be constructed on a portion of 86 Holliston Street to the Board's meeting on Tuesday, June 14, 2022 at 7:45 p.m. at Medway Town Hall, 155 Village Street.

The proposed facility is to be located on approximately 2.2 acres on the eastern end of the subject property. The building will be accessed from the existing curb cut and driveway from Main Street currently used by Walgreens. Other planned site improvements include parking, utilities, grading, lighting, landscaping, and stormwater management. The facility will consist of pediatric care, women's health, wellness, urgent care, lab & x-ray services. A total of 102 parking spaces are proposed.

The planned improvements are shown on *Site Plan, 86 Holliston Street, Medway, MA* dated April 14, 2022, prepared by Guerriere & Halnon, Inc. of Franklin, MA. The site is also under the jurisdiction of the Conservation Commission for an Order of Conditions and a Land Disturbance Permit.

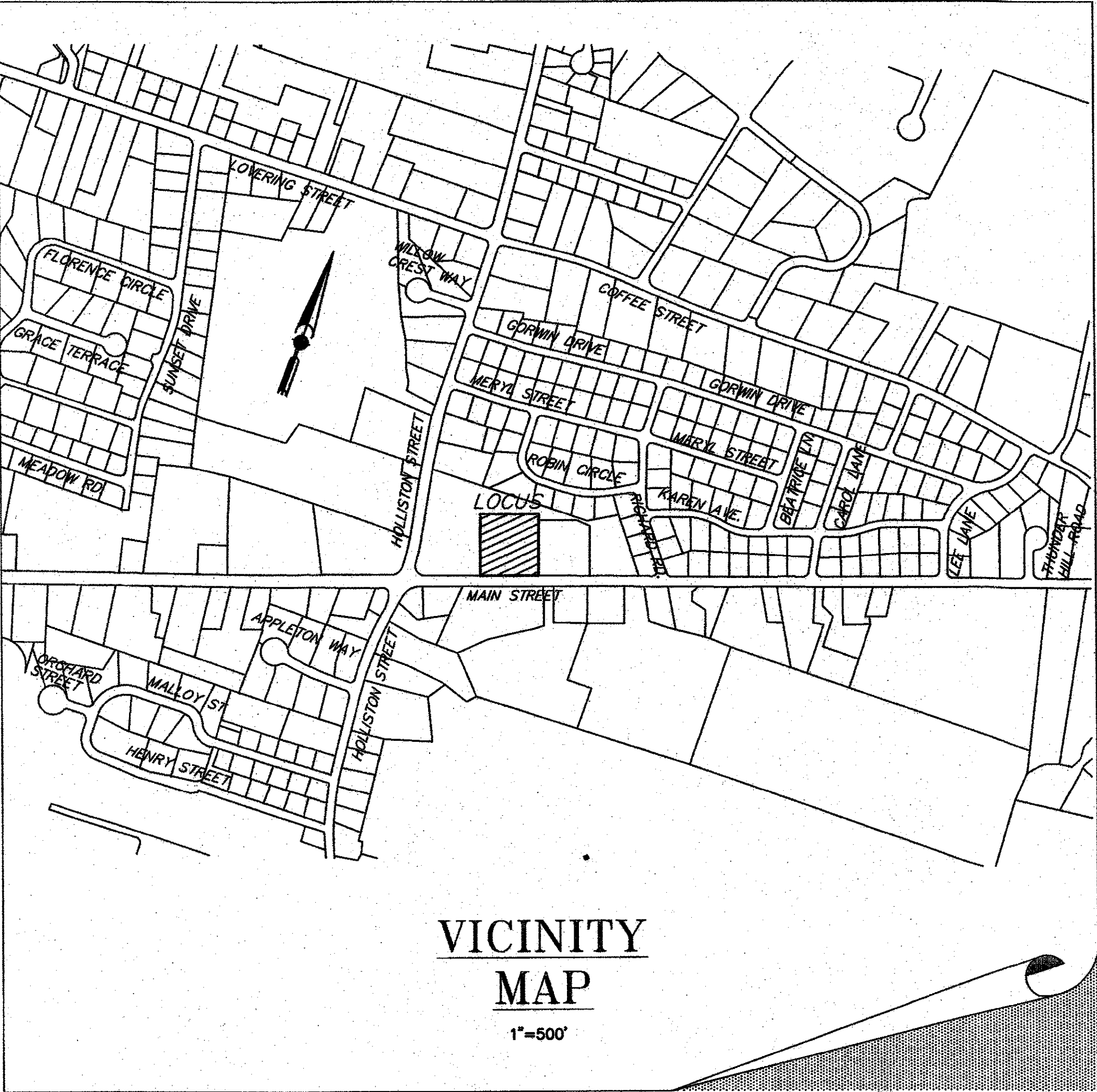
The plan and associated application documents are on file with the Medway Town Clerk and the Community and Economic Development office at Medway Town Hall. The information is also posted at Board's page at: <https://www.townofmedway.org/planning-economic-development-board/pages/milford-regional-medical-center>

Based on the feedback provided during the May 10th hearing including comments from Town staff and boards, the applicant will revise the site plan and submit it for further review at the June 14th hearing. The revised site plan will be posted to the web page upon receipt. The Board welcomes your review and comments. Please don't hesitate to contact me if you have any questions. Thanks.

SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

INDEX

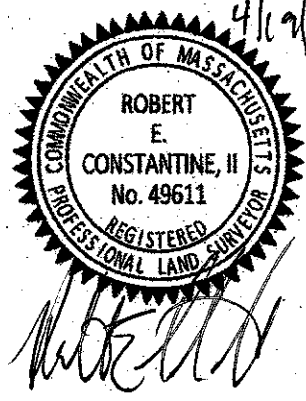
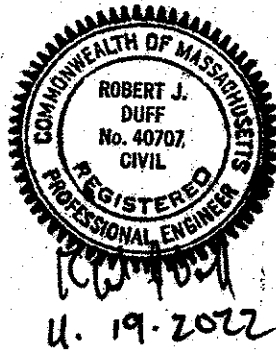
1. COVER SHEET
 2. ABUTTER SHEET
 3. EXISTING CONDITIONS
 4. EROSION CONTROL
 5. PROPOSED SITE LAYOUT
 6. GRADING PLAN
 7. UTILITY PLAN
 8. LANDSCAPING PLAN
 9. CONSTRUCTION DETAILS
 10. CONSTRUCTION DETAILS
 11. CONSTRUCTION DETAILS
 12. CONSTRUCTION DETAILS
- PHOTOMETRIC PLAN (BY OTHERS)
- ARCHITECTURAL PLANS (BY OTHERS)



WAIVERS REQUESTED

REQUEST FROM THE TOWN MEDWAY PLANNING BOARD
RULES AND REGULATIONS CHAPTER 200

1. SECTION 204-5 B SITE CONTEXT SHEET
2. SECTION 204-5 D.8 LANDSCAPE PLAN
3. SECTION 207-9 PEDESTRIAN & BICYCLE ACCESS AND SIDEWALKS. B. SIDEWALKS (1)
3. SECTION 207-19 LANDSCAPING. B. LANDSCAPE BUFFERS (2)
4. SECTION 207-19 LANDSCAPING. C. PARKING AREAS (1a)
5. SECTION 207-19 LANDSCAPING. H.6. SECTION 207-12 PARKING SPACE G. (3) LOCATION (a)



I, STEFANY OHANNESIAN, CLERK OF THE TOWN OF MEDWAY, RECEIVED AND RECORDED FROM THE PLANNING BOARD COVENANT APPROVAL OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN FOR TWENTY DAYS NEXT AFTER RECEIPT AND RECORDING OF SAME.

TOWN CLERK _____ DATE _____

APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER _____ DATE _____

LEGAL NOTES

UTILITIES ARE PLOTTED AS A COMPILATION OF RECORD DOCUMENTED MARKINGS AND OTHER OBSERVED EVIDENCE TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. AND SHOULD BE CONSIDERED APPROXIMATE. PRIOR TO ANY EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY COMPLETELY AND RELIABLY DEPICTED. ADDITIONAL UTILITIES, NOT EVIDENCED BY RECORD DOCUMENTS OR OBSERVED PHYSICAL EVIDENCE, MAY EXIST. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE AT 1(888)DIG-SAFE(72333).

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

OWNER

FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG 721 OF 2003
A.M. 41 LOT 8

APPLICANT

LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

COVER SHEET

APRIL 14, 2022

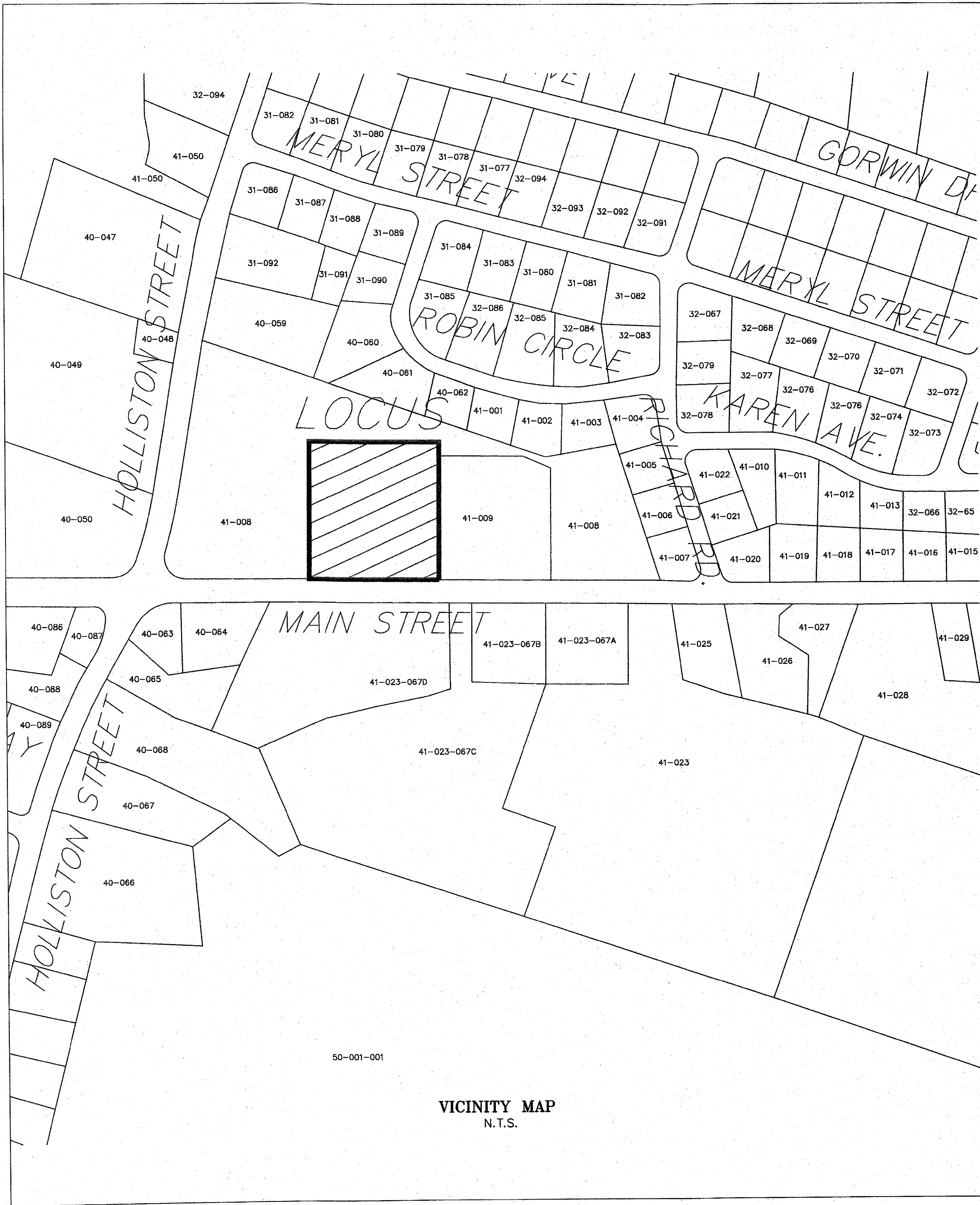
DATE	REVISION DESCRIPTION

Guerriere & Halnon, Inc.
ENGINEERING & LAND SURVEYING

55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com

SHEET
1 OF 12

JOB NO. F4516



VICINITY MAP
N.T.S.

OWNER(S)/ASSESSOR INFORMATION:

PARCEL IDS:

41-007 DEIDRE O'DONNELL
64 MAIN ST.
MEDWAY, MA.

40-049
FREIL REALTY II, LLC.
86 HOLLISTON ST.
MEDWAY, MA.

40-088
LOK CHING NOMINEE TRUST
6 HAVEN WAY
HOPEDALE, MA.

31-092
JAMES M. CASSIDY
90 HOLLISTON ST.
MEDWAY, MA.

40-063
P & A REALTY TRUST
82 HOLLISTON ST.
MEDWAY, MA.

41-027
SEAN M. CURRIVAN TRUSTEE
36 ELLIS ST.
MEDWAY, MA.

40-050
CHARLES RIVER BANK
70 MAIN ST.
MEDWAY, MA.

41-10
REBECCA L. PURCELL
4 KAREN AVE.
MEDWAY, MA.

40-061
DAVID J. MCWHINNIE
11 ROBIN CIRCLE
MEDWAY, MA.

40-047
HERISTON PINTO
91 HOLLISTON ST.
MEDWAY, MA.

31-090
CHARLES J. DUDDY JR.
15 ROBIN CIRCLE
MEDWAY, MA.

41-021
ANGELO MUCCI TRUSTEE
2 RICHARD RD.
MEDWAY, MA.

32-086
GEORGE M. FASOLINO
8 ROBIN CIRCLE
MEDWAY, MA.

32-067
MICHAELS TRAINOR
10 RICHARD RD.
MEDWAY, MA.

40-059
FREIL REALTY II, LLC
86 HOLLISTON ST.
MEDWAY, MA.

40-064
NORMAN W. GREEN REALTY TRUST
71 MAIN ST.
MEDWAY, MA.

41-023
HIDDEN ACRES REALTY I, LLC
1371 OAKLAND BLVD.
WALNUT CREEK, CA.

41-023-067
HIDDEN ACRES REALTY I, LLC.
(67 C MAIN ST.)
75 HOLLYHILL LANE
GREENWICH, CT.

32-085
CHRISTOPHER A. ANTHONY
6 ROBIN CIRCLE
MEDWAY, MA.

41-022
ERIC H. KESSLER
4 RICHARD RD.
MEDWAY, MA.

OWNER(S)/ASSESSOR INFORMATION:

PARCEL IDS:

32-079
KATHLEEN A. BUXTON
8 RICHARD RD.
MEDWAY, MA.

32-082
ALAN J. MEISTER
9 RICHARD RD.
MEDWAY, MA.

41-023-067
(67 A MAIN ST.)
HIDDEN ACRES REALTY I, LLC.
75 HOLLY HILL LANE
GREENWICH, CT.

41-023-067
(67 B MAIN ST.)
HIDDEN ACRES REALTY I, LLC.
PO BOX 902
SPENCER MA.

31-085
JOSEPH J. LATOSEK JR.
10 ROBIN CIRCLE
MEDWAY, MA.

41-023-067
(67 D MAIN ST.)
HIDDEN ACRES REALTY I, LLC.
ONE CVS DRIVE
WOONSOCKET, RI.

31-091
CHARLES J. DUDDY JR.
15 ROBIN CIRCLE
MEDWAY, MA.

41-25
FREIL REALTY I, LLC.
86 HOLLISTON ST.
MEDWAY, MA.

32-083
DIANE PRIDE
2 ROBIN CIRCLE
MEDWAY, MA.

41-004
SYDNEY LAMPKE
5 RICHARD RD.
MEDWAY, MA.

41-020
SAMUEL S. TORREY JR.
62 MAIN ST.
MEDWAY, MA.

40-086
CHEN DE XIANG TRUSTEE
6 HAVEN WAY
HOPEDALE, MA.

32-078
(1 KAREN AVE)
MARGARET A. LE COADY
7539 DANVERS CIRCLE
PORT CHARLOTTE, FL.

32-084
RYAN P. SULLIVAN
4 ROBIN CIRCLE
MEDWAY, MA.

40-048
FREIL REALTY II, LLC.
86 HOLLISTON ST.
MEDWAY, MA.

41-026
SEAN M. CURRIVAN
59 MAIN ST.
MEDWAY, MA.

40-066
(74 HOLLISTON ST.)
HIDDEN ACRES REALTY I, LLC.
75 HOLLY HILL LANE
GREENWICH, CT.

41-019
WILLIAM MCCAUL
60 MAIN ST.
MEDWAY, MA.

31-084
JOHN K. SPURLING
16 ROBIN CIRCLE
MEDWAY, MA.

OWNER(S)/ASSESSOR INFORMATION:

PARCEL IDS:

32-81
JAMES F. CASSIDY
14 MERYL ST.
MEDWAY, MA.

40-065
WHITE PEARL LLC.
76 HOLLISTON ST.
MEDWAY, MA.

40-87
AQUDE GAS & REPAIRS
73 MAIN ST.
MEDWAY, MA.

40-062
ROBERT G. COLLINS
9 ROBIN CIRCLE
MEDWAY, MA.

40-060
EDGAR E. DOCHERTY
13 ROBIN CIRCLE
MEDWAY, MA.

41-003
EDITH E. CULLEN
3 ROBIN CIRCLE
MEDWAY, MA.

41-001
MARILYN E. SMITH
7 ROBIN CIRCLE
MEDWAY, MA.

41-011
ERIKA R. LEGER
6 KAREN AVE.
MEDWAY, MA.

41-009
(68 MAIN ST.)
FREIL REALTY II, LLC.
PO BOX 1159
DEERFIELD, IL.

41-002
AUTUMN RICHARD
5 ROBIN CIRCLE
MEDWAY, MA.

41-005
CLIFFORD M. LANDER
3 RICHARD ROAD
MEDWAY, MA.

32-077
ELOISE C. THIBAUT
3 KAREN AVE
MEDWAY, MA.

31-099
(9 LOVERING ST.)
TOWN OF MEDWAY
155 VILLAGE STREET
MEDWAY, MA.

41-006
KEVIN D. MULLER
1 RICHARD ROAD
MEDWAY, MA.

APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER DATE

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APRIL 14, 2022

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SHEET 2 OF 12

JOB NO. F4516

ZONING DISTRICT CENTRAL BUSINESS

	REQUIRED
MIN. LOT AREA	10,000 SF
MIN. LOT FRONTAGE	NA ¹
MIN. YARD SETBACKS	
FRONT	10 FT
SIDE	10 FT
REAR	25 FT*
STRUCTURE COVERAGE	80%
MAXIMUM IMPERVIOUS COVERAGE	NA
MINIMUM OPEN SPACE	15%

*WHEN ABUTTING A RESIDENTIAL DISTRICT
PROPERTIES IN THE CENTRAL BUSINESS DISTRICT THAT DO NOT HAVE
FRONTAGE ON A PUBLIC STREET SHALL BE REQUIRED TO HAVE AN
EASEMENT OF AT LEAST 30 FEET IN WIDTH PROVIDING ACCESS TO
A PUBLIC STREET.

LEGEND

⊠	CATCH BASIN	☆	LIGHT POLE
⊙	DRAIN MANHOLE	⊙	UTILITY POLE
⊙	ELECTRIC MANHOLE	•	GUY WIRE
⊙	SEWER MANHOLE	—	SIGN
⊙	MANHOLE	•	WETFLAG
⊙	GAS VALVE	⊙	UTILITY POLE
⊙	GAS SHUT OFF VALVE	☆	PROP. STREET LIGHTING
⊙	WATER VALVE		
⊙	WATER SHUT OFF VALVE	⊙	SPOT ELEVATION
⊙	FIRE HYDRANT	⊙	RIPRAP
—	EXISTING CONTOUR		
—	EXISTING DRAIN LINE		
—	EXISTING WATER LINE		
—	EXISTING FENCE		
—	FLOOD ZONE X- MINIMAL RISK AREA		
—	ZONE 2 WELLSHEAD PROTECTION DISTRICT		

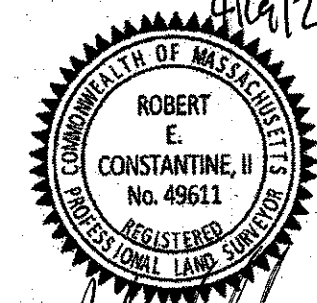
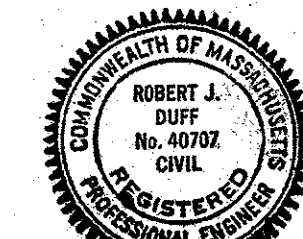
NOTES

- THIS LAND IS ZONED CENTRAL BUSINESS.
- A PORTION OF THIS SITE IS LOCATED FLOOD HAZARD ZONE X PER FEMA FLOOD MAP 25021C0143E, EFFECTIVE DATE 7/17/2012.
- THE WETLANDS WERE EVALUATED BY GODDARD CONSULTING LLC. ON DECEMBER 13, 2021 AND JANUARY 28, 2022 SEE WETLAND REPORTS FOR FURTHER INFORMATION. WETLANDS WERE FIELD LOCATED BY GUERRIERE & HALNON, INC.
- REFER TO MEDWAY ASSESSORS MAP 41 LOT 008
- THIS SITE IS LOCATED WITHIN THE GROUNDWATER PROTECTION DISTRICT.
- ALL REFERENCED DEEDS ARE ON RECORD AT THE NORFOLK REGISTRY OF DEEDS.
- THIS SITE IS NOT LOCATED WITHIN A NATURAL HERITAGE AND ENDANGERED SPECIES PROGRAM AREA.
- ELEVATIONS ARE BASED ON HORIZONTAL DATUM:NAD83; VERTICAL DATUM: NAVD88.
- EXISTING SEWER INVERTS IN MAIN STREET OBTAINED FROM PLAN TITLED "TOWN OF MEDWAY, MASSACHUSETTS BOARD OF WATER/SEWER COMMISSIONERS SANITARY SEWER PROGRAM MAIN STREET - STA. 45+00 TO STA. 55+60.71" SHEET 5 OF 16 DATED 3-20-84, REVISED THROUGH 4-7-89, AND PREPARED BY METCALF & EDDY, INC./ENGINEERS.
- EXISTING SEWER INVERTS TO BE VERIFIED PRIOR TO START OF CONSTRUCTION.

TESTING INFORMATION

TESTING DATE: JANUARY 5, 2022 SOIL EVALUATOR: MICHAEL HASSETT

TP 1	TP 2	TP 3	TP 4	TP 5	TP 6	TP 7	TP 8
207.60 SANDY LOAM A 8" 19" SANDY LOAM B 7.5YR 5/8 21" COARSE SAND C1 10YR 5/8 203.62 SANDY LOAM C2 2.5YR 5/4 202.29 SAND & GRAVEL 46" C3 2.5YR 6/3 WEPPING @ 77" NOTILES @ 27" 205.35 NO REFUSAL	206.5 SANDY LOAM F 42" 18" SANDY LOAM Ab 10YR 2/2 201.50 LOAMY SAND 63" Ab VARIES IN DEPTH 10YR 5/4 203.67 WEPPING @ 5.5"	208.1 SANDY LOAM F 36" 12" SANDY LOAM Ab 10YR2/2 204.10 SANDY LOAM B 7.5YR 5/8 202.60 SAND & GRAVEL 42" C 10YR 5/8 209.10 C 10YR 5/8 NOTILES @ 42" 204.60 WEPPING @ 78"	214.20 LOAM/FILL 210.90 GW @ 3.3'	214.80 LOAM/FILL 209.80 GW @ 5"	214.20 SAND & GRAVEL 30" 211.70 SAND & GRAVEL 28" 209.20 LOAMY SAND C1 10YR 5/8 208.70 SAND & GRAVEL 6" 2.5YR 5/4 38" 205.53 C3 2.5YR 6/3 NOTILES @ 36" WEPPING @ 98"	212.20 SANDY LOAM 36" 209.20 F 90" SANDY LOAM 201.70 C 10YR 5/8 NOTILES @ 54" WEPPING @ 120"	209.90 SANDY LOAM F 36" 12" SANDY LOAM Ab 10YR2/2 205.90 SANDY LOAM B 7.5YR 5/8 204.90 SAND & GRAVEL 54" C 10YR 5/8 200.40 C 10YR 5/8 NOTILES @ 54" B LAYERS VARY



APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER DATE

LEGAL NOTES

UTILITIES ARE PLOTTED AS A COMPILATION OF RECORD DOCUMENTS, MARKINGS AND OTHER OBSERVED EVIDENCE TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. AND SHOULD BE CONSIDERED APPROXIMATE. EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY DETERMINED AND RELIABLY DEPICTED. CONTRACTORS, NOT EVIDENCED BY RECORD DOCUMENTS OR OBSERVED PHYSICAL EVIDENCE, MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE AT 1(888)DIGSAFE(7233).

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

OWNER

FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG. 721 OF 2003
A.M. 41 LOT 8

APPLICANT

LOBISSER COMPANES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

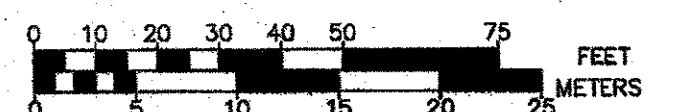
SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

EXISTING CONDITIONS

APRIL 14, 2022

DATE REVISION DESCRIPTION

GRAPHIC SCALE: 1"=30'



Guerriere & Halnon, Inc.
ENGINEERING & LAND SURVEYING

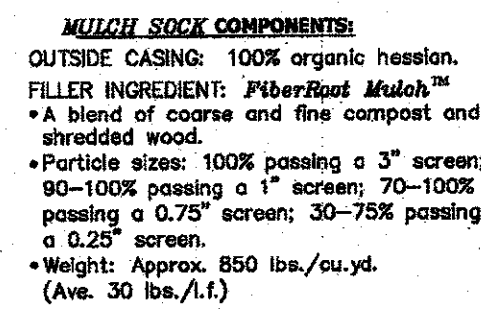
55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com

SHEET 3 OF 12

JOB NO. F4516

REGISTRY USE ONLY

F4516

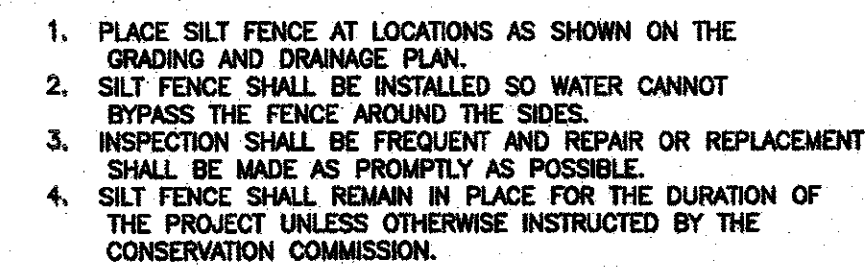


Sections can also be delivered to the site in lengths from 1' to 8'.

The flexibility of **MULCH SOCK** allows it to conform to any contour or terrain while holding a slightly oval shape at 12" high by 18" wide.

Where section ends meet, there shall be an overlap of 6" or greater. Both sides shall be anchored (oak stakes, trees, etc.) to stabilize the union. No additional anchors are required on slopes less than 2:1. *Additional anchors are required at 5' intervals (max.) on the downslope or protected side on slopes greater than 2:1 to prevent movement.

NOT TO SCALE

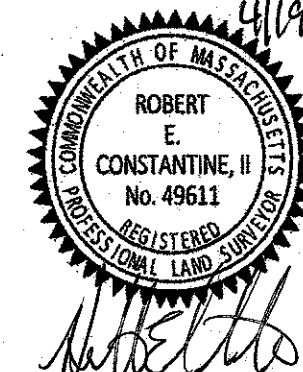
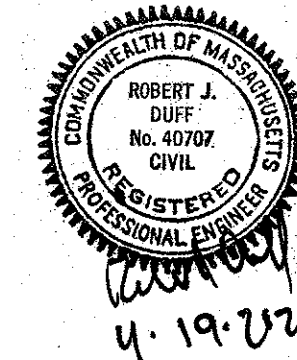


N.T.S.

LEGEND

1. INSTALL EROSION CONTROL DEVICES ALONG PERIMETER OF SITE WHERE SHOWN.
2. INSTALL CONSTRUCTION ENTRANCE.
3. SITE TO BE CLEARED AND GRUBBED.
4. INSTALL SLOPE MATTING TO STABILIZE SLOPES (IF APPLICABLE)
5. INSTALL DRAINAGE MANHOLES AND CATCHBASINS AND ENSURE TEMPORARY COVER IS IN PLACE.
6. INSTALL ALL DRAINAGE RISERS, GRATES AND COVERS
7. REMOVE CONSTRUCTION ENTRANCES.
8. UPON ALL CATCHMENT STRUCTURES AND MITIGATION FEATURES BECOMING OPERATIONAL, INSTALL PAVEMENT TO BINDER FINISH GRADE. PAVER TO PROVIDE TEMPORARY ASPHALT BERM ON BOTH SIDES OF PROPOSED PAVED AREAS. EROSION CONTROL MEASURES BACKED BY CRUSHED STONE TO BE PROVIDED ON DOWN GRADIENT SIDE OF CATCH BASINS TO DIRECT WATER TO TEMPORARY BASIN.
9. REMOVE TEMPORARY SEDIMENTATION BASIN AND FOREBAY AFTER SITE HAS BEEN STABILIZED AND PREPARED FOR BUILDING FOUNDATION INSTALLATION.

1. SPECIAL CONSIDERATION FOR INLET CONTROLS FOR EROSION COLLECTION BEFORE ENTERING DRAINAGE SYSTEM.
2. INSTALL SILT SACKS.
3. INSTALL BARRIER AROUND CATCH BASIN, MULCH SOCK OR EQUAL.
4. INSTALL FILTER FABRIC ON ALL DRAIN MANHOLE OUTLETS DISCHARGING TO INFILTRATION SYSTEM.
5. INSPECTIONS BEFORE AND AFTER STORM EVENTS ARE REQUIRED TO INSURE ADEQUACY OF EROSION CONTROL MEASURES.
6. ALL EXISTING STRUCTURES TO BE RAZED.
7. STOCK PILE AREA TO BE CONTAINED USING EROSION CONTROL DEVICES
8. DIRT BAG SHALL BE USED TO PERIODICALLY CLEAN THE TEMPORARY SEDIMENTATION BASINS DURING CONSTRUCTION.
9. A CONSTRUCTION FENCE SHALL BE PLACED AROUND THE PERIMETER OF THE SITE.



APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMEBER	DATE
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LEGAL NOTES

UTILITIES ARE PLOTTED AS A COMPILATION OF
RECORD DOCUMENTS, MARKINGS AND OTHER
OBSERVED EVIDENCE TO DEVELOP A VIEW OF THE
UNDERGROUND UTILITIES AND SHOULD BE
CONSIDERED AN APPROXIMATE EXCAVATING
THE EXACT LOCATION OF UNDERGROUND FEATURES
CANNOT BE GUARANTEED COMPLETELY AND
RELIABLY DEPICTED. ADDITIONAL UTILITIES, NOT
EVIDENCED BY RECORD DOCUMENTS OR OBSERVED
PHYSICAL EVIDENCE, MAY EXIST.
COORDINATE: 11650000, CHAPTER 82, SECTION
40, (AS AMENDED) MISSOURI DRILLING AND
COMPANIES BEFORE EXCAVATING AND DRILLING AND
CALL DIGSAFE AT (888)DIG-SAFE/72333.

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OWNER

FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG 721 OF 2003
A.M. 41 LOT 8

APPLICANT

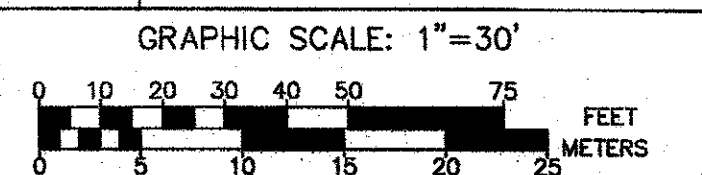
LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

**SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS**

EROSION CONTROL

APRIL 14, 2022

DATE	REVISION DESCRIPTION



**Guerriere &
Halnon, Inc.**

ENGINEERING & LAND SURVEYING

55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921

www.gandhengengineering.com

SHEET	JOB NO.
4 OF 12	F4516

ZONING DISTRICT CENTRAL BUSINESS

	REQUIRED	PROPOSED
MIN. LOT AREA	10,000 SF	96,000 SF
MIN. LOT FRONTAGE	NA†	300.00 FT
MIN. YARD SETBACKS		
FRONT	10 FT	97.2 FT
SIDE	10 FT 25 FT*	58.4 FT
REAR	25 FT	83.0 FT
STRUCTURE COVERAGE	80%	22.8%
MAXIMUM IMPERVIOUS COVERAGE**	NA	73.7%**
MINIMUM OPEN SPACE	15%	22.4%

*WHEN ABUTTING A RESIDENTIAL DISTRICT

†PROPERTIES IN THE CENTRAL BUSINESS DISTRICT THAT DO NOT HAVE FRONTAGE ON A PUBLIC STREET SHALL BE REQUIRED TO HAVE AN EASEMENT OF AT LEAST 30 FEET IN WIDTH PROVIDING ACCESS TO A PUBLIC STREET.

**MAXIMUM IMPERVIOUS COVERAGE IN A GROUND WATER PROTECTION DISTRICT:
ANY USE THAT WILL RENDER IMPERVIOUS MORE THAN 15% OR 2500 SF. OF ANY LOT WHICHEVER IS GREATER.

NOTE

A SPECIAL PERMIT WILL BE REQUIRED BY THE PLANNING BOARD FOR IMPERVIOUS COVERAGE IN A GROUNDWATER PROTECTION DISTRICT

NEW LOT AREA = 96,000±SF.

EXISTING PAVEMENT = 10,263± SF.
PROPOSED BUILDING = 21,900± SF.
PROPOSED PAVEMENT = 38,553± SF.

TOTAL IMPERVIOUS = 70,716± SF.
(73.7%)

LEGEND

⊠	CATCH BASIN	☆	LIGHT POLE
⊙	DRAIN MANHOLE	⊙	UTILITY POLE
⊙	ELECTRIC MANHOLE	⊙	GUY WIRE
⊙	SEWER MANHOLE	⊙	SIGN
⊙	MANHOLE	⊙	WETFLAG
⊙	GAS VALVE	⊙	UTILITY POLE
⊙	GAS SHUT OFF VALVE	☆	PROP. STREET LIGHTING
⊙	WATER VALVE	VGC	VERTICAL GRANITE CURB
⊙	WATER SHUT OFF VALVE	X 000.0	SPOT ELEVATION
⊙	FIRE HYDRANT	⊙	RIPRAP
---	EXISTING CONTOUR		
---	EXISTING DRAIN LINE		
---	EXISTING WATER LINE		

PARKING NOTES

ZONED: CENTRAL BUSINESS
PARKING REQUIREMENTS PER ZONING:
TABLE 3. SCHEDULE OF OFF STREET PARKING REQUIREMENTS

MEDICAL OFFICE OR CLINIC:
1 SPACE PER 300 SF. = 73 SPACES REQUIRED
PARKING SPACES PROVIDED = 102 SPACES
TYPICAL PARKING SPACE: 18' X 9'

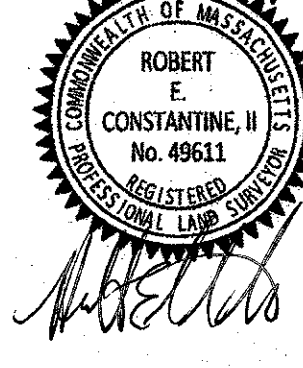
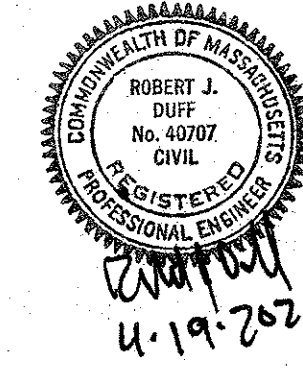
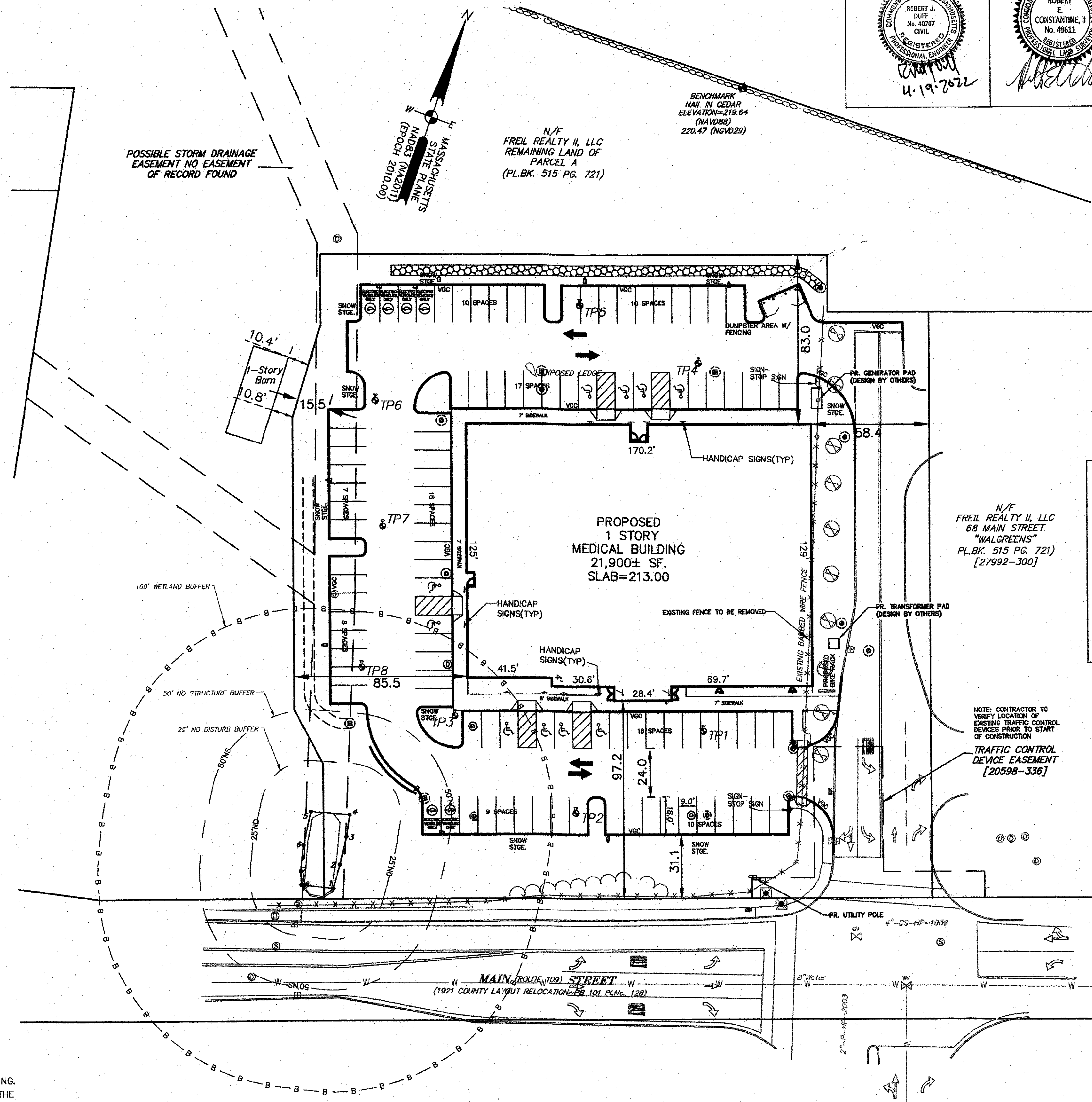
ELECTRIC VEHICLE SPACES REQ'D = 4
ELECTRIC VEHICLE SPACES PROVIDED = 6

A SPECIAL PERMIT WILL BE REQUIRED BY THE PLANNING BOARD FOR PARKING LOCATED WITHIN THE FRONT YARD SETBACK.

SECTION 7. GENERAL REGULATIONS

7.1.1. OFF STREET PARKING AND LOADING

K.(4) SPECIAL PARKING TYPES AND STANDARDS:
FRONTAGE PARKING- BY SPECIAL PERMIT, BY THE BOARD TO ALLOW A LIMITED AMOUNT OF OFFSTREET SURFACE PARKING TO BE PLACED BETWEEN A PUBLIC STREET AND THE STREET FACING FACADE OF A PRIMARY BUILDING. WHERE THIS IS PERMITTED BY THE BOARD, THE PARKING AREA WILL BE SETBACK A MINIMUM OF TWENTY FEET FROM THE STREET LINE AND STREETSCAPE TREATMENT.



APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER DATE

LEGAL NOTES

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OWNER

FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG 721 OF 2003
A.M. 41 LOT 8

APPLICANT

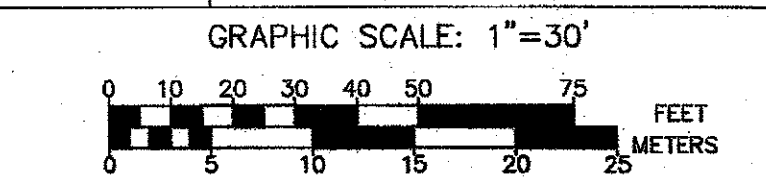
LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

LAYOUT PLAN

APRIL 14, 2022

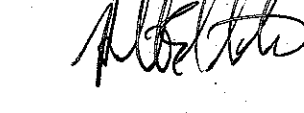
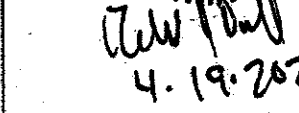
DATE REVISION DESCRIPTION



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SHEET
5 OF 12

JOB NO. **F4516**



F4516

[illegible]

LEGAL NOTES

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FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG 721 OF 2003
A.M. 41 LOT 8

LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

GRADING PLAN



















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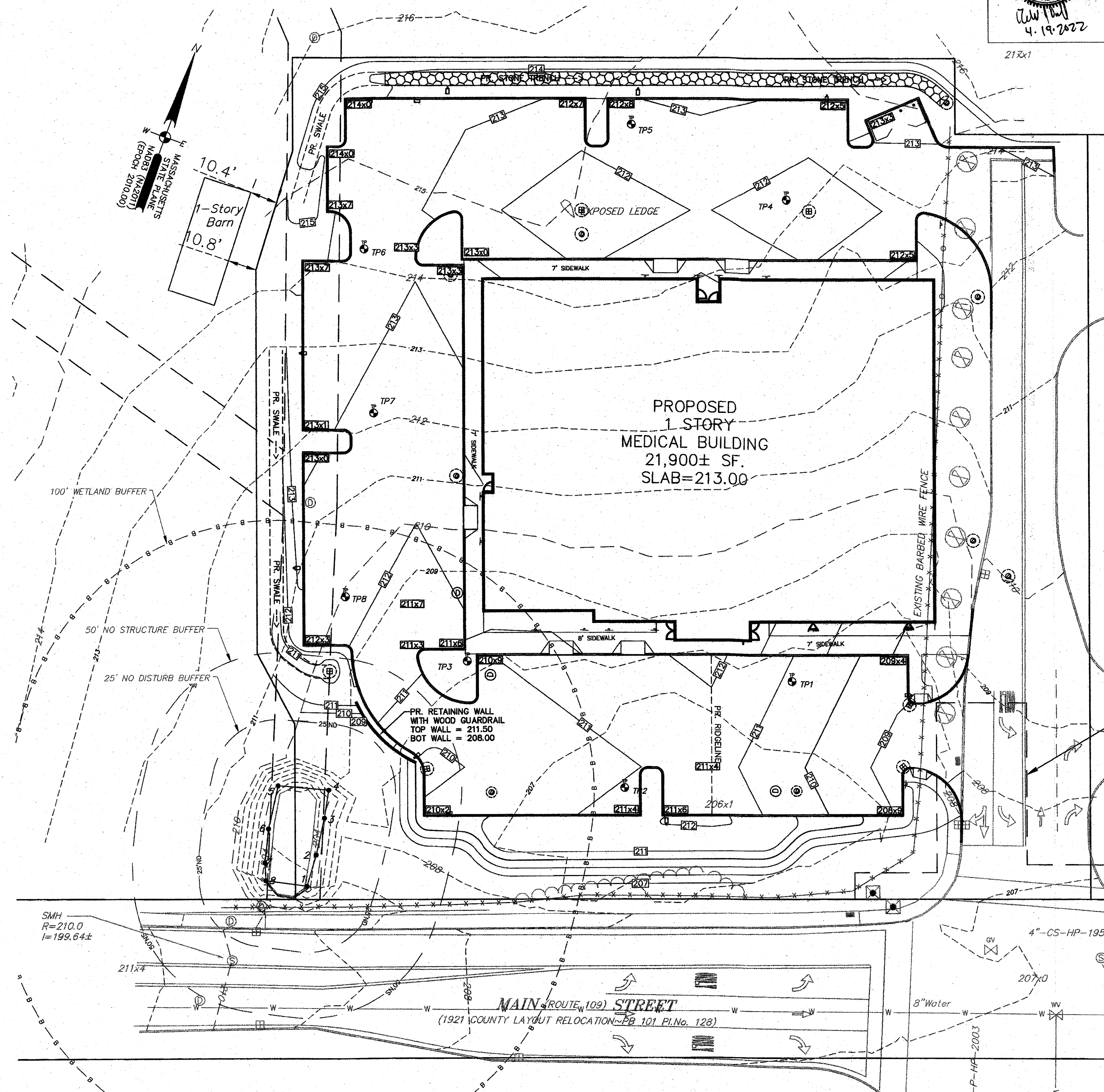
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10-15	2-3	3
15-20	3-4	4
20-25	4-5	5
25-30	5-10	10
30-40	10-15	15
40-50	15-20	20

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www.gandhengineering.com

SHEET 6 OF 12	JOB NO. F4516
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LEGEND

	CATCH BASIN		LIGHT POLE
	DRAIN MANHOLE		UTILITY POLE
	ELECTRIC MANHOLE		GUY WIRE
	SEWER MANHOLE		SIGN
	MANHOLE		WETFLAG
	GAS VALVE		UTILITY POLE
	GAS SHUT OFF VALVE		PROP. STREET LIGHTING
	WATER VALVE		
	WATER SHUT OFF VALVE	X 000.0	SPOT ELEVATION
	FIRE HYDRANT		RIPPRAP
_____ 000 _____	EXISTING CONTOUR		
_____ D _____	EXISTING DRAIN LINE		
_____ W _____	EXISTING WATER LINE		



LEGEND

⊠	CATCH BASIN	☆	LIGHT POLE
⊙	DRAIN MANHOLE	⊙	UTILITY POLE
⊙	ELECTRIC MANHOLE	⊙	GUY WIRE
⊙	SEWER MANHOLE	⊙	SIGN
⊙	MANHOLE	⊙	WETFLAG
⊙	GAS VALVE	⊙	UTILITY POLE
⊙	GAS SHUT OFF VALVE	☆	PROP. STREET LIGHTING
⊙	WATER VALVE	⊙	SPOT ELEVATION
⊙	WATER SHUT OFF VALVE	⊙	RIPRAP
⊙	FIRE HYDRANT	⊙	
---	EXISTING CONTOUR		
---	EXISTING DRAIN LINE		
---	EXISTING WATER LINE		

STORM DRAINAGE NOTES

ALL DRAINAGE PIPES TO BE 12" RCP UNLESS OTHERWISE NOTED. WHERE LESS THAN 3.5' OF COVER IS PROVIDED, CLASS V RCP SHALL BE USED.

DMH #2, DMH #7, AND CB #4 SHALL BE CONTECH CDS15-3-C WATER QUALITY MANHOLES.

SPECIAL CONSIDERATION FOR INLET CONTROLS FOR EROSION COLLECTION BEFORE ENTERING DRAINAGE SYSTEM:

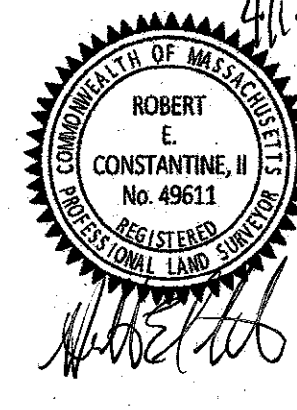
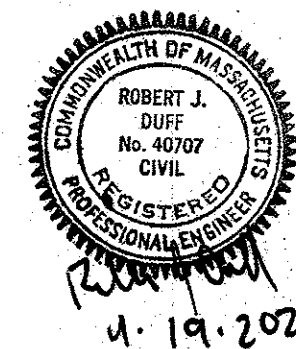
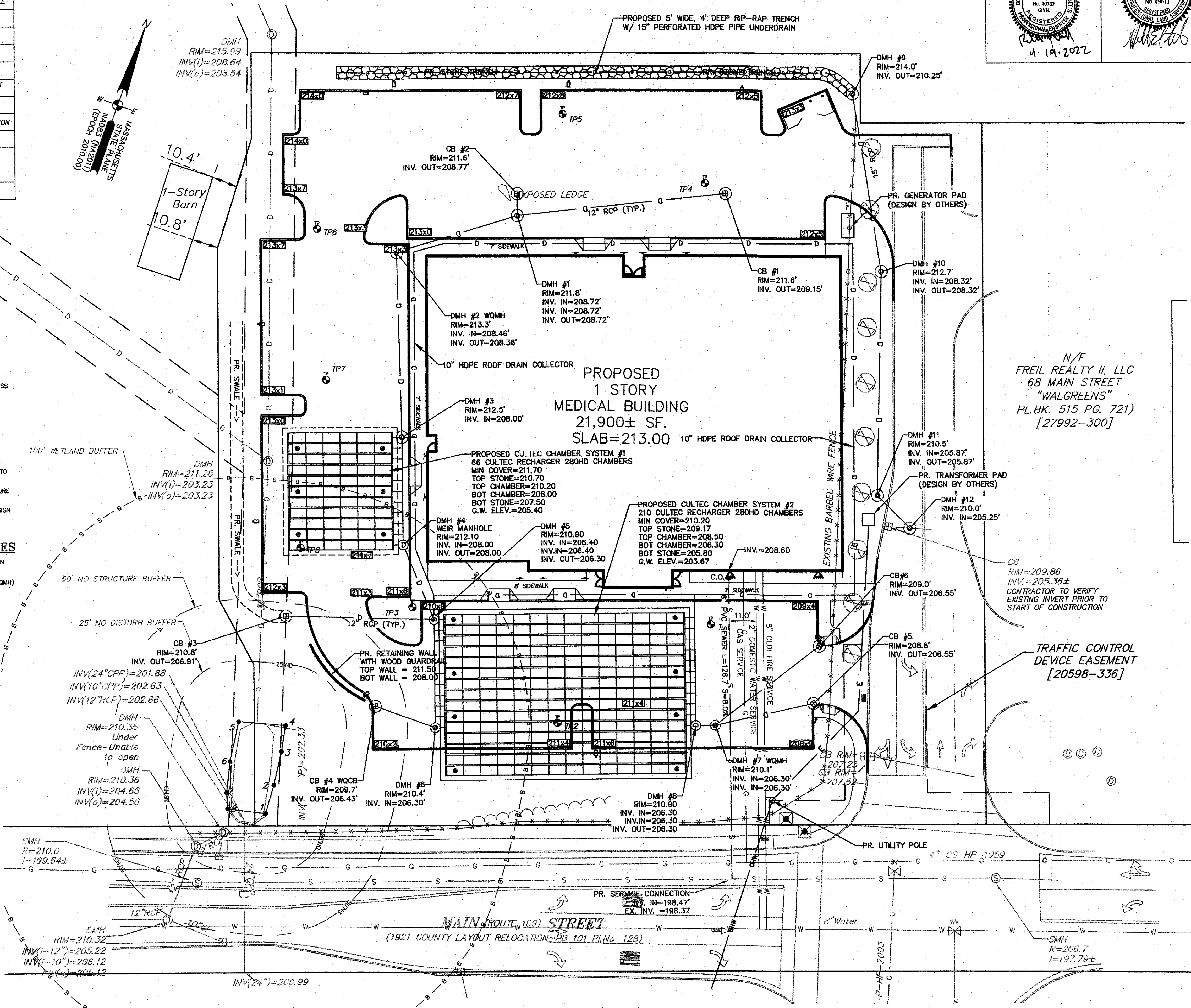
1. INSTALL SILT SACKS.
2. BARRIER AROUND CATCH BASIN, MULCH SOCK OR EQUAL.
3. INSTALL FILTER FABRIC ON ALL DRAIN MANHOLE OUTLETS DISCHARGING TO INFILTRATION SYSTEM.
4. INSPECTIONS BEFORE AND AFTER STORM EVENTS ARE REQUIRED TO INSURE ADEQUACY OF EROSION CONTROL MEASURES.
5. CONTRACTOR & ARCHITECT ARE TO VERIFY SITE UTILITIES PRIOR TO DESIGN & CONSTRUCTION.
6. ALL PIPE GASKETS SHALL BE PRE-MOLDED NEOPRENE O-RING TYPE (300-11 B.2(A)).

SITE DRAINAGE INSTALLATIONS NOTES

1. EACH SUBSURFACE CHAMBER WILL BE INSTALLED SEPARATELY TO DESIGN ELEVATION.
2. INSTALL CONNECTIONS TO CATCH BASINS, WATER QUALITY MANHOLE (WQMH) AND DRAIN MANHOLES.
3. EXCAVATE AND INSTALL SUBSURFACE UNIT, BACKFILL W/ STONE MAINTAINING 18"-24" COVER AND AS-BUILT EACH SECTION.

UTILITY NOTE

ALL UTILITIES SHALL BE CONSTRUCTED AND TESTED ACCORDING TO STATE AND LOCAL REGULATIONS.



APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER DATE
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DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG. 721 OF 2003
A.M. 41 LOT 8

APPLICANT

LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

UTILITY PLAN

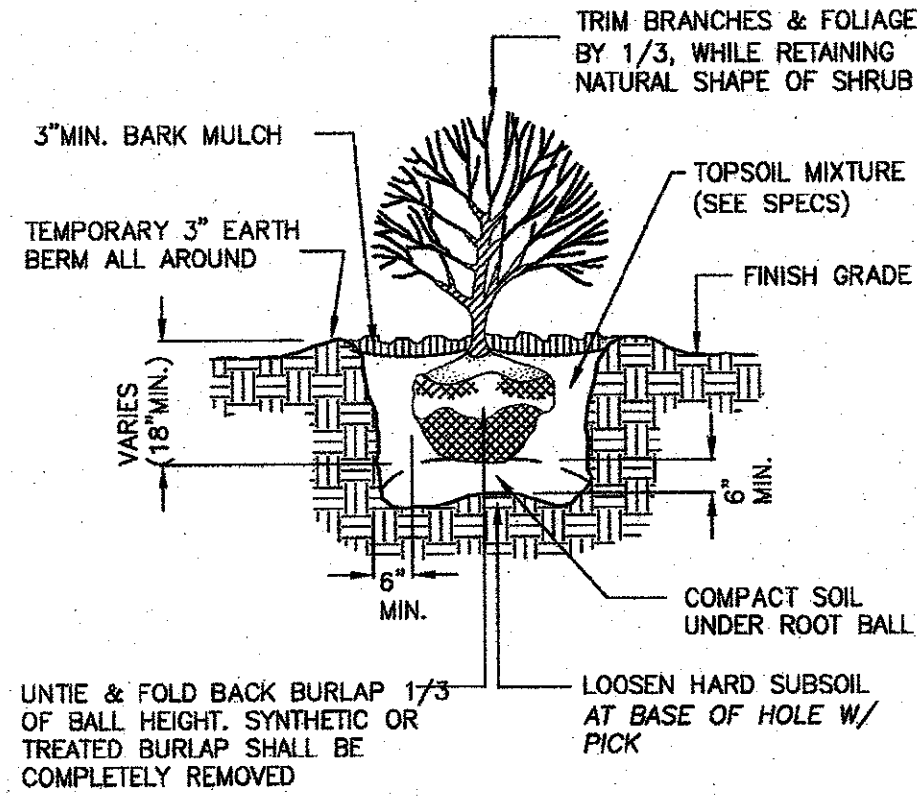
APRIL 14, 2022

DATE REVISION DESCRIPTION

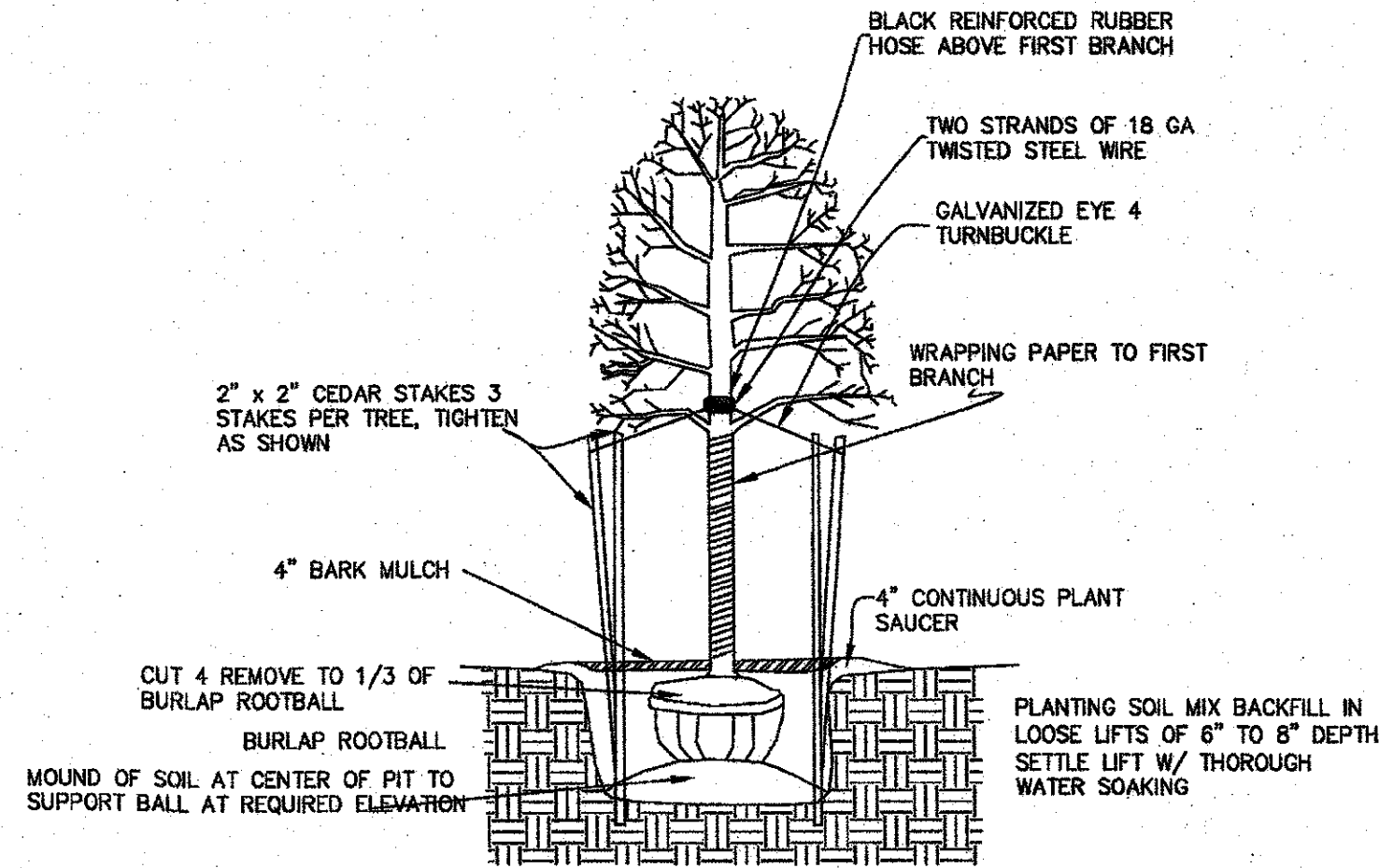
GRAPHIC SCALE: 1"=20'
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FEET METERS

Guerriere & Halnon, Inc.
ENGINEERING & LAND SURVEYING
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FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com

SHEET 7 OF 12 JOB NO. F4516



SHRUB PLANTING DETAIL
N.T.S.



TREE DETAIL
N.T.S.

LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
⊕	CATCH BASIN	☆	LIGHT POLE
⊕	DRAIN MANHOLE	⊕	UTILITY POLE
⊕	ELECTRIC MANHOLE	•	GUY WIRE
⊕	SEWER MANHOLE	—	SIGN
⊕	MANHOLE	•	WETFLAG
⊕	GAS VALVE	⊕	UTILITY POLE
⊕	GAS SHUT OFF VALVE	☆	PROP. STREET LIGHTING
⊕	WATER VALVE		
⊕	WATER SHUT OFF VALVE	X 000.0	SPOT ELEVATION
⊕	FIRE HYDRANT		RIPRAP
—	EXISTING CONTOUR		
—	EXISTING DRAIN LINE		
—	EXISTING WATER LINE		

NOTES

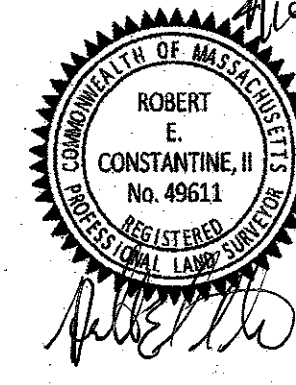
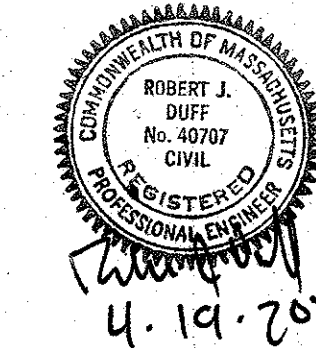
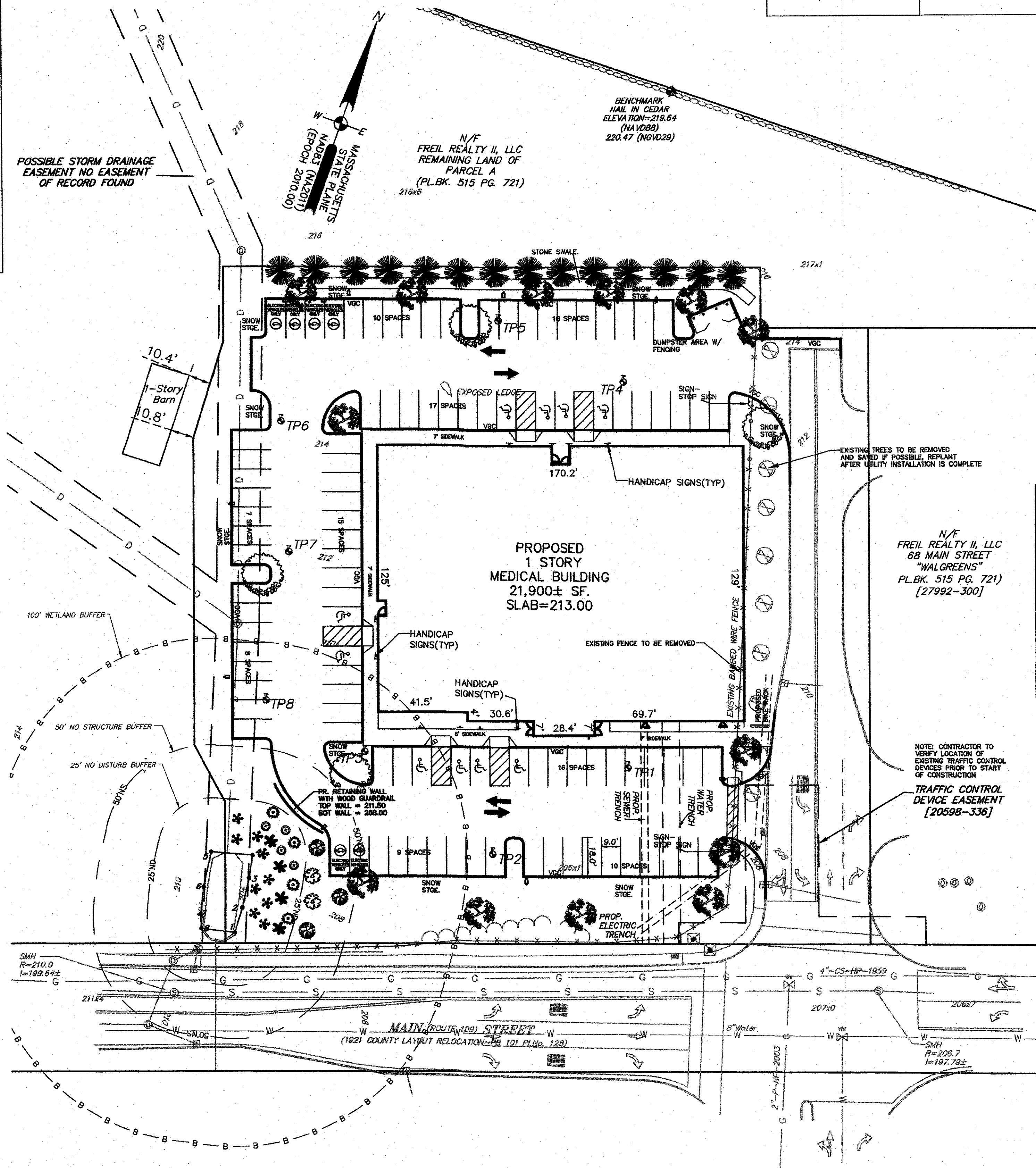
1. THE CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
2. PLANT MATERIALS SHALL CONFORM TO THE GUIDELINES BY THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
3. ALL PLANTING SHALL BE PLACED ACCORDING TO THE APPROVED LANDSCAPING PLAN.
4. AFTER PLANTING 4" OF MULCH SHALL BE PLACED WITHIN THE DESIGNATED AREAS.
5. ALL PLANT MATERIAL SHALL INCLUDE A 1 YEAR GUARANTEE.
6. THE CONTRACTOR/LANDSCAPER SHALL WATER NEWLY PLANTED MATERIAL FOR 90 DAYS.
7. DAMAGED VEGETATION WILL BE REMOVED AND REPLACED IF NECESSARY.
8. AREA OF INTERIOR LANDSCAPING = 6,005±SF (13.3%)

PLANTING LEGEND

SYMBOL	NAME	SIZE	QUANTITY
⊕	RED MAPLE ACER RUBRUM	5' MIN. 2.5" CAL.	13
⊕	EASTERN WHITE PINE PINUS STROBUS	10' HIGH MIN.	14
⊕	RED OAK QUERCUS RUBRA	5' MIN. 2.5" CAL.	4

REPLICATION LEGEND

SYMBOL	NAME	SIZE	QUANTITY
⊕	RIVER BIRCH BETULA NIGRA	4' MIN. 2.5" CAL.	3
⊕	MOUNTAIN PEPPERBUSH CLETHRA ACUMINATA	3 GAL.	4
⊕	HIGH BUSH BLUEBERRY VACCINIUM CORYMBOSUM	5 GAL.	2
⊕	WINTERBERRY ILEX VERTICILLATA	3 GAL.	4
⊕	SHEEP LAUREL KALMIA ANGUSTIFOLIA	3 GAL.	4
⊕	CINNAMON FERN OSMUNDA CINNAMOMEA	2 GAL.	9



APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER DATE

LEGAL NOTES

UTILITIES ARE PLOTTED AS A COMPILATION OF RECORD DOCUMENTS, MARKINGS AND OTHER OBSERVED EVIDENCE TO THE BEST OF THE UNDERRAISED. UTILITIES SHOULD BE CONSIDERED APPROXIMATE. ANY EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY COMPLETELY AND RELIABLY DEPICTED. ADDITIONAL UTILITIES, NOT EVIDENCED BY RECORD DOCUMENTS OR OBSERVED PHYSICAL EVIDENCE, MAY EXIST. CONTRACTORS (IN ACCORDANCE WITH MASS. G.L. CHAPTER 82 SECTION 40, AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE AT 1(888)DIG-SAFE[7233].

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

OWNER

FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG. 721 OF 2003
A.M. 41 LOT 8

APPLICANT

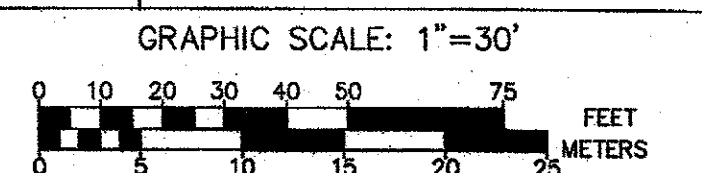
LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

LANDSCAPING PLAN

APRIL 14, 2022

DATE REVISION DESCRIPTION



Guerriere & Halnon, Inc.
ENGINEERING & LAND SURVEYING
55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com

SHEET 8 OF 12

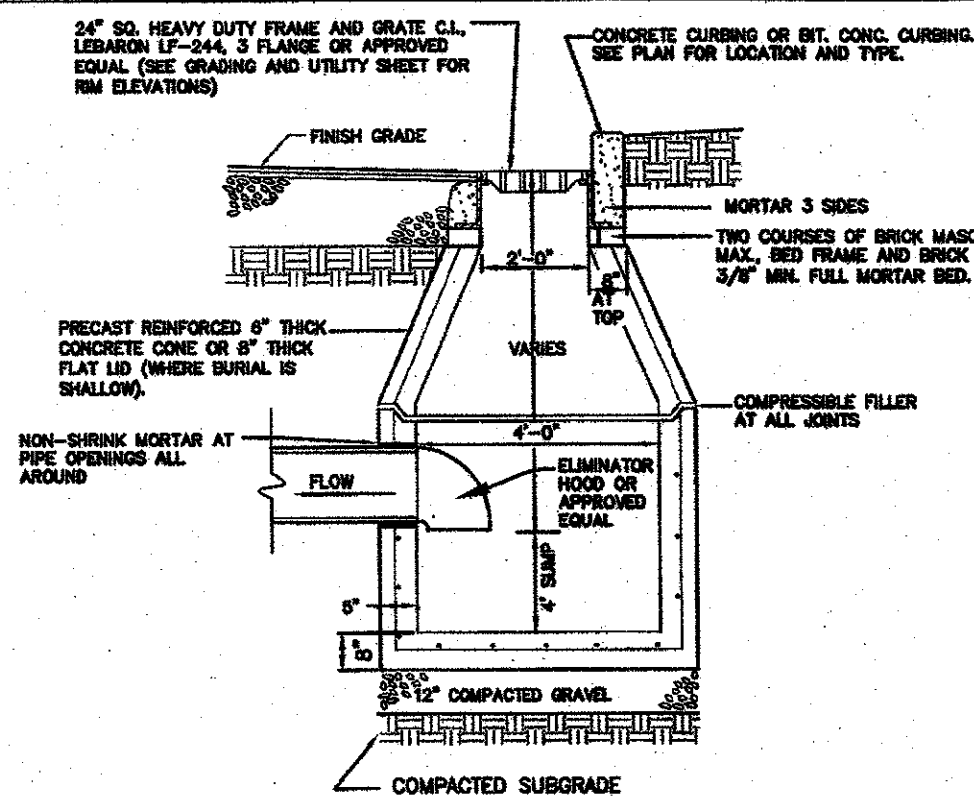
JOB NO. F4516

GENERAL EROSION CONTROL AND CONSTRUCTION NOTES

1. THE LIMITS OF ALL CLEARING, GRADING AND DISTURBANCE SHALL BE KEPT TO A MINIMUM WITHIN THE PROPOSED AREA OF CONSTRUCTION. ALL AREAS OUTSIDE THE LIMITS OF DISTURBANCE SHALL REMAIN TOTALLY UNDISTURBED.
2. INSPECT ALL SEDIMENT AND EROSION CONTROL MEASURES AT LEAST ONCE PER WEEK AND WITHIN 24 HOURS AFTER EVERY RAINFALL EVENT.
3. MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES OR REPLACE AS REQUIRED TO ASSURE PROPER FUNCTION.
4. CONTRACTOR SHALL IMMEDIATELY REPAIR ANY AND ALL EROSION AND SEDIMENT CONTROLS FOUND TO BE FAULTY.
5. ANY AND ALL DEBRIS AND LITTER WHICH ACCUMULATES IN THE BASINS SHALL BE REMOVED WEEKLY.
6. THE CONTRACTOR SHALL IMPLEMENT ALL REASONABLE EROSION AND SEDIMENT CONTROLS PRIOR TO THE ACTUAL COMMENCEMENT OF CONSTRUCTION ACTIVITIES INCLUDING THE CLEARING AND/OR GRUBBING OF ANY PORTION OF THE PROPERTY. THESE MEASURES SHALL BE MAINTAINED IN EFFECT THROUGHOUT THE ENTIRE CONSTRUCTION PHASE, OR UNTIL THE SITE HAS BECOME STABILIZED WITH AN ADEQUATE VEGETATIVE COVER.
7. SEDIMENT BUILD UP BEHIND FILTERMITS SHALL BE MONITORED AND BE REMOVED WHENEVER IT HAS ACCUMULATED TO FOUR INCHES IN DEPTH.
8. CATCH BASINS SHALL BE PROTECTED WITH SILT FILTERS (SILT SACKS). INSPECT SEDIMENT FILTERS AT LEAST ONCE PER WEEK AND WITHIN 24 HOURS AFTER RAINFALL THAT PRODUCES RUNOFF. CLEAN OR REPLACE FILTERS WITHIN 24 HOURS OF INSPECTION WHEN SEDIMENT REACHES ONE HALF OF THE FILTER SACK DEPTH. CATCH BASINS SHALL BE PROTECTED BY SEDIMENT FILTERS THROUGHOUT THE CONSTRUCTION PERIOD AND UNTIL ALL DISTURBED AREAS ARE THOROUGHLY STABILIZED. SUMPS SHALL BE CLEANED WHENEVER SEDIMENT HAS ACCUMULATED TO A DEPTH OF 24 INCHES AND IMMEDIATELY FOLLOWING INSTALLATION OF PERMANENT PAVEMENT.
10. THE CONTRACTOR SHALL MAINTAIN AN ADEQUATE STOCKPILE OF EROSION CONTROL MATERIALS ON-SITE AT ALL TIMES FOR EMERGENCY OR ROUTINE REPLACEMENT AND SHALL INCLUDE MATERIALS TO REPAIR OR REPLACE SILT FENCE, MULCH SOCK, STONE FILTER DIKES OR ANY OTHER DEVICES PLANNED FOR USE DURING CONSTRUCTION.
11. THE CONTRACTOR IS TO INSPECT ALL CONTROLS NO LESS THAN WEEKLY, AND IN ANTICIPATION OF RAINFALL EVENTS EXPECTED TO EXCEED 1/2 INCH IN DEPTH. ALL DEFICIENCIES NOTED DURING SAID INSPECTION SHALL BE REPAIRED IMMEDIATELY AND IN NO CASE SHALL A DEFICIENCY BE ALLOWED TO GO UNCORRECTED DURING A RAINFALL EVENT. THE EROSION CONTROL DEVICES SHALL BE MAINTAINED, REINFORCED, OR REPLACED IF NECESSARY. ALL ACCUMULATED SEDIMENTS AND OTHER MATERIALS COLLECTED.
12. BY THE SEDIMENTATION CONTROL SYSTEMS SHALL BE REMOVED AS NECESSARY TO INSURE PROPER FUNCTION OF SYSTEMS AND DISPOSED OF IN A MANNER THAT IS CONSISTENT WITH THE INTENT OF THIS PLAN, IN AN UPLAND AREA.
13. TEMPORARY EARTH OR STONE DIKES, DRAINAGE SWALES AND/OR TEMPORARY SLOPE DRAINS SHALL BE INSTALLED WHERE OFF-SITE OR ON-SITE RUNOFF IS SUFFICIENT ENOUGH SUCH THAT IT WILL BE NECESSARY TO DIVERT THE FLOW AROUND THE SITE OR PREVENT EROSION WITHIN THE LIMITS OF WORK.
14. STORM DRAIN INLET PROTECTION SHALL BE USED FOR ALL EXISTING AND PROPOSED CATCH BASINS IN THE PROJECT AREA. PRIOR TO COMPLETION OF THE PROJECT, ALL CATCH BASINS WITHIN THE PROJECT AREA SHALL BE CLEANED.
15. ALL DISTURBED EARTH SLOPES AREA TO BE STABILIZED WITH PERMANENT VEGETATIVE COVER, TO BE ESTABLISHED AS SOON AS POSSIBLE. DISTURBED AREAS THAT ARE NOT SUBJECT TO CONSTRUCTION TRAFFIC SHALL RECEIVE A PERMANENT OR TEMPORARY VEGETATIVE COVER AS SOON AS FINAL CONTOURS ARE ESTABLISHED. TEMPORARY VEGETATIVE COVER IS TO BE ESTABLISHED ON ALL DISTURBED AREAS WHERE CONSTRUCTION ACTIVITIES WILL NOT REQUIRE ADDITIONAL DISTURBANCE FOR PERIOD OF 30 DAYS OR MORE. IF THE SEASON PREVENTS THE ESTABLISHMENT OF VEGETATIVE COVER, DISTURBED AREAS SHALL BE MULCHED AND THEN SEEDED AS SOON AS WEATHER CONDITIONS ALLOW.
16. THERE SHALL BE NO DIRECT DISCHARGE OF DEWATERING OPERATIONS INTO ANY DRAINAGE SYSTEM UNLESS THIS DISCHARGE IS CLEAN AND FREE OF SETTLEABLE SOLIDS. ANY DEWATERING DISCHARGE CONTAINING SETTLEABLE SOLIDS (SEDIMENTS) SHALL BE PASSED THROUGH A SEDIMENTATION CONTROL DEVICE (FILTER BAG) TO REMOVE THESE SOLIDS. THE CONTRACTOR IS TO MAINTAIN SAID SEDIMENT CONTROL DEVICE THROUGHOUT THE ENTIRE DEWATERING OPERATION AND REPAIR DEFICIENCIES IMMEDIATELY.
17. SOIL STOCKPILE AREAS FOR CONSTRUCTION MATERIALS SHALL BE LOCATED OUTSIDE WETLAND AREAS AND ASSOCIATED BUFFERS.
18. ALL PLANTINGS SHALL BE ACCOMPLISHED BY THE CONTRACTOR AS EARLY AS THE POSSIBLE UPON COMPLETION OF GRADING AND CONSTRUCTION.
19. ALL PLANTINGS SHALL BE WATERED AND MAINTAINED BY THE CONTRACTOR TO ENSURE SURVIVAL.
20. EROSION CONTROL SHALL REMAIN IN PLACE UNTIL THE CERTIFICATE OF COMPLETION IS ISSUED

INTERIM EROSION CONTROL AND CONSTRUCTION SEQUENCE

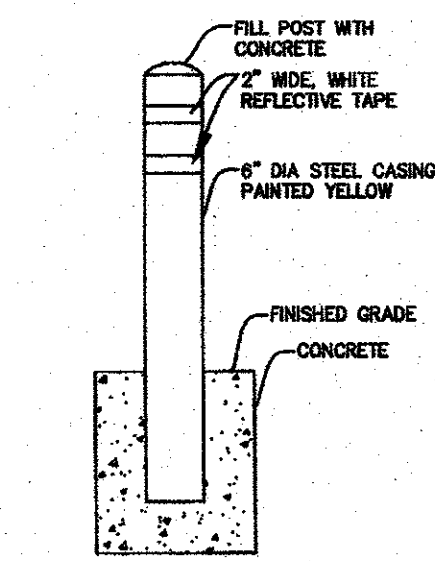
1. INSTALL EROSION CONTROL BARRIERS AND HAVE ENGINEER INSPECT AND PREPARE LETTER.
2. CLEAR SITE OF ALL TREES DESIGNATED TO BE REMOVED. CONSTRUCT A TEMPORARY BASIN TO COLLECT RUNOFF DURING CONSTRUCTION.
3. STOCKPILE LOAM, OR REMOVE LOAM.
4. INSTALL PIPES FOR DRAINAGE SYSTEMS. INSTALL DISCHARGE POINT ON EACH SYSTEM.
5. BRING SITE TO SUB-GRADE.
6. ALL SLOPES ALONG THE PROPERTY LINES SHALL BE MULCHED TEMPORARILY, IF DISTURBED.
7. TEMPORARY STONE (3/4" - 1 1/2") SHALL BE PLACED AT THE PROJECT ENTRANCE WHEN ACCESSING EXISTING PAVEMENT. SWEEPING IS REQUIRED IF FINES ARE OBSERVED IN THE PARKING LOT OR PUBLIC WAYS.
8. ALL DISTURBED AREAS NOT TREATED WITH PERMANENT LOAM AND SEED SHALL BE COVERED WITH MULCH, OR OTHER EROSION CONTROL DEVICE.
9. ALL CONSTRUCTION GRADES IN THE INTERIM SHALL BE SLOPED TO FLOW INTO THE TEMPORARY BASIN, WHERE POSSIBLE.
10. THE SITE MITIGATION OF EROSION IN THOSE AREAS TO BE LANDSCAPED OR MULCHED SHALL BE TO INSTALL AS SOON AS POSSIBLE.
11. CLEAN ALL SEDIMENT OUT OF TEMPORARY BASIN AND INSTALL CLEAN FILL PER PLAN SPECIFICATIONS PRIOR TO FINAL GRADING AND SURFACE STABILIZATION.
12. THE SUBSURFACE DRAINAGE SYSTEM SHALL BE INSTALLED PRIOR TO PAVEMENT INSTALLATION. PROPER FILTERFABRIC SHALL BE PLACED AT INLETS TO KEEP THE STORM DRAINAGE CLEAN OF DEBRIS.
13. ONCE THE CURB IS INSTALLED, THE PERMANENT MULCH AND LANDSCAPING SHALL BE INSTALLED.
14. SEDIMENT CONTROL SHALL REMAIN IN PLACE UNTIL THE SITE IS STABILIZED.
15. CLEAN ALL ON SITE CATCH BASINS, MANHOLES, PIPING, TEMPORARY BASIN, AND INFILTRATION CHAMBERS. INSTALL SILT BAGS AT EACH CATCH BASIN.
16. KEEP SITE SWEEP AND MAINTAINED PER STORMWATER MANAGEMENT PLAN.



TYP. PRECAST CONCRETE CATCH BASIN DETAIL

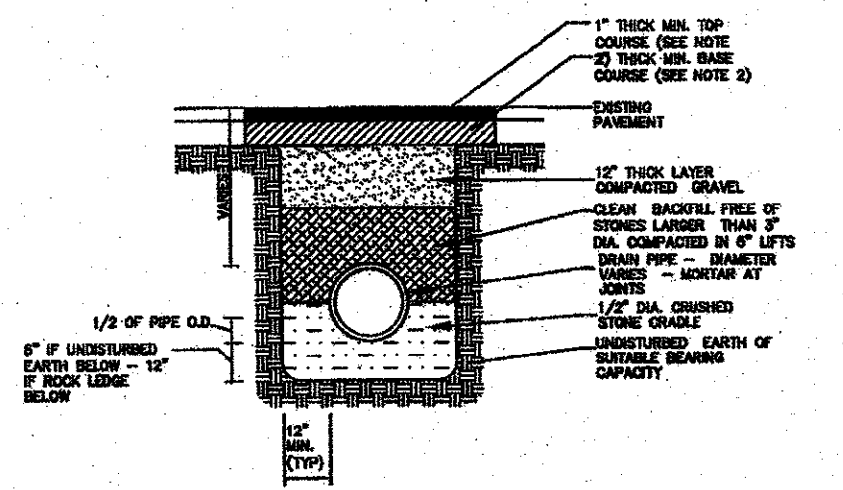
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NOTE: ALL STRUCTURES SHALL BE SUITABLE FOR H-20 LOADING AND SHALL MEET THE REQUIREMENTS OF ASTM C478.

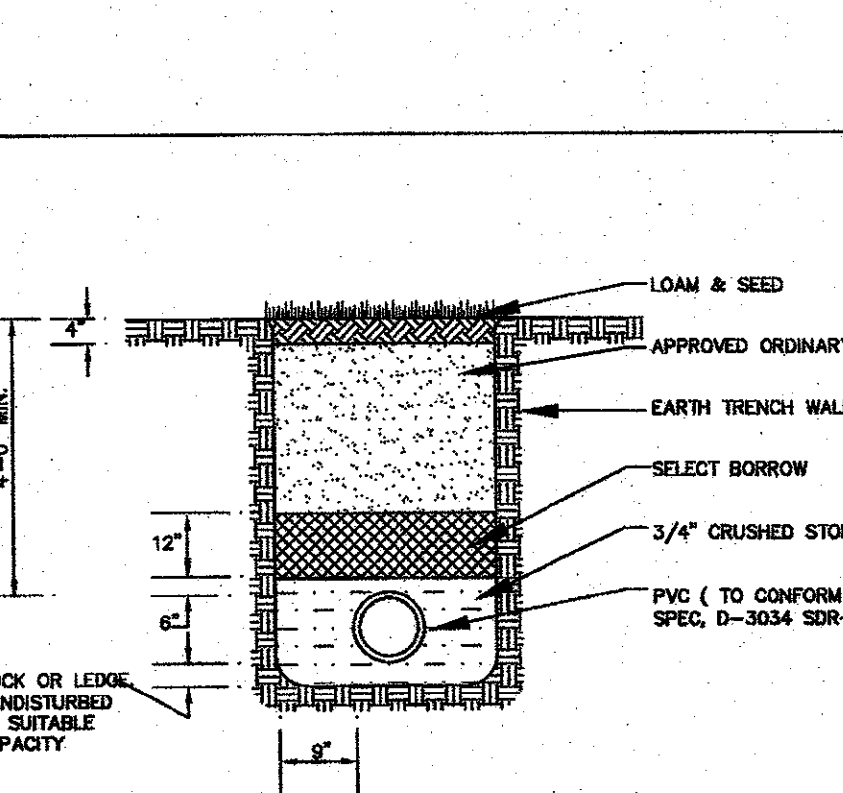


BOLLARD DETAIL

NOT TO SCALE

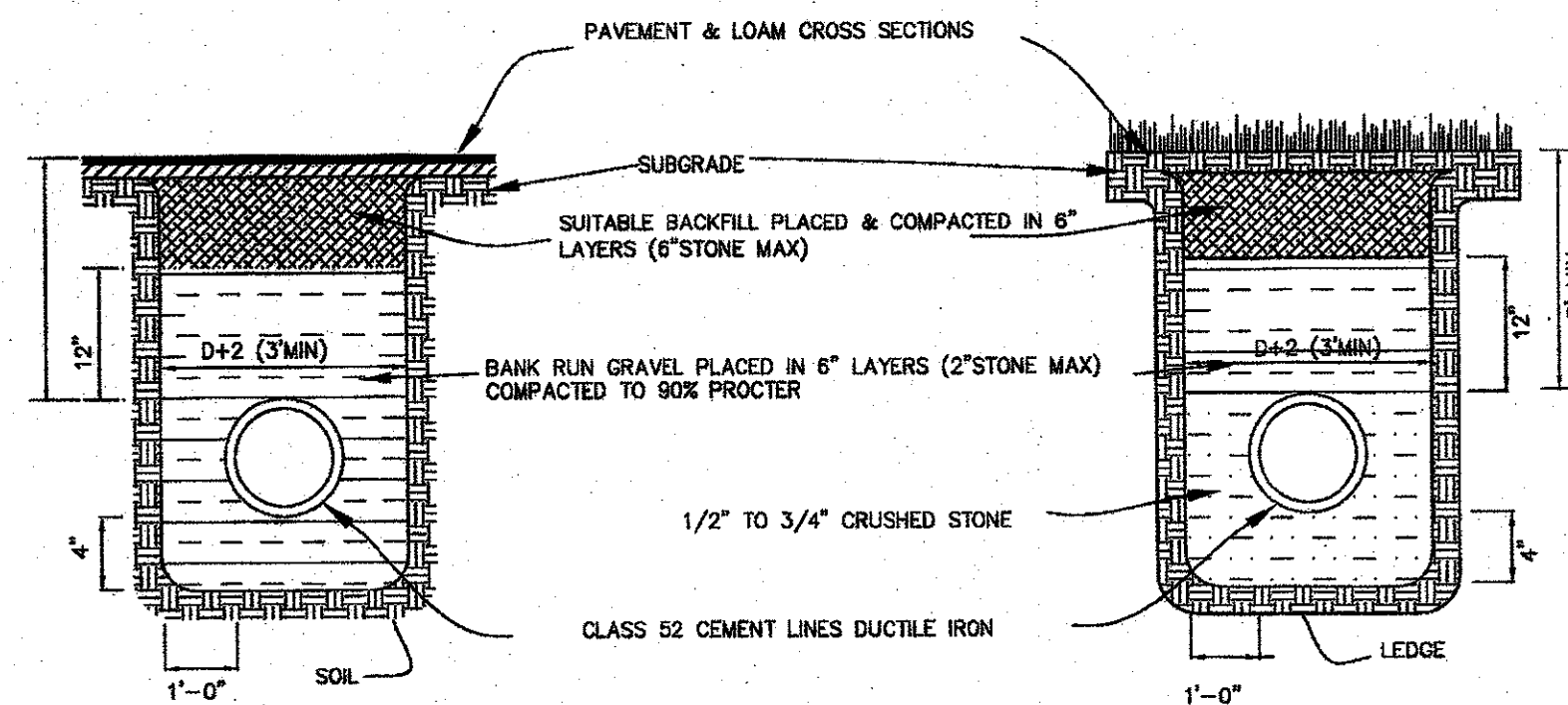


TYPICAL TRENCH SECTION FOR REINFORCED CONCRETE PIPE

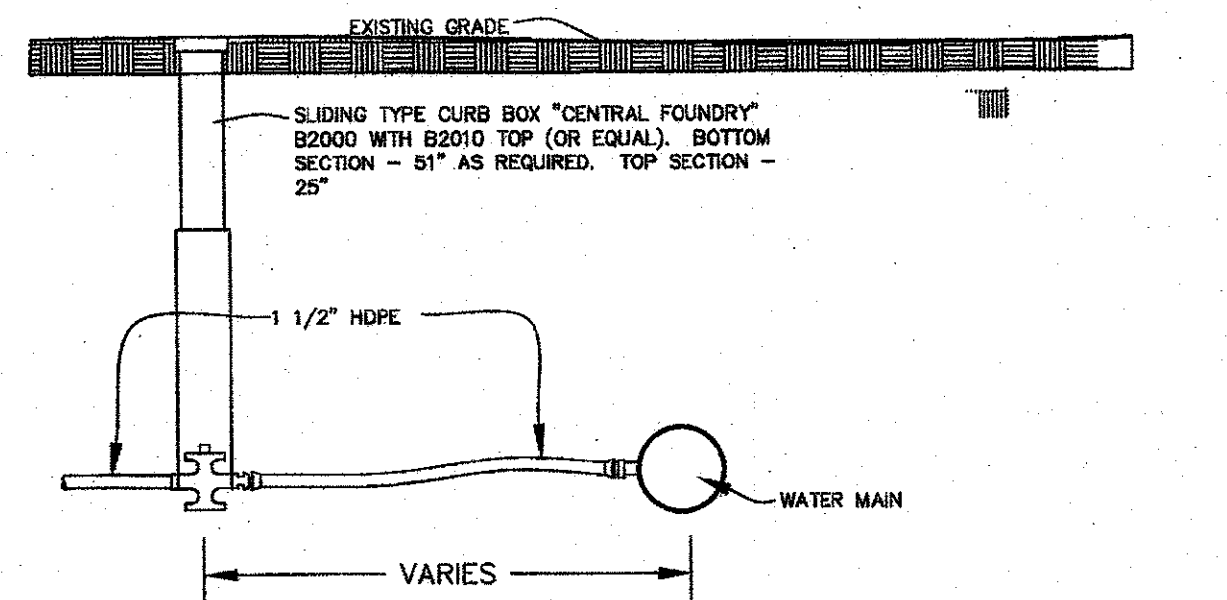


TYPICAL P.V.C. TRENCH SECTION

NOT TO SCALE

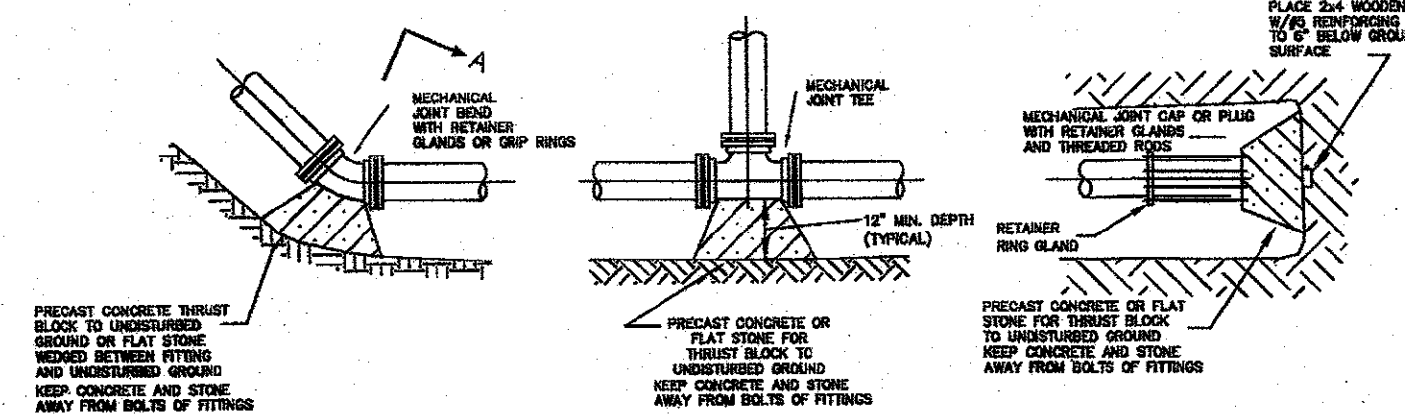


TYPICAL TRENCH SECTION FOR D.I. WATER MAIN (TYPE 5 BEDDING AWWAC-600)

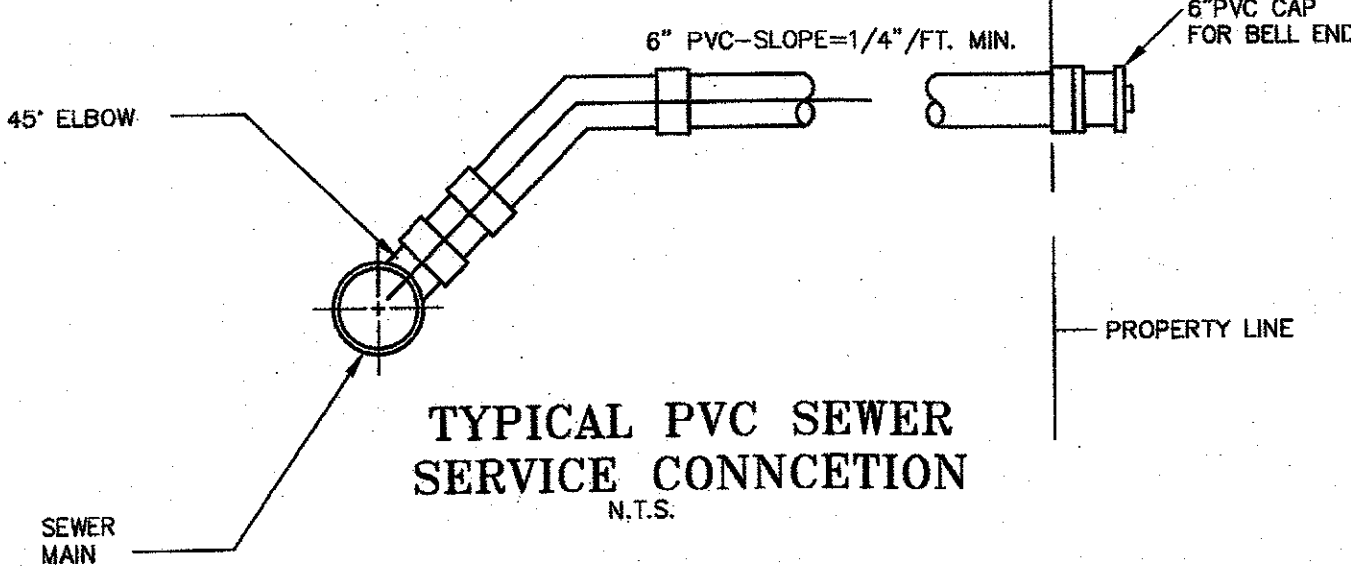


TYPICAL WATER SERVICE CONNECTION

NOT TO SCALE

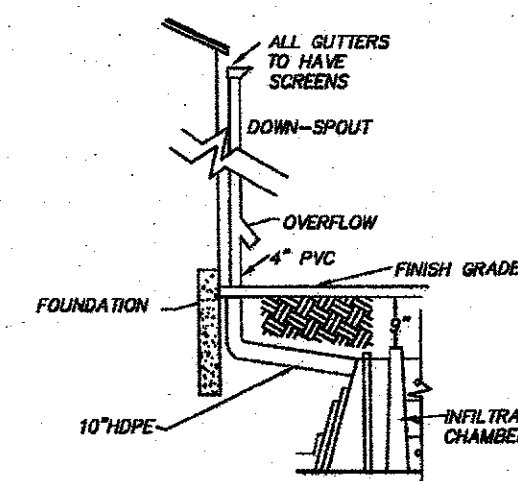


TYPICAL THRUST BLOCK DETAILS



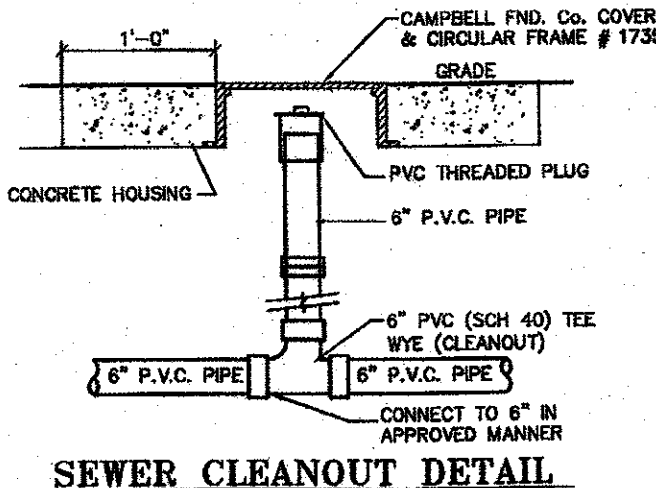
TYPICAL PVC SEWER SERVICE CONNECTION

N.T.S.



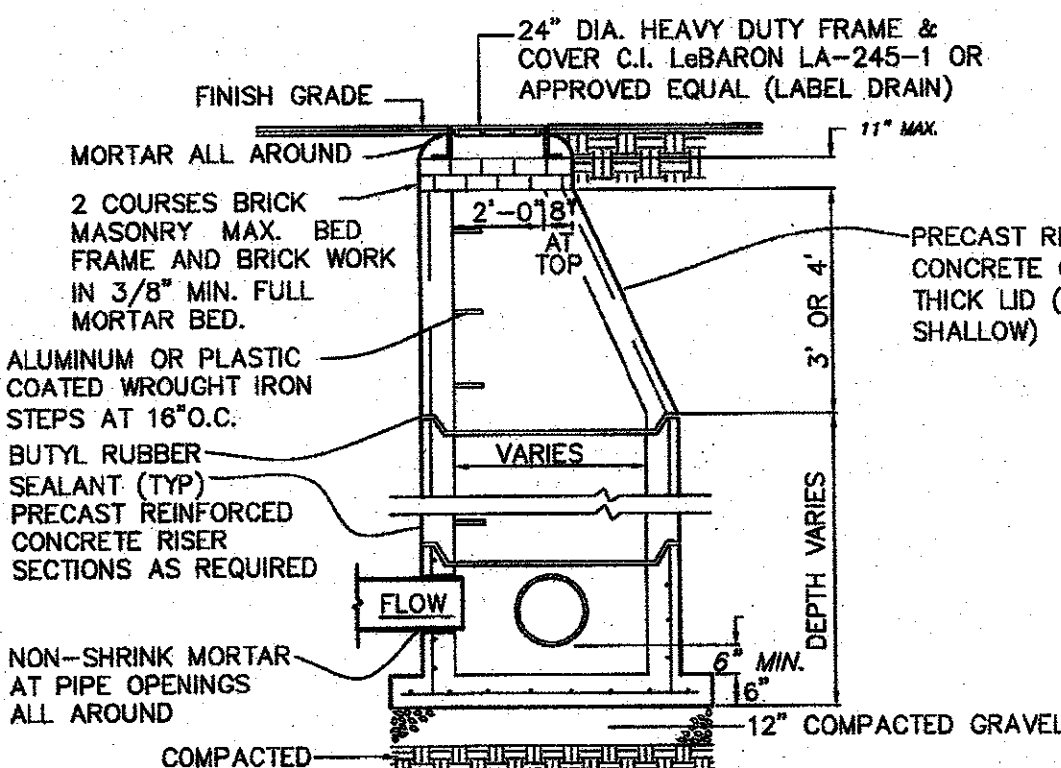
ROOF DRAIN DETAIL

N.T.S.



SEWER CLEANOUT DETAIL

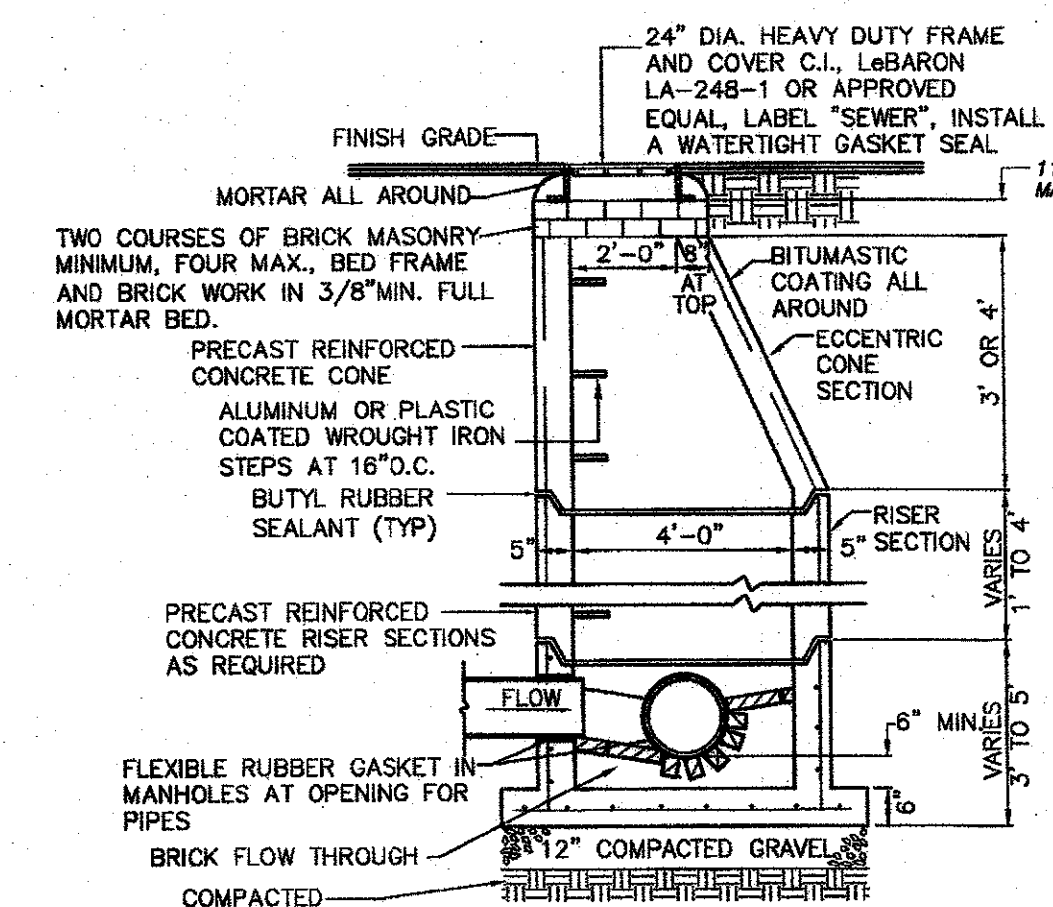
NOT TO SCALE



TYP. PRECAST CONCRETE MANHOLE STORM DRAIN

N.T.S.

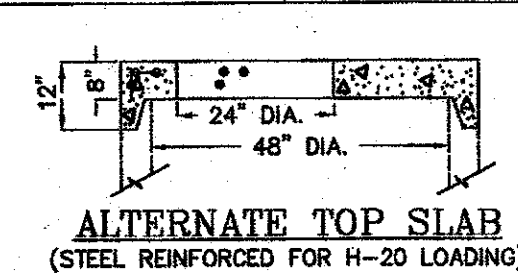
NOTE: ALL STRUCTURES SHALL BE SUITABLE FOR H-20 LOADING AND SHALL MEET THE REQUIREMENTS OF A.S.T.M. C478.



TYP. PRECAST CONCRETE MANHOLE SANITARY

N.T.S.

NOTE: ALL STRUCTURES SHALL BE SUITABLE FOR H-20 LOADING AND SHALL MEET THE REQUIREMENTS OF ASTM C478.



ALTERNATE TOP SLAB (STEEL REINFORCED FOR H-20 LOADING)

NOT TO SCALE

APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER DATE

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OWNER

FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG 721 OF 2003
A.M. 41 LOT 8

APPLICANT

LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

CONSTRUCTION
DETAILS

MARCH 28, 2022

DATE REVISION DESCRIPTION

GENERAL. CULTREC RECHARGER 280HD CHAMBERS ARE DESIGNED FOR UNDERGROUND STORMWATER MANAGEMENT. THE CHAMBERS MAY BE USED FOR RETENTION, RECHARGING, DETENTION OR CONTROLLING THE FLOW OF ON-SITE STORMWATER RUNOFF.

(203-775-4416 OR 1-800-428-5832)

2. THE CHAMBER SHALL BE VACUUM THERMOFORMED OF HIGH MOLECULAR WEIGHT HIGH DENSITY POLYETHYLENE (HMWHDPE) WITH A BLACK INTERIOR AND BLUE EXTERIOR.
3. THE CHAMBER WILL BE ARCHED IN SHAPE.
4. THE CHAMBER WILL BE OPEN-BOTTOMED.

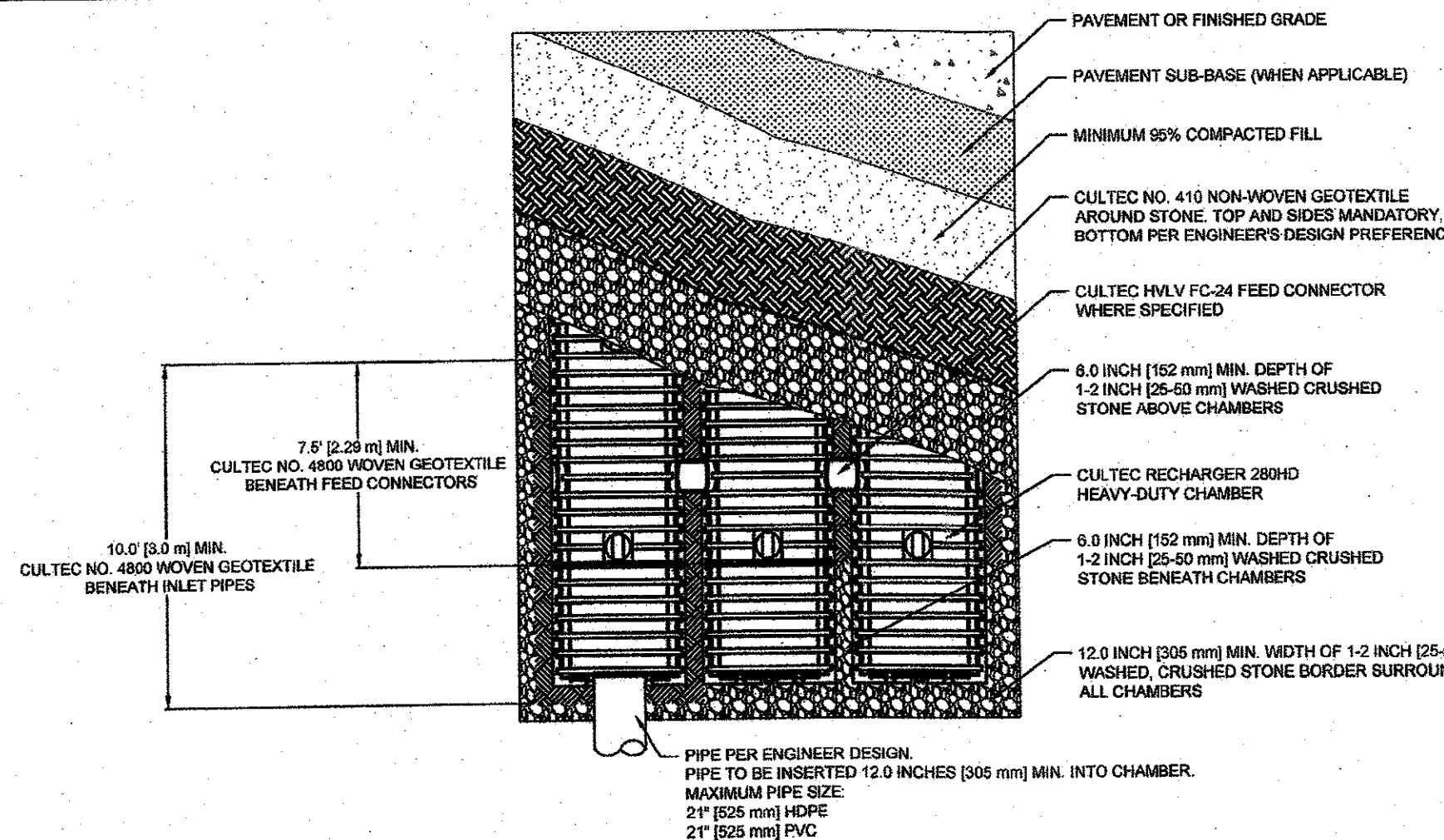
- THE CHAMBER WALL SHALL BE JOINED USING AN INTERLOCKING OVERLAPPING RIB METHOD. CONNECTIONS MUST BE FULLY SHOULDERED OVERLAPPING RIBS, HAVING NO SEPARATE COUPLINGS OR SEAMS AT JOINTS AND WALLS.
- THE NOMINAL CHAMBER DIMENSIONS OF THE CULTEC RECHARGER 2830D SHALL BE 28.3 INCHES (723.7mm) TALL, 47 INCHES (1194 mm) WIDE AND 2 FEET (24") LONG. THE INSTALLED LENGTH OF A JOINED RECHARGER 2830D SHALL BE 7 FEET (2.1 m).
- MAXIMUM INLET OPENINGS ON THE CHAMBER ENDWALLS IS 21 INCHES (535 mm) HDPE.
- THE CHAMBER WALL MUST HAVE TWO SIDE PORTALS TO ACCEPT CULTEC IVALV FC-24 FEED CONNECTORS TO CREATE AN INTERNAL MANIFOLD. NOMINAL INSIDE DIMENSIONS OF THE CHAMBER SHALL HAVE A WIDTH OF 11.25" (286 mm) AND HEIGHT OF 1' 0" (292 mm). THE SIDE PORTAL CAN ACCEPT A MAXIMUM OUTLET DIAMETER (O.D.) PIPE SIZE OF 12.25 INCHES [311 mm].
- THE NOMINAL CHAMBER DIMENSIONS OF THE CULTEC IVALV FC-24 FEED CONNECTOR SHALL BE 12 INCHES (305 mm) TALL, 16 INCHES (406 mm) WIDE AND 34.2 INCHES (874 mm) LONG.
- THE NOMINAL STORAGE VOLUME OF THE RECHARGER 2830D CHAMBER WILL BE 0.79 FTS³ (17.068 m³ m³) - WITHOUT STONE. THE NOMINAL STORAGE VOLUME OF A JOINED RECHARGER 2860D SHALL BE 42.58 FTS³ (17.03 m³ m³ UNIT) - WITHOUT STONE.
- THE NOMINAL STORAGE VOLUME OF THE IVALV FC-24 FEED CONNECTOR WILL BE 0.915 FTS³ (17.04 m³ m³) - WITHOUT STONE.
- THE RECHARGER 2830D CHAMBER WILL SEVENTY-TWO DISCHARGE HOLES BORED INTO THE SIDEWALLS OF THE UNITS CORE TO PROMOTE LATENT CONVEYANCE OF WATER.
- THE RECHARGER 2830D CHAMBER SHALL HAVE 15 CORRUGATIONS.
- THE ENDWALL OF THE CHAMBER, WHEN PRESENT, WILL BE AN INTEGRAL PART OF THE CONTINUOUSLY FORMED UNIT. SEPARATE END PLATES CANNOT BE USED WITH THIS UNIT.
- THE RECHARGER 2830D STAND ALONE UNIT MUST BE FORMED AS A WHOLE CHAMBER HAVING TWO FULLY FORMED INTERIOR ENDWALLS AND HAVING NO SEPARATE END PLATES OR SEPARATE END WALLS.
- THE RECHARGER 2860D STARTER UNIT MUST BE FORMED AS A WHOLE CHAMBER HAVING ONE FULLY FORMED INTERIOR ENDWALL AND ONE PARTIALLY FORMED INTERIOR ENDWALL WITH A LOWER TRAPPING OPENING OF 9 INCHES (229 mm) HIGH/35 INCHES (889 mm) WIDE.
- THE RECHARGER 2860D INTERMEDIATE UNIT MUST BE FORMED AS A WHOLE CHAMBER HAVING ONE FULLY OPEN ENDWALL AND ONE PARTIALLY FORMED INTERIOR ENDWALL WITH A LOWER TRAPPING OPENING OF 9 INCHES (229 mm) HIGH/35 INCHES (889 mm) WIDE.
- THE RECHARGER 2890D END UNIT MUST BE FORMED AS A WHOLE CHAMBER HAVING ONE FULLY FORMED INTERIOR ENDWALL AND ONE FULLY OPEN END WALL AND HAVING NO SEPARATE END PLATES OR SEPARATE END WALLS.
- THE IVALV FC-24 FEED CONNECTOR MUST BE FORMED AS A WHOLE CHAMBER HAVING TWO OPEN END WALLS AND HAVING NO SEPARATE END PLATES OR SEPARATE END WALLS. THE UNIT WILL FIT INTO THE SIDE PORTALS OF THE RECHARGER 2830D AND ACT AS A CROSS FEED CONNECTION.
- CHAMBERS MUST HAVE HORIZONTAL STIFFENING FLEX REDUCTION STEPS BETWEEN THE RIBS.
- THE CHAMBER WILL HAVE A RAISED INTEGRAL CAP AT THE TOP OF THE ARCH IN THE CENTER OF EACH UNIT TO BE USED AS AN OPTIONAL INSPECTION PORT OR CLEAN-OUT.
- THE UNITS MAY BE TRIMMED TO CUSTOM LENGTHS BY CUTTING BACK TO ANY CORRUPTION.
- THE CHAMBER SHALL BE MANUFACTURED IN AIN IN AN ISO 9001:2015 CERTIFIED FACTORY.
- THE CHAMBER WILL BE DESIGNED TO WITHSTAND TRAFFIC LOADS WHEN INSTALLED ACCORDING TO CULTEC'S INSTALLATION INSTRUCTIONS.
- THE CHAMBER SHALL BE DESIGNED AND MANUFACTURED TO MEET THE MATERIAL & STRUCTURAL REQUIREMENTS OF API RP 98-2019, INCLUDING RESISTANCE TO CORROSION AND H2S-INDUCED CRACKING LOADS, WHEN INSTALLED IN ACCORDANCE WITH CULTEC'S INSTALLATION INSTRUCTIONS.
- MAXIMUM ALLOWED COVER OVER TOP OF CHAMBER SHALL BE 12 FEET (3.65 m).

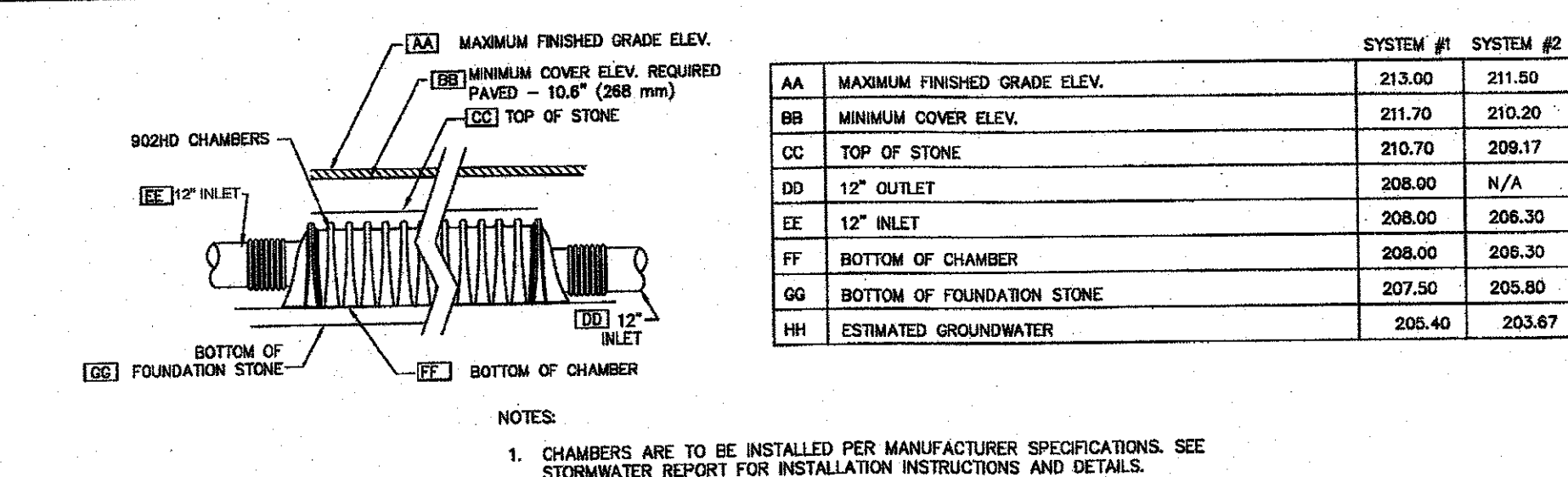
GENERAL
CULTEC HLM FISH FEED CONNECTORS ARE DESIGNED TO CREATE AN INTERNAL MANIFOLD FOR CULTEC RECHARGER 200HD STORMWATER CHAMBERS.

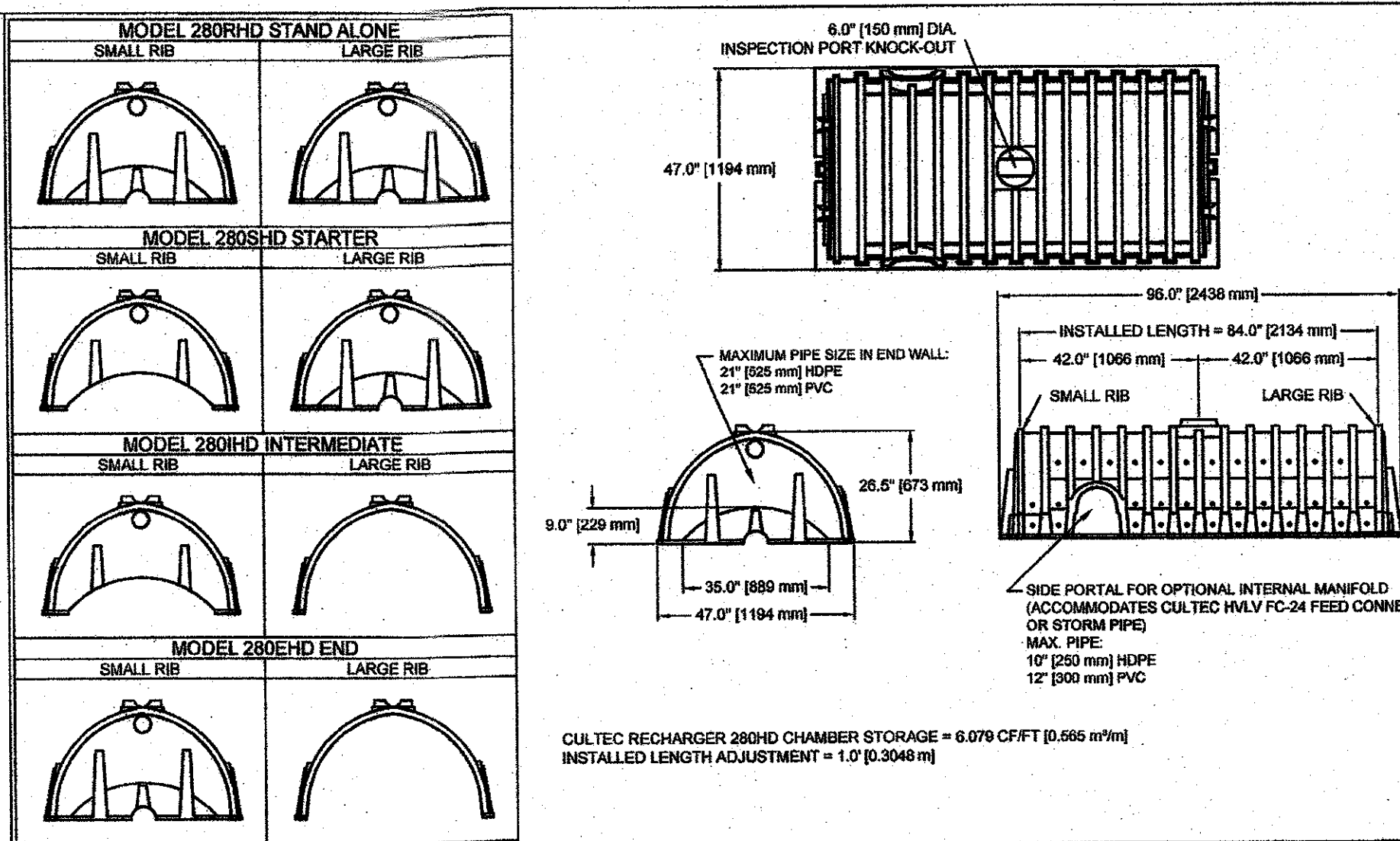
CHAMBER PARAMETERS

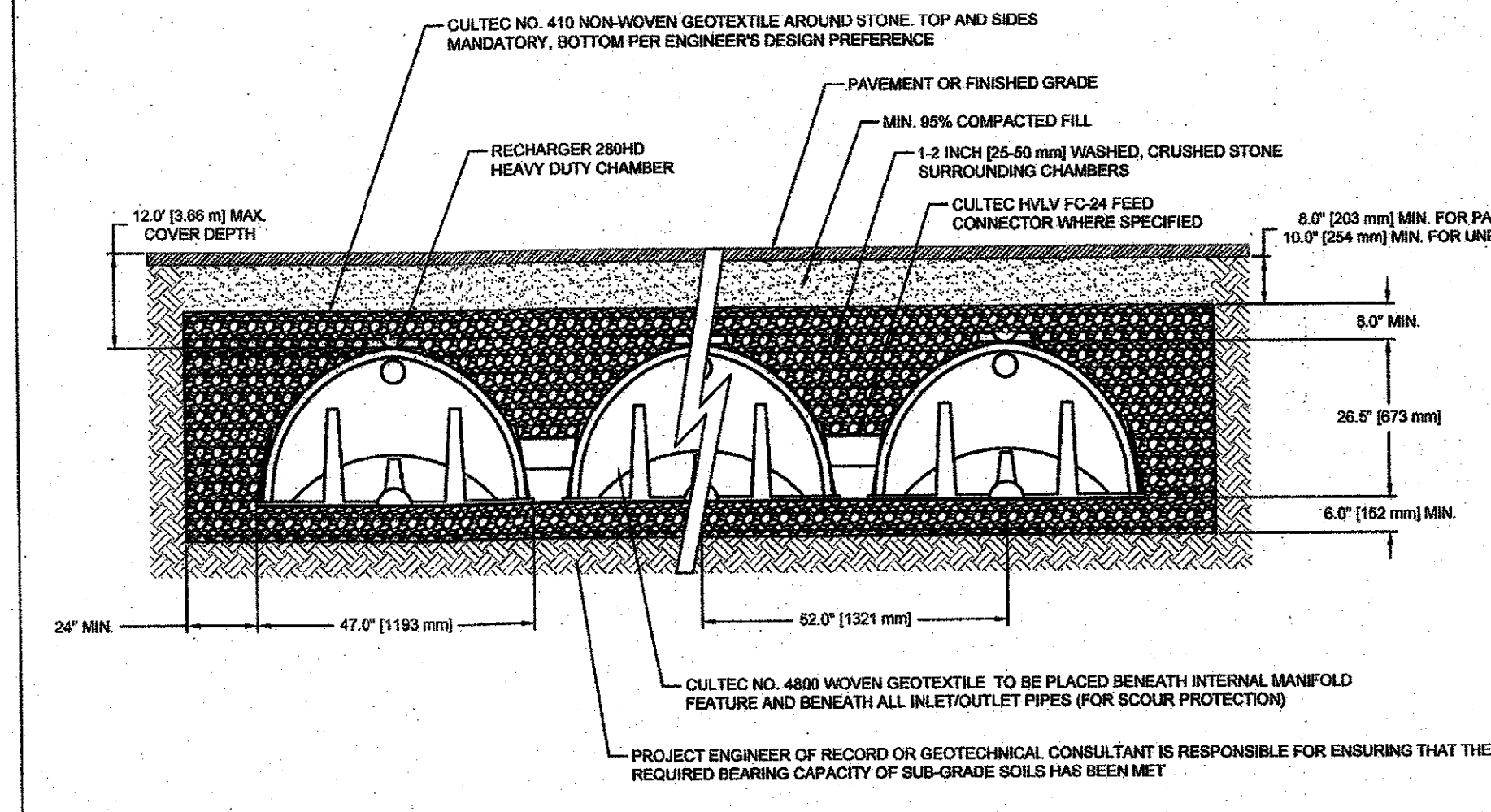
3. THE CHAMBER WILL BE OPEN TOPPED.
4. THE CHAMBER WILL BE OPEN BOTTOMED.
5. THE NOMINAL CHAMBER DIMENSIONS OF THE CULTURE HALV PC-24 FEED CONNECTOR SHALL BE 12 INCHES (305 mm) TALL, 9 INCHES (450 mm) WIDE AND 24.2 INCHES (614 mm) LONG.
6. THE NOMINAL STORAGE VOLUME OF THE HALV PC-24 FEED CONNECTOR WILL BE 0.933 FT³/FT (0.009 m³/m) - WITHOUT STONE.

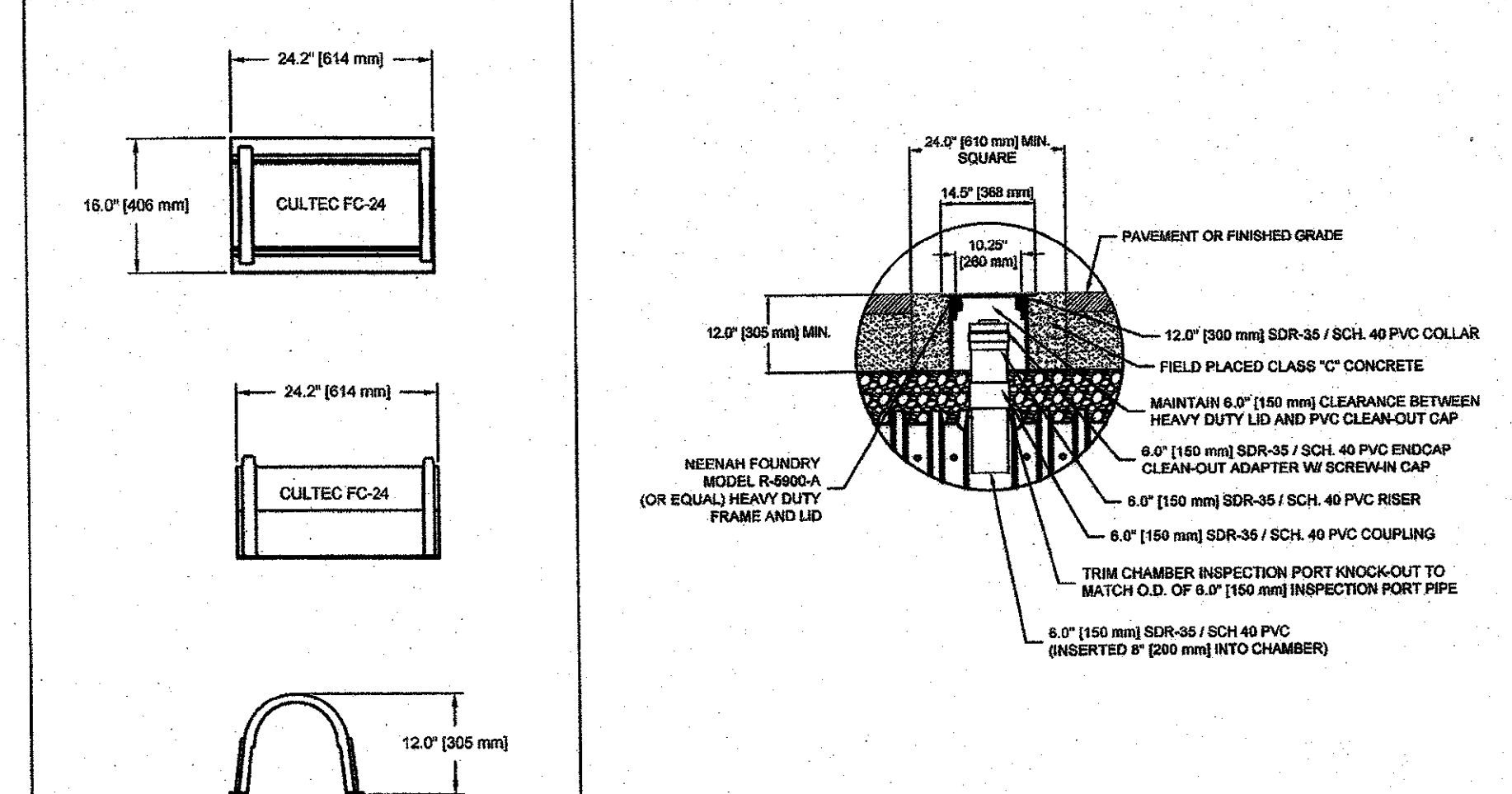
- THE HAY/FY FOE FEED CONNECTION SHALL BE FORMED AS A COMPLETE CIRCUMFERENCE ROUNG WITH OPEN ENDS AND FINISHED BY THE CONTRACTOR TO PROVIDE AN EFFECTIVE SEALING OF THE JOINTS. THE SEAL SHALL BE MADE UP OF TWO LAYERS OF 60 MIL GRS REINFORSTER STRAPMATERIAL CHAMBERS AND ACT AS A CROSS FEED CONNECTION INSTALLED ACCORDING TO AN INTERNAL MANUAL.
- THE CHAMBER WILL BE DESIGNED TO WITHSTAND TRAFFIC LOADS WHEN INSTALLED ACCORDING TO ALL TECHNICAL REQUIREMENTS FOR INSTALLATIONS TO PROVIDE A BARRIER THAT PREVENTS SOIL INTRUSION INTO THE ROADWAY.
- THE CHAMBER SHALL BE MANUFACTURED BY AN ISO 9001:2015 CERTIFIED FACILITY.
- CULTEC NO. 410P[®] NON-MOVABLE GEOTEXTILE**
- CULTEC NO. 410P[®] NON-MOVABLE GEOTEXTILE MAY BE USED WITH CALTEX CONTACTORS AND RECOMMENDED INSTALLATION METHODS TO PROVIDE A BARRIER THAT PREVENTS SOIL INTRUSION INTO THE ROADWAY.
- GEOTEXTILE PARAMETERS**
- THE GEOTEXTILE SHALL BE PROVIDED BY CULTEC, INC. OF BROOKFIELD, CT. (203-775-4416 OR 1-800-438-0832).
1. THE GEOTEXTILE SHALL BE BLACK IN APPEARANCE.
2. THE GEOTEXTILE SHALL HAVE A TYPICAL WEIGHT OF 4.5 OZ/SQ YD (145 G/M²) AT D4352 TESTING METHOD.
3. THE GEOTEXTILE SHALL HAVE A TENSILE STRENGTH VALUE OF 130 LBS (58 KN) PER ASTM D4352 TESTING METHOD.
4. THE GEOTEXTILE SHALL HAVE AN ELONGATION @ BREAK VALUE OF 50% PER ASTM D4352 TESTING METHOD.
5. THE GEOTEXTILE SHALL HAVE A MAJEN BURST VALUE OF 235 PSF (1351 KN) PER ASTM D2767 TESTING METHOD.
6. THE GEOTEXTILE SHALL HAVE A PUNCTURE STRENGTH VALUE OF 65 LBS (689 N) PER ASTM D4352 TESTING METHOD.
7. THE GEOTEXTILE SHALL HAVE A CARB PUNCTURE VALUE OF 340 LBS (1513 KN) PER ASTM D6411 TESTING METHOD.
8. THE GEOTEXTILE SHALL HAVE A TRAPEZOID TEST VALUE OF 50 LBS (222 kN) PER ASTM D4353 TESTING METHOD.
9. THE GEOTEXTILE SHALL HAVE A AIR VALUE OF 70 U.S VISC. (2.12 MD) PER ASTM D4751 TESTING METHOD.
10. THE GEOTEXTILE SHALL HAVE A PERMITTIVITY VALUE OF 1.75E-09 PER ASTM D4491 TESTING METHOD.
11. THE GEOTEXTILE SHALL HAVE A POSITIVITY VALUE OF 1.75E-09 PER ASTM D4491 TESTING METHOD.
12. THE GEOTEXTILE SHALL HAVE A WATER FLOW RATE VALUE OF 135 GAL/MIN (500 LPM)/SQ YD (9.29 M²) PER ASTM D4356 TESTING METHOD.
13. THE GEOTEXTILE SHALL HAVE A HYDRAULIC STABILITY & SEPARATION VALUE OF 70% PER ASTM D4356 TESTING METHOD.
- CULTEC NO. 4800[®] WOVEN GEOTEXTILE**
- CULTEC NO. 4800 WOVEN GEOTEXTILE IS DESIGNED AS AN UNDERLAYMENT TO PREVENT SCOUR CAUSED BY WATER MOVEMENT WITHIN THE CULTEC CHAMBERS AND FIBER CONNECTION UTILIZATION. IT MAY ALSO BE USED AS A COMPONENT OF THE CALCULATE'S DESIGN TO PROVIDE A BARRIER TO PREVENT SOIL/CONTAMINANT INTRUSION INTO THE STONE WHOLE AROUND THE CHAMBER.
- GEOTEXTILE PARAMETERS**
- THE GEOTEXTILE SHALL BE PROVIDED BY CULTEC, INC. OF BROOKFIELD, CT. (203-775-4416 OR 1-800-438-0832).
1. THE GEOTEXTILE SHALL BE BLACK IN APPEARANCE.
2. THE GEOTEXTILE SHALL HAVE A TENSILE STRENGTH VALUE OF 50 X 550 LBS (2,248 X 2,448 N) @ D4352 TESTING METHOD.
3. THE GEOTEXTILE SHALL HAVE A ELONGATION @ BREAK RESISTANCE OF 30 X 20% PER ASTM D4352 TESTING METHOD.
4. THE GEOTEXTILE SHALL HAVE A WIDE WIDTH TENSILE RESISTANCE OF 50 X 2,070 LBS/FT (74 X 1KN) PER ASTM D4355 TESTING METHOD.
5. THE GEOTEXTILE SHALL HAVE A WIDE WIDTH TENSILE RESISTANCE @ 2% STRAIN OF 560 LBS/FT (81 X 1KN) PER ASTM D4355 TESTING METHOD.
6. THE GEOTEXTILE SHALL HAVE A WIDE WIDTH TENSILE RESISTANCE @ 5% STRAIN OF 2,740 LB/FT (40 X 40 KN) PER ASTM D4355 TESTING METHOD.
7. THE GEOTEXTILE SHALL HAVE A WIDE WIDTH TENSILE RESISTANCE @ 10% STRAIN OF 4,800 LB/FT (70 X 70 KN) PER ASTM D4355 TESTING METHOD.
8. THE GEOTEXTILE SHALL HAVE A CARB PUNCTURE RESISTANCE OF 1,700 LBS (76 KN) PER ASTM D6411 TESTING METHOD.
9. THE GEOTEXTILE SHALL HAVE A TRAPEZOIDAL TEST RESISTANCE OF 180 X 180 LBS (80 X 80 N) PER ASTM D4353 TESTING METHOD.
10. THE GEOTEXTILE SHALL HAVE AN APPARENT OPENING SIZE OF 40 U.S. SIEVE (#425) PER ASTM D4353 TESTING METHOD.
11. THE GEOTEXTILE SHALL HAVE A PERMITTIVITY RATING OF 0.15 SEC⁻¹ PER ASTM D4491 TESTING METHOD.
12. THE GEOTEXTILE SHALL HAVE A WATER FLOW RATING OF 15.1 GPM/FT² (470 LPM/92) PER ASTM D4491 TESTING METHOD.
13. THE GEOTEXTILE SHALL HAVE A AIR RESISTANCE OF 80% @ 50 HRS. PER ASTM D4355 TESTING METHOD.

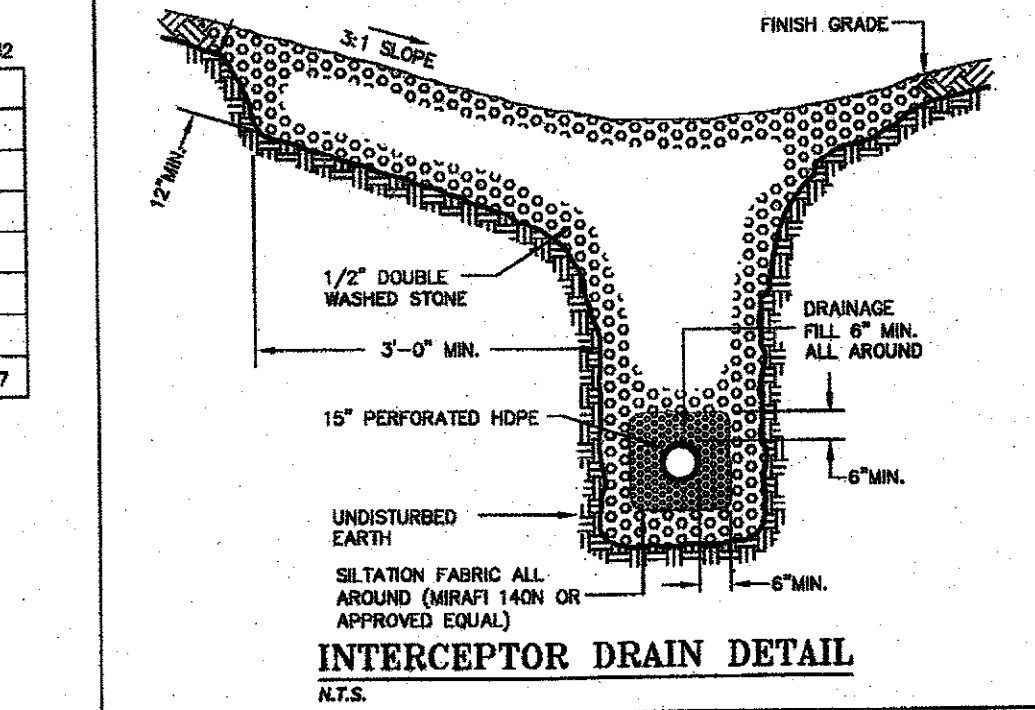




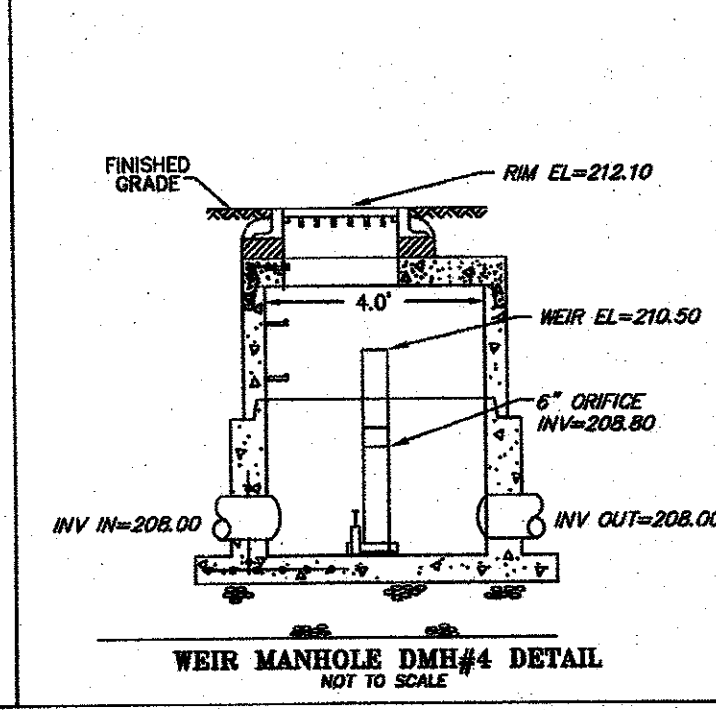




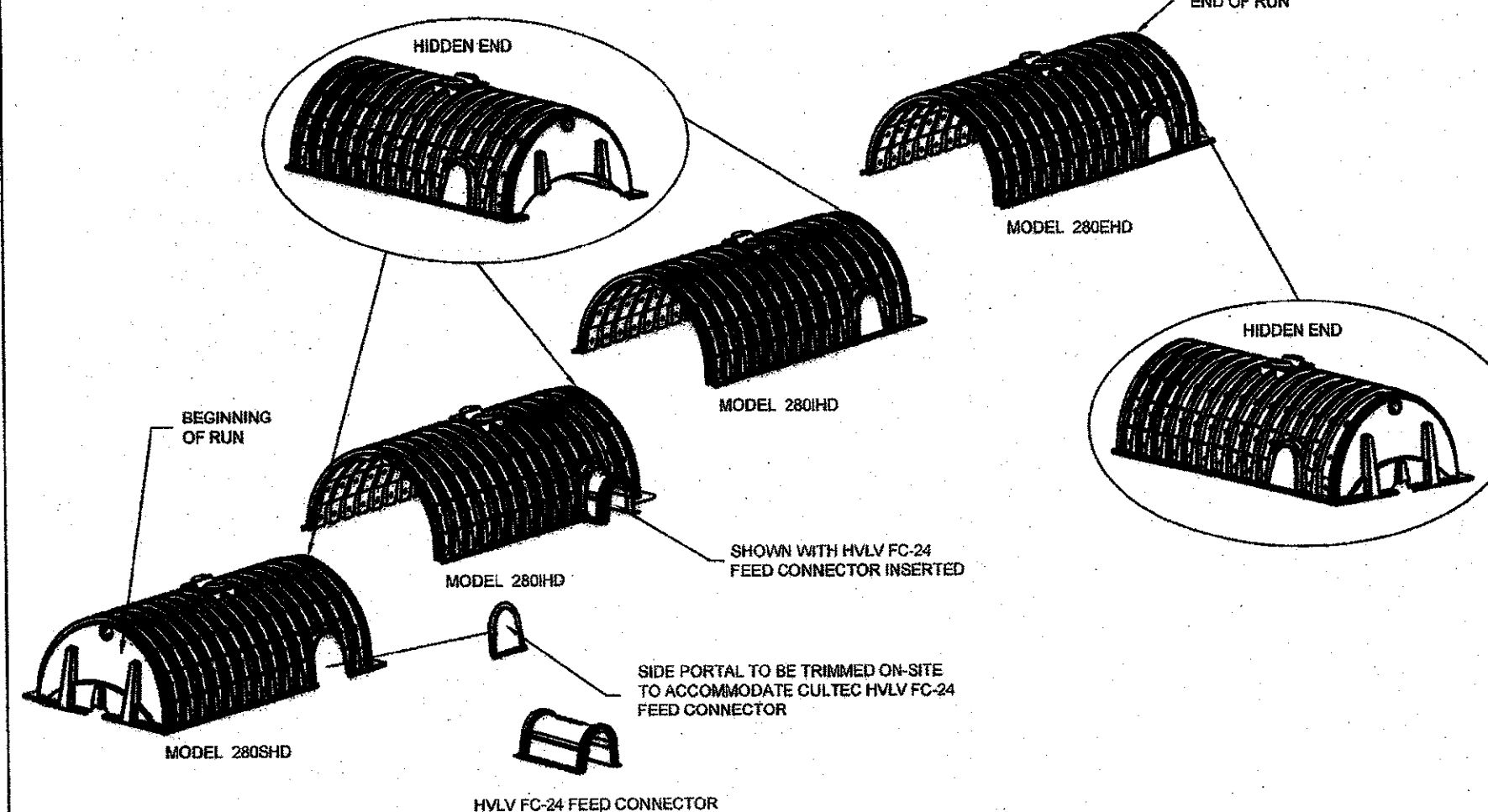


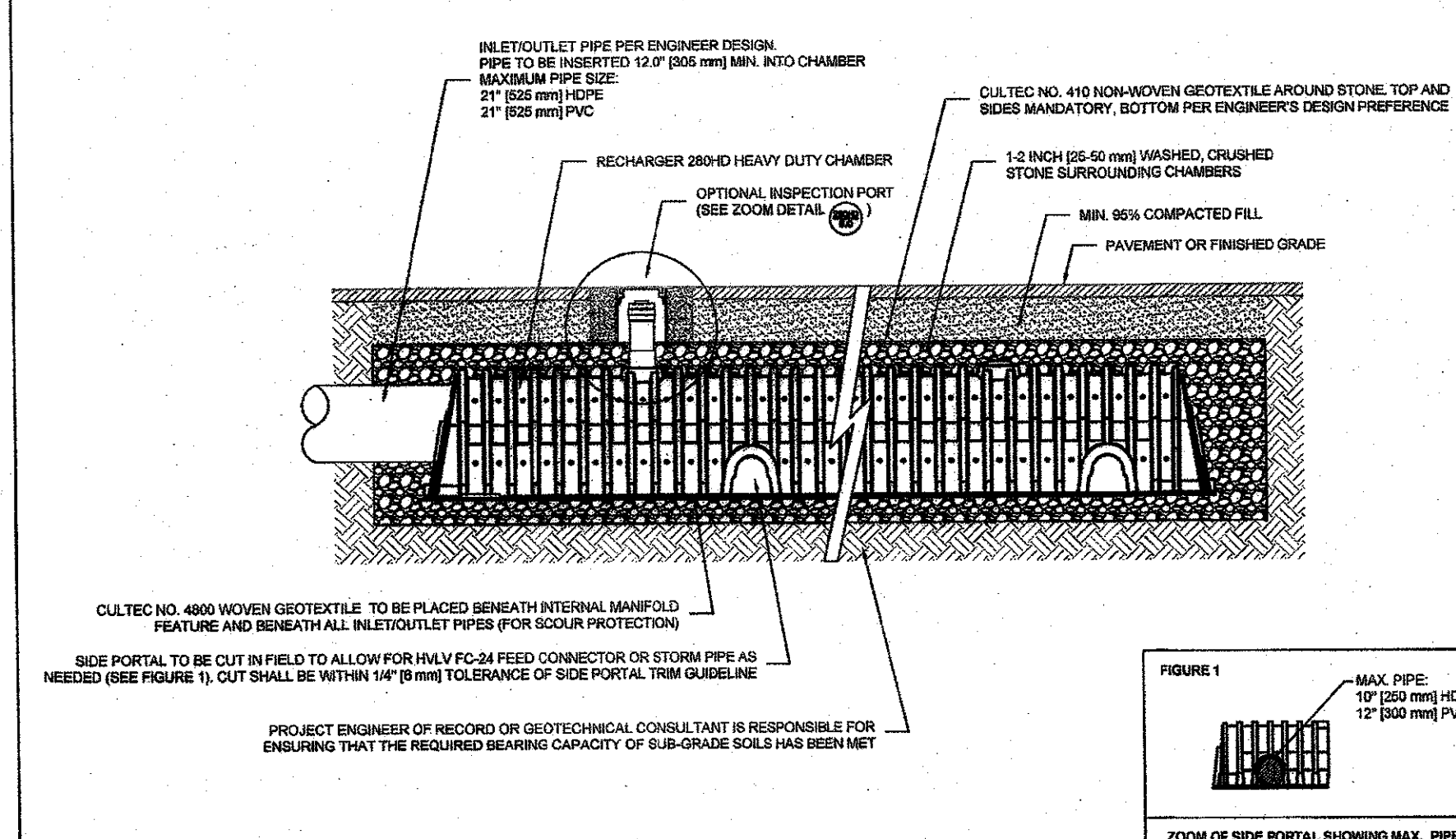


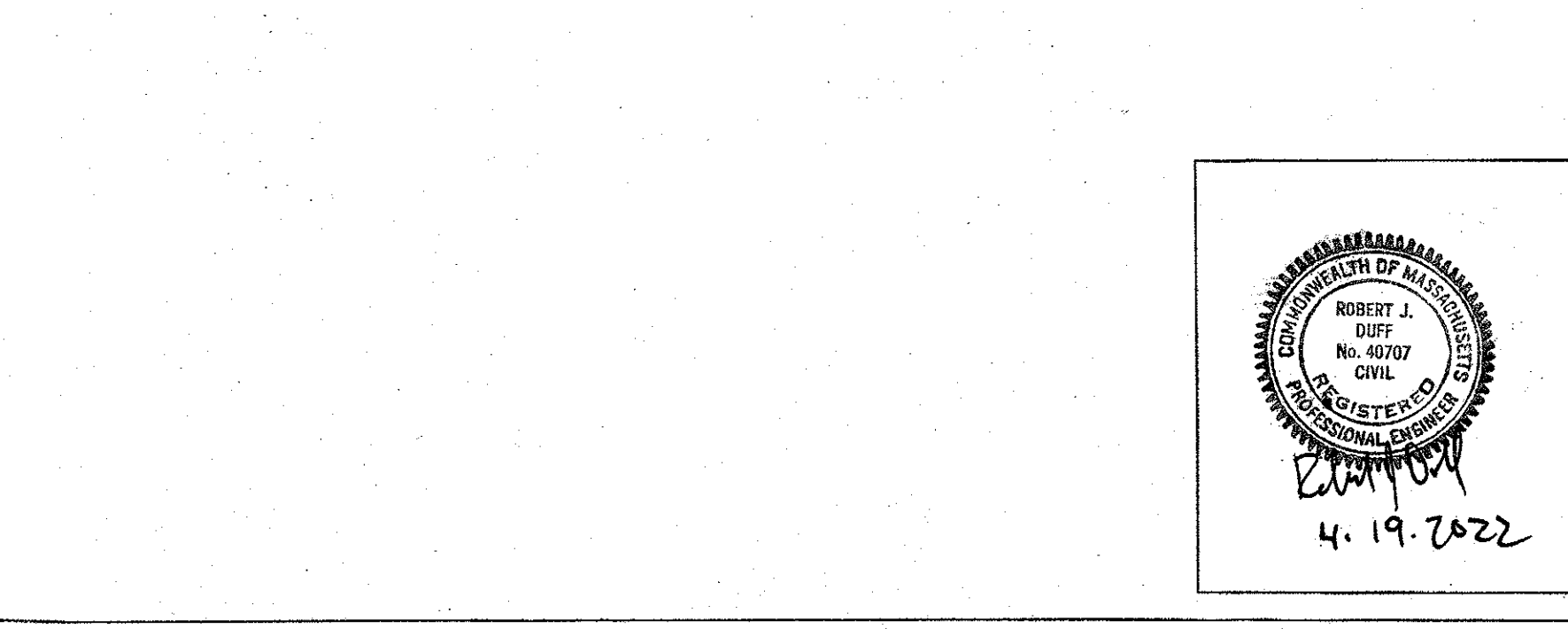
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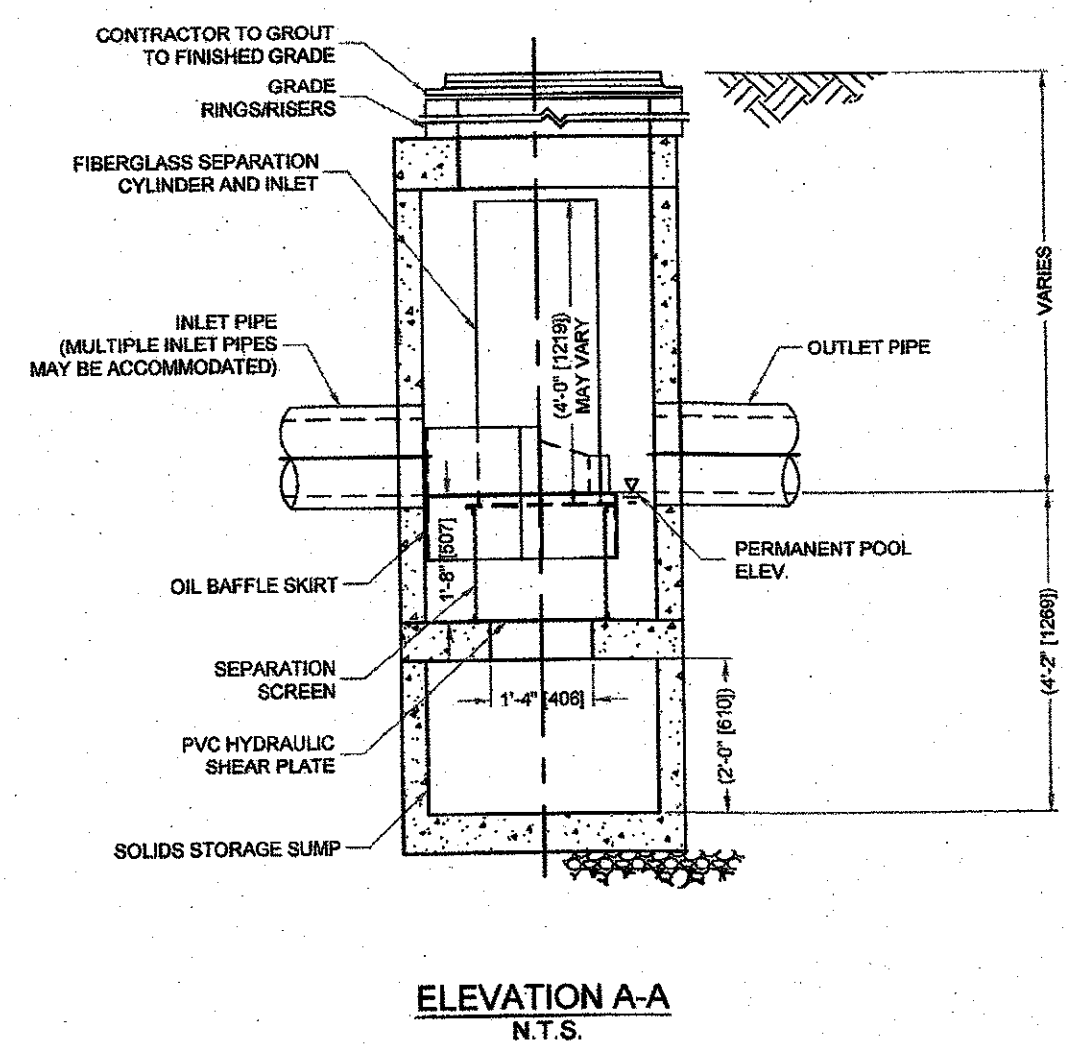
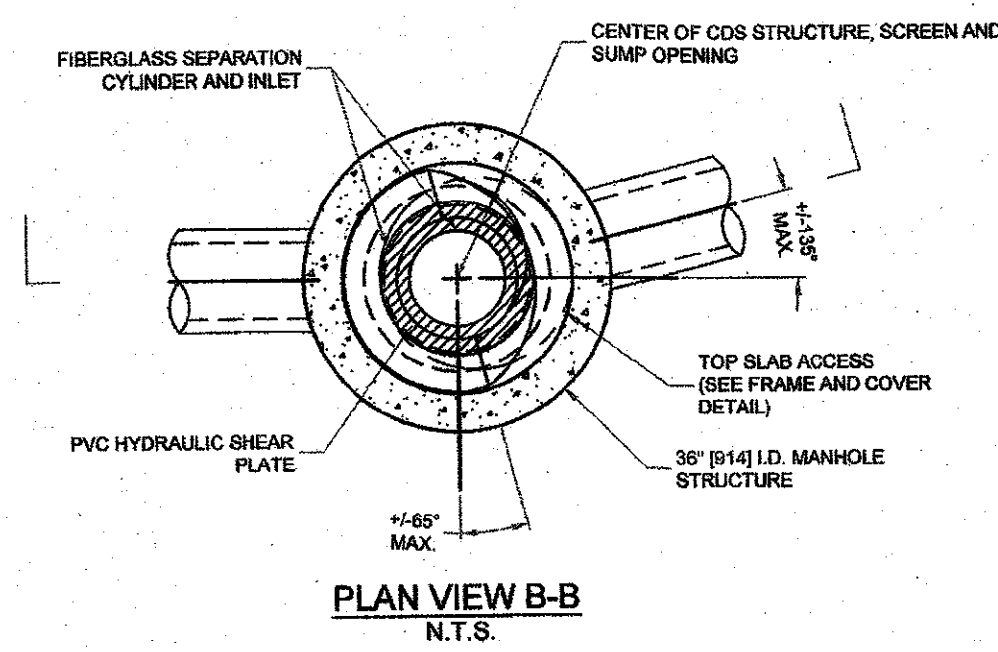


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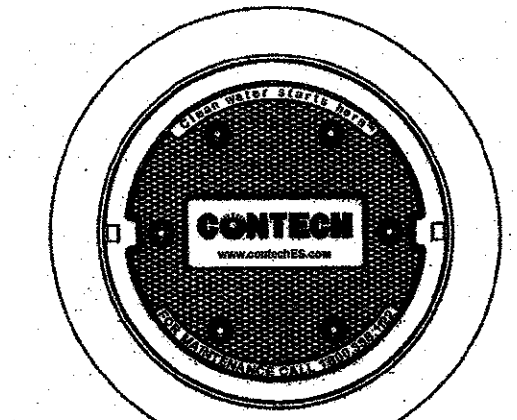






CDS1515-3-C DESIGN NOTES

CDS1515-3-C RATED TREATMENT CAPACITY IS 1.0 CFS, OR PER LOCAL REGULATIONS. THE STANDARD CDS1515-3-C CONFIGURATION IS SHOWN.



FRAME AND COVER
(DIAMETER VARIES)
N.T.S.

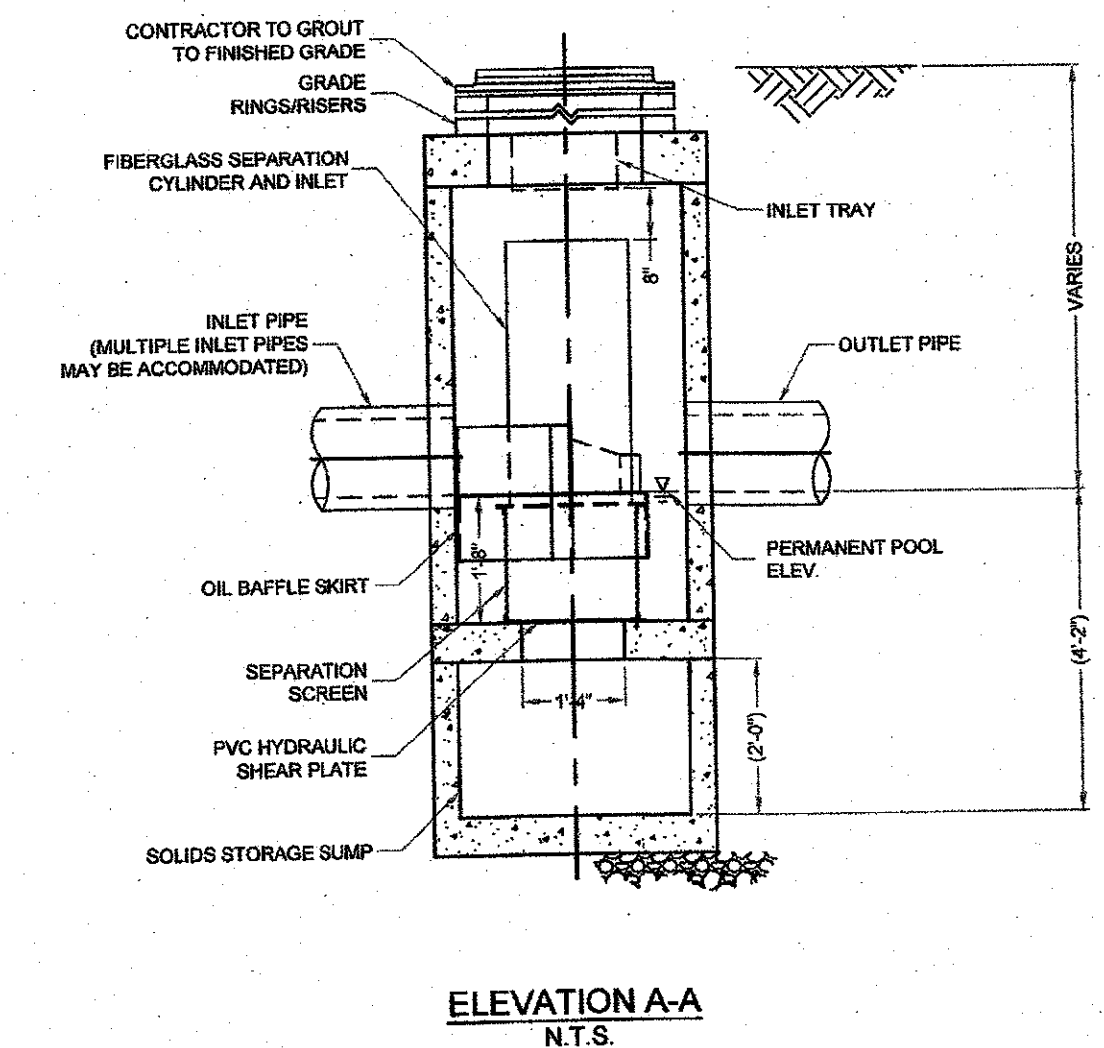
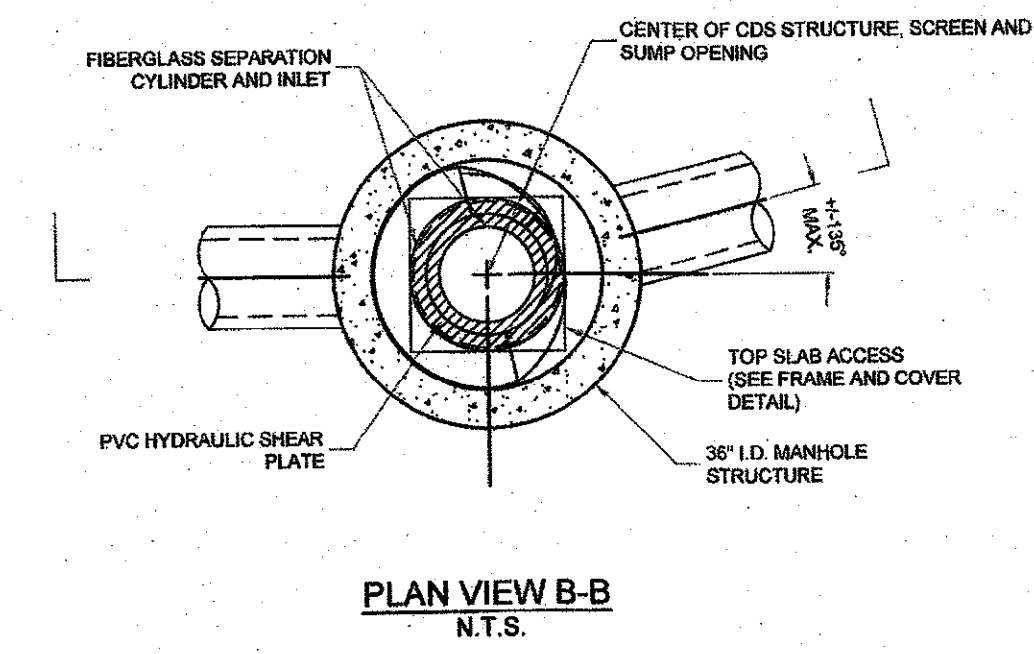
SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID			
WATER QUALITY FLOW RATE (CFS OR L/s)			
PEAK FLOW RATE (CFS OR L/s)			
RETURN PERIOD OF PEAK FLOW (YRS)			
SCREEN APERTURE (2400 OR 4700)			
PIPE DATA:	LE	MATERIAL	DIAMETER
INLET PIPE 1			
INLET PIPE 2			
OUTLET PIPE			
RIM ELEVATION			
ANTI-FLOTATION BALLAST	WIDTH	HEIGHT	
NOTES/SPECIAL REQUIREMENTS:			
* PER ENGINEER OF RECORD			

- GENERAL NOTES**
- CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
 - FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.conteches.com
 - CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
 - STRUCTURE SHALL MEET AASHTO H2020 LOAD RATING, ASSUMING EARTH COVER OF 0' - 2' AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M250 AND BE CAST WITH THE CONTECH LOGO.
 - IF REQUIRED, PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELF AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.
 - CDS STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND AASHTO LOAD FACTOR DESIGN METHOD.
- INSTALLATION NOTES**
- ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
 - CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE.
 - CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
 - CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET AND OUTLET PIPE(S). MATCH PIPE INVERTS WITH ELEVATIONS SHOWN. ALL PIPE CENTERLINES TO MATCH PIPE OPENING CENTERLINES.
 - CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



CDS1515-3-C
ONLINE CDS
STANDARD DETAIL



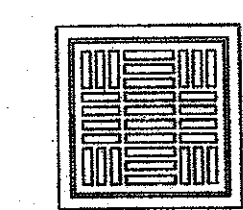
CDS1515-3-C DESIGN NOTES

CDS1515-3-C RATED TREATMENT CAPACITY IS 1.0 CFS, OR PER LOCAL REGULATIONS. THE STANDARD CDS1515-3-C WITH GRATED INLET CONFIGURATION IS SHOWN. ALTERNATE CONFIGURATIONS ARE AVAILABLE AND ARE LISTED BELOW. SOME CONFIGURATIONS MAY BE COMBINED TO SUIT SITE REQUIREMENTS.

CONFIGURATION DESCRIPTION
GRATED INLET ONLY (NO INLET PIPE)
GRATED INLET WITH INLET PIPE OR PIPES



INLET TRAY
NOT TO SCALE



24" X 24" FRAME AND GRATE
(MAY VARY)
NOT TO SCALE

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID			
WATER QUALITY FLOW RATE (CFS OR L/s)			
PEAK FLOW RATE (CFS OR L/s)			
RETURN PERIOD OF PEAK FLOW (YRS)			
SCREEN APERTURE (2400 OR 4700)			
PIPE DATA:	LE	MATERIAL	DIAMETER
INLET PIPE 1			
INLET PIPE 2			
OUTLET PIPE			
RIM ELEVATION			
ANTI-FLOTATION BALLAST	WIDTH	HEIGHT	
NOTES/SPECIAL REQUIREMENTS:			
* PER ENGINEER OF RECORD			

- GENERAL NOTES**
- CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
 - FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.conteches.com
 - CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
 - STRUCTURE SHALL MEET AASHTO H2020 LOAD RATING, ASSUMING EARTH COVER OF 0' - 2' AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M250 AND BE CAST WITH THE CONTECH LOGO.
 - IF REQUIRED, PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELF AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.
 - CDS STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND AASHTO LOAD FACTOR DESIGN METHOD.
- INSTALLATION NOTES**
- ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
 - CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE.
 - CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
 - CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET AND OUTLET PIPE(S). MATCH PIPE INVERTS WITH ELEVATIONS SHOWN. ALL PIPE CENTERLINES TO MATCH PIPE OPENING CENTERLINES.
 - CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



CDS1515-3-C
ONLINE CDS
STANDARD DETAIL

APPROVED BY THE TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD MEMBER DATE

LEGAL NOTES

UTILITIES ARE PLOTTED AS A COMPILATION OF RECORD DOCUMENTS, MARKINGS AND OTHER OBSERVED EVIDENCE TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. AND SHOULD BE CONSIDERED APPROXIMATE. PRIOR TO ANY EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE DETERMINED COMPLETELY AND RELIABLY DEPICTED. ADDITIONAL UTILITIES, NOT EVIDENCED BY RECORD DOCUMENTS OR OBSERVED PHYSICAL EVIDENCE, MAY EXIST. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE AT 1(888)DIG-SAFE[7233].

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

OWNER

FREIL REALTY II, LLC
DEED BOOK 27992 PAGE 300
PLAN BK. 515, PG 721 OF 2003
A.M. 41 LOT 8

APPLICANT

LOBISSER COMPANIES
1 CHARLESVIEW ROAD
HOPEDALE, MA 01747

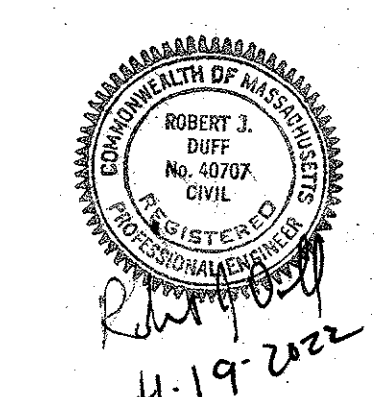
SITE PLAN
86 HOLLISTON STREET
MEDWAY
MASSACHUSETTS

CONSTRUCTION DETAILS

MARCH 28, 2022

DATE	REVISION DESCRIPTION
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Guerriere & Halnon, Inc.
ENGINEERING & LAND SURVEYING
55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com



SHEET 12 OF 12 JOB NO. F4516

Transportation Impact Assessment

Proposed Medical Office Building
86 Holliston Street
Medway, Massachusetts

Prepared for:

Guerriere & Halnon, Inc.
Franklin, Massachusetts

April 2022

Prepared by:

 **Vanasse &
Associates inc**
Transportation Engineers & Planners

35 New England Business Center Drive
Suite 140
Andover, MA 01810

Dear Reviewer:

This letter shall certify that this *Transportation Impact Assessment* has been prepared under my direct supervision and responsible charge. I am a Registered Professional Engineer (P.E.) in the Commonwealth of Massachusetts (Massachusetts P.E. No. 38871, Civil) and hold Certification as a Professional Traffic Operations Engineer (PTOE) from the Transportation Professional Certification Board, Inc. (TPCB), an independent affiliate of the Institute of Transportation Engineers (ITE) (PTOE Certificate No. 993). I am also a Fellow of the Institute of Transportation Engineers (FITE).

Sincerely,

VANASSE & ASSOCIATES, INC.



Jeffrey S. Dirk, P.E., PTOE, FITE
Managing Partner

CONTENTS

EXECUTIVE SUMMARY	1
INTRODUCTION	4
Project Description	4
Study Methodology	5
EXISTING CONDITIONS	6
Roadway	6
Intersections	7
Traffic Volumes	7
Pedestrian and Bicycle Facilities	9
Public Transportation	9
Spot Speed Measurements	10
Motor Vehicle Crash Data	10
FUTURE CONDITIONS	13
Future Traffic Growth	13
Project-Generated Traffic	14
Trip Distribution and Assignment	15
Future Traffic Volumes - Build Condition	15
TRAFFIC OPERATIONS ANALYSIS	17
Methodology	17
Analysis Results	19

CONTENTS (Contents)

SIGHT DISTANCE EVALUATION.....23

CONCLUSIONS AND RECOMMENDATIONS25

 Conclusions25

 Recommendations26

FIGURES

No.	Title
1	Site Location Map
2	Existing Intersection Lane Use, Travel Lane Width and Pedestrian Facilities
3	2022 Existing Peak-Hour Traffic Volumes
4	2029 No-Build Peak-Hour Traffic Volumes
5	Trip Distribution Map
6	Project Generated Peak-Hour Traffic Volumes
7	2029 Build Peak-Hour Traffic Volumes

TABLES

No.	Title
1	Study Area Intersection Description
2	2022 Existing Traffic Volumes
3	Vehicle Travel Speed Measurements
4	Motor Vehicle Crash Data Summary
5	Trip-Generation Summary
6	Peak-Hour Traffic-Volume Increases
7	Level-of-Service Criteria for Signalized Intersections
8	Signalized Intersection Level-of-Service and Vehicle Queue Summary
9	Sight Distance Measurements

EXECUTIVE SUMMARY

Vanasse & Associates, Inc. (VAI) has conducted a Transportation Impact Assessment (TIA) in order to determine the potential impacts on the transportation infrastructure associated with the proposed construction of a medical office building to be located at 86 Holliston Street in Medway, Massachusetts (hereafter referred to as the Project). This assessment was prepared in consultation with the Town of Medway and the Massachusetts Department of Transportation (MassDOT), and was performed in accordance with MassDOT's *Transportation Impact Assessment (TIA) Guidelines* and the standards of the Traffic Engineering and Transportation Planning professions for the preparation of such reports.

Based on this assessment, we have concluded the following with respect to the Project:

1. Using trip-generation statistics published by the Institute of Transportation Engineers (ITE),¹ the Project is expected to generate approximately 788 vehicle trips on an average weekday and 302 vehicle trips on a Saturday (both two-way volumes over the operational day of the Project), with approximately 61 vehicle trips expected during the weekday morning peak-hour, 86 vehicle trips expected during the weekday evening peak-hour and 66 vehicle trips expected during the Saturday midday peak-hour;
2. The Project will not result in a significant impact (increase) on motorist delays or vehicle queuing over anticipated future conditions without the Project (No-Build condition), with overall intersection operations maintained at a level of service (LOS) of D or better, where an LOS of "D" or better is defined as "acceptable" traffic operations;
3. All movements at the Project site driveway intersection with Main Street (Route 109) were shown to operate at a LOS D or better during the peak hours, with vehicle queue increases attributable to the Project shown to range from 0 to 6 vehicles (Route 109 eastbound approach);
4. The study area intersections were found to have a motor vehicle crash rate that is below the MassDOT Highway Division District 3 average crash rate for similar intersections, but above the MassDOT statewide average crash rate. A Road Safety Audit (RSA) has been

¹*Trip Generation*, 11th Edition; Institute of Transportation Engineers; Washington, DC; 2021.

conducted at the Route 109/Holliston Street intersection and the majority of the improvements recommended therein have been completed;² and

5. Lines of sight to and from the Project site driveway intersection were found to exceed the recommended minimum distances for safe and efficient operation based on the appropriate approach speed.

In consideration of the above, we have concluded that the Project can be accommodated within the confines of the existing transportation infrastructure in a safe and efficient manner with implementation of the recommendations that follow.

RECOMMENDATIONS

A detailed transportation improvement program has been developed that is designed to provide safe and efficient access to the Project site and address any deficiencies identified at off-site locations evaluated in conjunction with this study. The following improvements have been recommended as a part of this evaluation and, where applicable, will be completed in conjunction with the Project subject to receipt of all necessary rights, permits, and approvals.

Project Access

Access to the Project will be provided by way of the existing driveway that serves the abutting commercial property (Walgreens Pharmacy) and intersects the north side of Route 109 opposite the Medway Commons driveway. The intersection operates under traffic signal control. The following recommendations are offered with respect to the design and operation of the Project site access and internal circulation, many of which are reflected on the site plans:

- The shared (with Walgreens) access driveway should continue to provide two (2) exiting travel lanes (left-turn lane and a through/right-turn lane) and a two (2) entering travel lanes, with exiting traffic under traffic signal control. The individual driveways that will serve the Project site and internal circulating aisles should be a minimum of 24 feet in width and designed to accommodate the turning and maneuvering requirements of the largest anticipated responding emergency vehicle as defined by the Medway Fire Department.
- Where perpendicular parking is proposed, the drive aisle behind the parking should be a minimum of 23 feet in order to facilitate parking maneuvers.
- All signs and pavement markings to be installed within the Project site will conform to the applicable standards of the *Manual on Uniform Traffic Control Devices* (MUTCD).³
- A sidewalk is proposed within the Project site that will extend to the existing sidewalk along the north side of Route 109. Pedestrian crossings that are constructed in conjunction with the Project will include marked crosswalks with Americans with Disabilities Act (ADA) compliant wheelchair ramps.

²Road Safety Audit, Route 109 (Main Street) at Holliston Street, Howard/Stein-Hudson Associates; January 2014.

³Manual on Uniform Traffic Control Devices (MUTCD); Federal Highway Administration; Washington, D.C.; 2009.

- Signs and landscaping to be installed as a part of the Project within the intersection sight triangle areas of the Project site driveway should be designed and maintained so as not to restrict lines of sight.
- Snow accumulations (windrows) within the sight triangle areas of the Project site driveway should be promptly removed where such accumulations would impede sight lines.
- Electric vehicle (EV) charging stations are provided in accordance with the Town of Medway Zoning Bylaw.

Transportation Demand Management

Regularly scheduled public transportation services are not currently provided in the immediate vicinity of the Project site. To the south of the Project site, the Greater Attleboro-Taunton Regional Transit Authority (GATRA) operates fixed route bus service along Holliston Street by way of the Medway T Shuttle, with a stop at the Medway Middle School, an approximate 13 minute walking distance from the Project site. In addition, GATRA provides Dial-a-Ride paratransit services to eligible persons that cannot use fixed-route transit all or some of the time due to a physical, cognitive or mental disability in compliance with the ADA.

In an effort to encourage the use of alternative modes of transportation to single-occupant vehicles (SOVs), the following Transportation Demand Management (TDM) measures will be implemented as a part of the Project:

- A transportation coordinator will be assigned for the Project to coordinate the TDM program;
- A “welcome packet” will be provided to employees detailing available public transportation services, bicycle and walking alternatives, and commuter options, and should include the contact information for the transportation coordinator;
- Specific amenities will be provided to discourage off-site trips, including providing a break-room equipped with a microwave and refrigerator; offering direct deposit of paychecks; and other such measures to reduce overall traffic volumes and travel during peak traffic volume periods;
- Pedestrian accommodations are incorporated within the Project site; and
- Secure bicycle parking has been provided within the Project site.

With implementation of the aforementioned recommendations, safe and efficient access will be provided to the Project site and the Project can be accommodated within the confines of the existing transportation system.

INTRODUCTION

Vanasse & Associates, Inc. (VAI) has conducted a Transportation Impact Assessment (TIA) in order to determine the potential impacts on the transportation infrastructure associated with the proposed construction of a medical office building to be located at 86 Holliston Street in Medway, Massachusetts (hereafter referred to as the Project). This study evaluates the following specific areas as they relate to the Project: i) access requirements; ii) potential off-site improvements; and iii) safety considerations; and identifies and analyzes existing traffic conditions and future traffic conditions, both with and without the Project, along Main Street (Route 109) and at the intersections of Route 109 at Holliston Street and Route 109 at the Project site driveway and the Medway Commons driveway.

PROJECT DESCRIPTION

The Project will entail the construction of a 21,900± square foot (sf) medical office building to be located at 86 Holliston Street in Medway, Massachusetts. The Project will be constructed on a portion of a larger parcel of land that extends between the Walgreens Pharmacy and Holliston Street. The parcel that will contain the Project encompasses approximately 2.20± acres of land that is bounded by areas of open and wooded space to the north and west; a commercial property (Walgreens) to the east; and Route 109 to the south. Figure 1 depicts the Project site location in relation to the existing roadway network.

Access to the Project will be provided by way of the existing driveway that serves the abutting Walgreens Pharmacy and intersects the north side of Route 109 opposite the Medway Commons driveway. The intersection operates under traffic signal control.

On-site parking will be provided for 102 vehicles, or a parking ratio of approximately 1.4 parking spaces per 300 sf of floor area, which exceeds the requirements of Section 7.1.1, *Off-Street Parking and Loading*, of the Town of Medway Zoning Bylaw (one (1) space per 300 sf of floor area is required for medical offices or clinics).

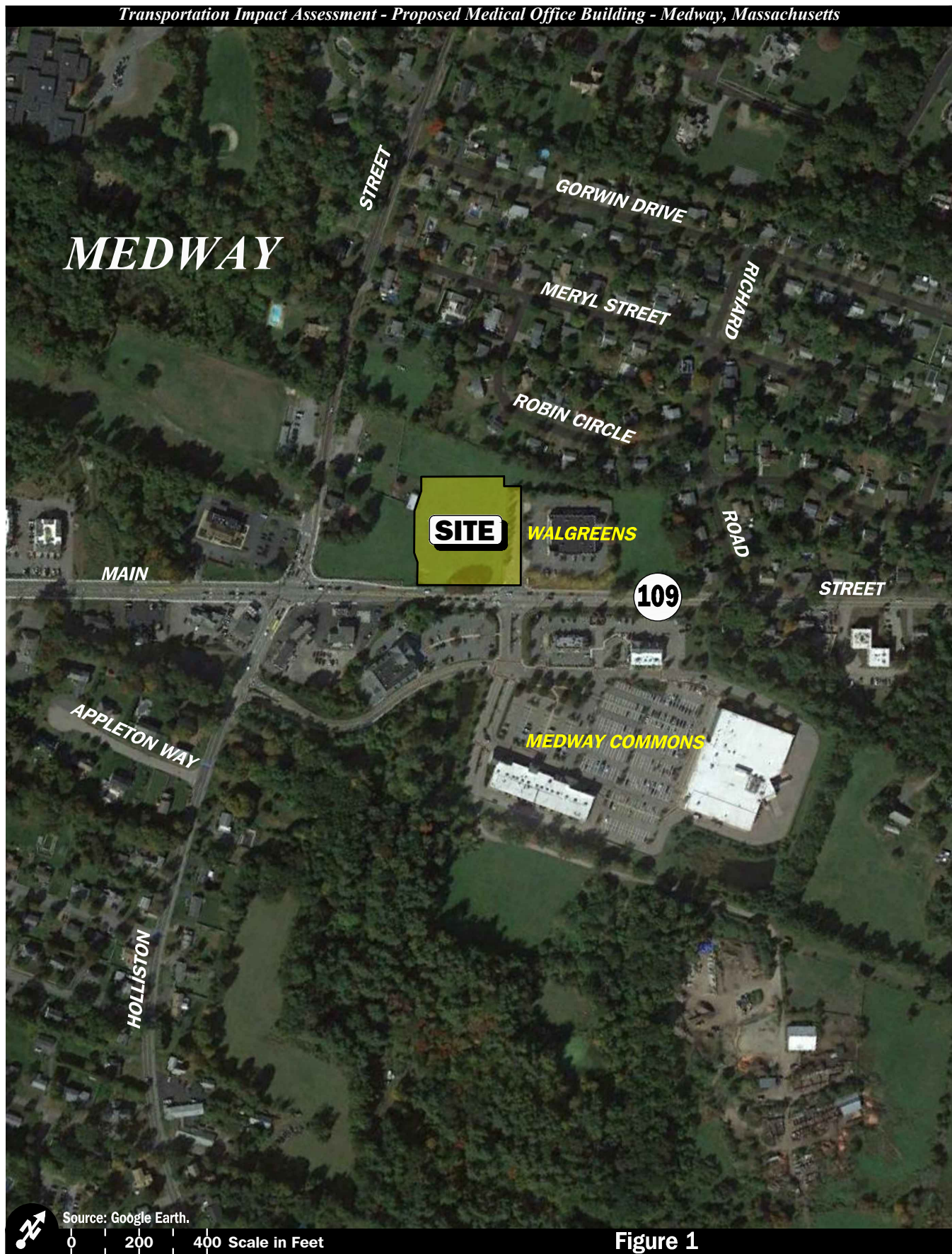


Figure 1

Site Location Map



STUDY METHODOLOGY

This study was prepared in consultation with the Town of Medway and MassDOT; was performed in accordance with MassDOT's *Transportation Impact Assessment (TIA) Guidelines* and the standards of the Traffic Engineering and Transportation Planning professions for the preparation of such reports; and was conducted in three distinct stages.

The first stage involved an assessment of existing conditions in the study area and included an inventory of roadway geometrics; pedestrian and bicycle facilities; on-street parking; public transportation services; observations of traffic flow; and collection of pedestrian, bicycle and vehicle counts.

In the second stage of the study, future traffic conditions were projected and analyzed. Specific travel demand forecasts for the Project were assessed along with future traffic demands due to expected traffic growth independent of the Project. A seven-year time horizon was selected for analyses consistent with MassDOT's *Transportation Impact Assessment (TIA) Guidelines*. The traffic analysis conducted in stage two identifies existing or projected future roadway capacity, traffic safety, and site access issues.

The third stage of the study presents and evaluates measures to address traffic and safety issues, if any, identified in stage two of the study.

EXISTING CONDITIONS

A comprehensive field inventory of existing conditions within the study area was conducted in February 2022. The field investigation consisted of an inventory of existing roadway geometrics; pedestrian and bicycle facilities; public transportation services; traffic volumes; and operating characteristics; as well as posted speed limits and land use information within the study area. The study area that was assessed for the Project consisted of Route 109 and the intersections of Route 109 at Holliston Street and Route 109 at the Project site driveway and the Medway Commons driveway.

The following describes the study area roadway and intersections.

ROADWAY

Main Street (Route 109)

- Two-lane urban principal arterial roadway under Town jurisdiction;
- Traverses the study area in a general northeast-southwest direction;
- Provides two 11 to 14-foot wide travel lanes that are separated by a double-yellow centerline with 1 to 2-foot wide marked shoulders and additional turning lanes provided at major intersections;
- The posted speed limit is 35 miles per hour (mph) within the study area;
- Sidewalks are provided along both sides of the roadway west of Holliston Street and along the north side to the east;
- Illumination is provided by way of street lights mounted on wood and steel poles;
- Land use within the study area consists of the Project site, Walgreens Pharmacy, Medway Commons, and residential and commercial properties.

INTERSECTIONS

Table 1 and Figure 2 summarize existing lane use, traffic control, and pedestrian and bicycle accommodations at the study area intersections as observed in February 2022.

Table 1
STUDY AREA INTERSECTION DESCRIPTION

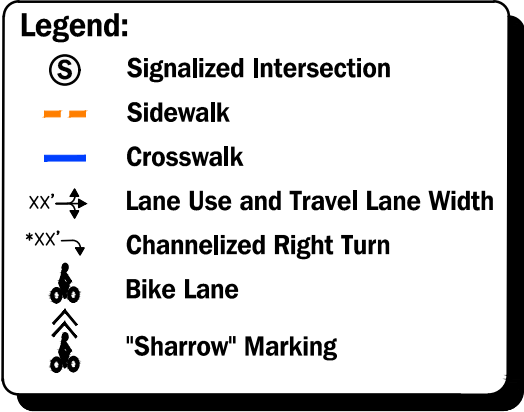
Intersection	Traffic Control Type^a	No. of Travel Lanes Provided	Shoulder Provided? (Yes/No/Width)	Pedestrian Accommodations? (Yes/No/Description)	Bicycle Accommodations? (Yes/No/Description)
Rte. 109/ Holliston St.	TS	1 left-turn lane, 1 through lane, and 1 channelized right-turn lane on Rte. 109; 1 left-turn lane and 1 shared through/right-turn lane on Holliston St. northbound; 1 left-turn lane, 1 through lane, and 1 right-turn lane on Holliston St. southbound	Yes; 1 to 2 feet on Rte. 109; 1 to 4 feet on Holliston St.	Yes, both sides of Rte. 109 west of Holliston St.; north side of Rte. 109 east of Holliston St.; both sides of Holliston St. north of Rte. 109; east side of Holliston St. south of Rte. 109; crosswalks provided across all legs; pedestrian traffic signal equipment and phasing (exclusive) provided as a part of the traffic signal system	Yes; bike lanes and “sharrow” markings along Rte. 109; shared traveled-way ^b along Holliston St.
Rte. 109/ Project Site Dwy./Medway Commons Dwy.	TS	1 left-turn lane, 1 through lane, and 1 right-turn lane on Rte. 109 eastbound; 1 left-turn lane and 1 shared through/right-turn lane on Rte. 109 westbound and the Project site dwy.; 1 shared left-turn/through lane and 1 right-turn lane on Medway Commons dwy.	Yes; 2-feet on Rte. 109	Yes, north side of Rte. 109 and the west side of Medway Commons dwy.; crosswalks provided across the Rte 109 west leg and across the Project site dwy.; pedestrian traffic signal equipment and phasing (exclusive) provided as a part of the traffic signal system	Yes; shared travel-way along Rte. 109

^aTS = traffic signal control.

^bCombined shoulder and travel lane width equal to or exceed 14 feet.

TRAFFIC VOLUMES

In order to determine existing traffic-volume demands and flow patterns within the study area, automatic traffic recorder (ATR) counts, turning movement counts (TMCs) and vehicle classification counts were completed in February 2022. The ATR counts were conducted on Route 109 in the vicinity of the Project site on February 17th through 19th, 2022 (Thursday through Saturday, inclusive) in order to record traffic volume and flow conditions over an extended period, with peak period TMCs performed at the study intersections during the weekday morning (7:00 to



9:00 AM) and evening (4:00 to 6:00 PM) peak periods on Thursday, February 17, 2022, and during the Saturday midday (11:00 AM to 2:00 PM) peak period on February 19, 2022. These time periods were selected for analysis purposes as they are representative of the peak-traffic-volume hours for both the Project and the adjacent roadway network.

Traffic-Volume Adjustments

In order to evaluate the potential for seasonal fluctuation of traffic volumes within the study area, traffic volume data from MassDOT Continuous Count Station No. 3180 located on Interstate 495 at the Bellingham town line in Medway were reviewed.⁴ Based on a review of this data, it was determined that traffic volumes for the month of February are approximately 12.5 percent *below* average-month conditions. As such, the February traffic volumes were adjusted upward by 12.5 percent in order to be representative of average-month conditions.

In order to account for the impact on traffic volumes and trip patterns resulting from the COVID-19 pandemic, the TMCs that were collected as part of this assessment at the Route 109/Project site driveway/Medway Commons driveway were compared to those that were collected at the same intersection in October 2018. The 2018 traffic volumes were expanded to 2022 by applying the traffic growth procedure detailed in the April 2020 “Guidance on Traffic Counting Data” published by MassDOT⁵ in order to allow for a comparison of the data. Based on this pre and post COVID-19 traffic-volume comparison, the traffic volume data that was collected as a part of this assessment was found to be representative conditions that existed prior to the onset of the COVID-19 pandemic. As such, further adjustment of the traffic-volume data was not necessary.

The 2022 Existing traffic volumes are summarized in Table 2, with the weekday morning, weekday evening and Saturday midday peak-hour traffic volumes graphically depicted on Figure 3. Note that the peak-hour traffic volumes that are presented in Table 2 were obtained from the aforementioned figures.

Table 2
2022 EXISTING TRAFFIC VOLUMES

Location/Peak Hour	AWT ^a	Saturday ^b	VPH ^c	K Factor ^d	Directional Distribution ^e
<i>Route 109, east of Holliston Street:</i>	14,365	12,520	--	--	--
Weekday Morning (8:00 – 9:00 AM)	--	--	1,101	7.7	62.2% EB
Weekday Evening (4:30 – 5:30 PM)	--	--	1,202	8.4	51.7% WB
Saturday Midday (11:30 AM – 12:30 PM)	--	--	1,261	10.1	51.5% WB

^aAverage weekday traffic in vehicles per day.

^bSaturday traffic in vehicles.

^cVehicles per hour.

^dPercent of daily traffic occurring during the peak hour.

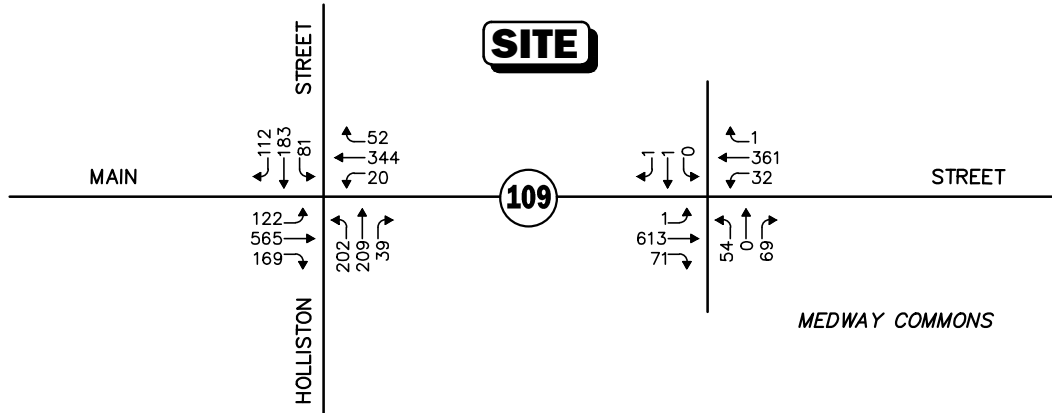
^ePercent traveling in peak direction.

EB = eastbound; WB = westbound.

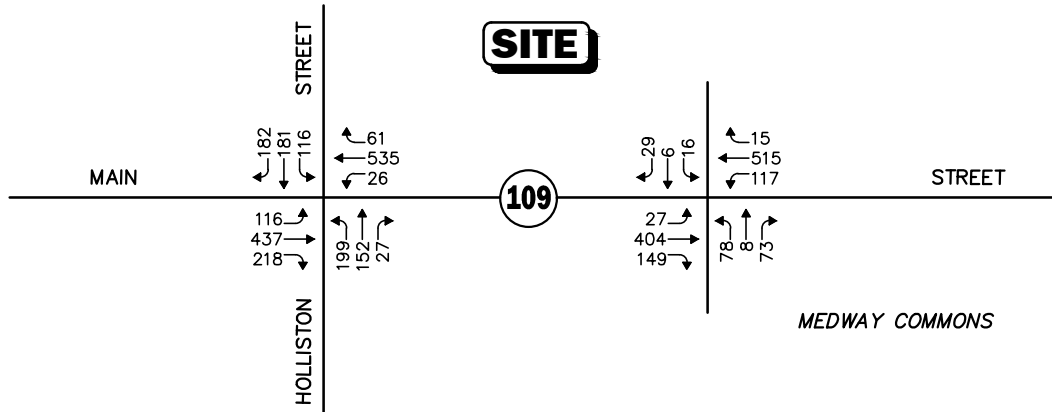
⁴MassDOT Traffic Volumes for the Commonwealth of Massachusetts; 2022.

⁵*Guidance on Traffic Count Data*; MassDOT; revised April 2020.

WEEKDAY MORNING PEAK HOUR (7:15 to 8:15 AM)



WEEKDAY EVENING PEAK HOUR (4:00 to 5:00 PM)



SATURDAY MIDDAY PEAK HOUR (11:00 AM to 12:00 PM)

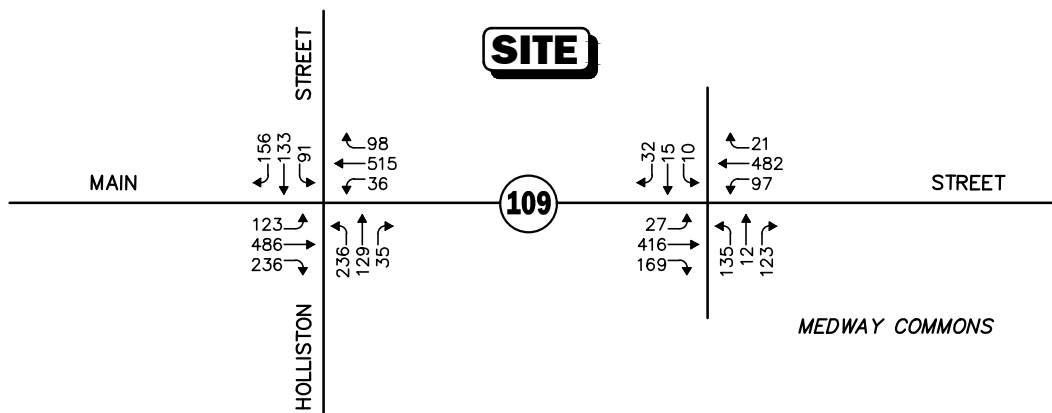


Figure 3

2022 Existing
Peak-Hour Traffic Volumes

As can be seen in Table 2, Route 109 in the vicinity of the Project site was found to accommodate approximately 14,365 vehicles on an average weekday and 12,520 vehicles on a Saturday (two-way, 24-hour volumes), with approximately 1,101 vehicles per hour (vph) during the weekday morning peak-hour, 1,202 vph during the weekday evening peak-hour and 1,261 vph during the Saturday midday peak-hour.

PEDESTRIAN AND BICYCLE FACILITIES

A comprehensive field inventory of pedestrian and bicycle facilities within the study area was undertaken in February 2022. The field inventory consisted of a review of the location of sidewalks and pedestrian crossing locations along the study roadways and at the study area intersections. As detailed on Figure 2, sidewalks are provided along one or both sides of the study area roadways, with marked crosswalks provided for crossing one or more legs of the study area intersections. Pedestrian traffic signal equipment and phasing are provided as a part of the traffic signal system at the study area intersections.

Within the study area, Holliston Street generally provides sufficient width to accommodate bicycle travel in a shared traveled-way configuration (i.e., bicyclists and motor vehicles sharing the traveled-way).⁶ A combination of on-road bicycle lanes and “sharrow” pavement markings are provided along Route 109 beginning at a point just east of Holliston Street and proceeding westerly thereafter. Bicycle detection is provided as a part of the traffic signal system at the Route 109/Holliston Street intersection.

PUBLIC TRANSPORTATION

Regularly scheduled public transportation services are not currently provided in the immediate vicinity of the Project site. To the south of the Project site, the Greater Attleboro-Taunton Regional Transit Authority (GATRA) operates fixed route bus service along Holliston Street by way of the Medway T Shuttle, with a stop located at the Medway Middle School, an approximate 13 minute walking distance from the Project site. In addition, GATRA provides Dial-a-Ride paratransit services to eligible persons that cannot use fixed-route transit all or some of the time due to a physical, cognitive or mental disability in compliance with the Americans with Disabilities Act (ADA).

⁶ A minimum combined travel lane and paved shoulder width of 14-feet is required to support bicycle travel in a shared traveled-way condition.

SPOT SPEED MEASUREMENTS

Vehicle travel speed measurements were performed on Route 109 in conjunction with the ATR counts. Table 3 summarizes the vehicle travel speed measurements.

Table 3
VEHICLE TRAVEL SPEED MEASUREMENTS

	Route 109	
	Eastbound	Westbound
Mean Travel Speed (mph)	29	21
85 th Percentile Speed (mph)	32	28
Posted Speed Limit (mph)	35	35

mph = miles per hour.

As can be seen in Table 3, the mean vehicle travel speed along Route 109 within the study area was found to be 29 mph in the eastbound direction and 21 mph westbound. The measured 85th percentile vehicle travel speed, or the speed at which 85 percent of the observed vehicles traveled at or below, was found to be 32 mph eastbound and 28 mph westbound, which is 3 to 7 mph below the posted speed limit in the vicinity of the Project site (35 mph). The 85th percentile speed is used as the basis of engineering design and in the evaluation of sight distances, and is often used in establishing posted speed limits.

MOTOR VEHICLE CRASH DATA

Motor vehicle crash information for the study area intersections was provided by the MassDOT Highway Division Safety Management/Traffic Operations Unit for the most recent five-year period available (2015 through 2019, inclusive) in order to examine motor vehicle crash trends occurring within the study area. The data is summarized by intersection, type, severity, roadway and weather conditions, and day of occurrence, and presented in Table 4.

As can be seen in Table 4, the study area intersections were found to have experienced an average of 7.2 or fewer reported motor vehicle crashes over the five-year review period and were found to have a motor vehicle crash rate that is below the MassDOT District average for similar intersections for the MassDOT Highway Division District in which the intersections are located (District 3), but above the MassDOT statewide average. The majority of the crashes were reported to have occurred on a weekday; under clear weather conditions; during daylight; and were reported as rear-end type collisions that resulted in property damage only.

Table 4
MOTOR VEHICLE CRASH DATA SUMMARY^a

	Rte. 109/ Holliston St.	Rte. 109/ Project Site Dwy./Medway Commons Dwy.
Traffic Control Type: ^b	TS	TS
<i>Year:</i>		
2015	0	8
2016	4	8
2017	10	4
2018	9	5
<u>2019</u>	<u>13</u>	<u>0</u>
Total	36	25
Average	7.2	5.0
Rate ^c	0.79	0.86
MassDOT Crash Rate: ^d	0.78/0.89	0.78/0.89
Significant? ^e	No	No
<i>Type:</i>		
Angle	5	4
Rear-End	23	16
Head-On	0	0
Sideswipe	4	2
Fixed Object	2	3
Pedestrian/Bicycle	0	0
<u>Unknown/Other</u>	<u>2</u>	<u>0</u>
Total	36	25
<i>Conditions:</i>		
Clear	28	19
Cloudy	3	4
Rain	2	0
<u>Snow/Ice</u>	<u>3</u>	<u>2</u>
Total	36	25
<i>Lighting:</i>		
Daylight	24	21
Dawn/Dusk	3	0
Dark (Road Lit)	9	4
<u>Dark (Road Unlit)</u>	<u>0</u>	<u>0</u>
Total	36	25
<i>Day of Week:</i>		
Monday through Friday	26	19
Saturday	6	4
<u>Sunday</u>	<u>4</u>	<u>2</u>
Total	36	25
<i>Severity:</i>		
Property Damage Only	23	16
Personal Injury	7	7
Fatality	0	0
<u>Unknown</u>	<u>6</u>	<u>2</u>
Total	36	25

^aSource: MassDOT Safety Management/Traffic Operations Unit records, 2015 through 2019.

^bTraffic Control Type: TS = traffic signal control.

^cCrash rate per million vehicles entering the intersection.

^dStatewide/District crash rate.

^eThe intersection crash rate is significant if it is found to exceed the MassDOT crash rate for the MassDOT Highway Division District in which the Project is located (District 3).

A Road Safety Audit (RSA) was conducted at the Route 109/Holliston Street intersection in 2014 in order to identify potential safety enhancements at the intersection.⁷ The RSA suggested a number of safety-related improvements that included access management; traffic signal improvements; sign enhancements; and pedestrian and bicyclist improvements; the majority of which appear to have been completed.

A review of the MassDOT statewide High Crash Location List indicated that there are no locations within the Town of Medway that are included on MassDOT's Highway Safety Improvement Program (HSIP) listing as a high crash location. In addition, no fatal motor vehicle crashes were reported to have occurred at the study area intersections over the five-year review period.

The detailed MassDOT Crash Rate Worksheets are provided in the Appendix.

⁷Ibid 2.

FUTURE CONDITIONS

Traffic volumes in the study area were projected to the year 2029, which reflects a seven-year planning horizon consistent with MassDOT's *Transportation Impact Assessment (TIA) Guidelines*. Independent of the Project, traffic volumes on the roadway network in the year 2029 under No-Build conditions include all existing traffic and new traffic resulting from background traffic growth. Anticipated Project-generated traffic volumes superimposed upon the 2029 No-Build traffic volumes reflect 2029 Build traffic-volume conditions with the Project.

FUTURE TRAFFIC GROWTH

Future traffic growth is a function of the expected land development in the immediate area and the surrounding region. Several methods can be used to estimate this growth. A procedure frequently employed estimates an annual percentage increase in traffic growth and applies that percentage to all traffic volumes under study. The drawback to such a procedure is that some turning volumes may actually grow at either a higher or a lower rate at particular intersections.

An alternative procedure identifies the location and type of planned development, estimates the traffic to be generated, and assigns it to the area roadway network. This procedure produces a more realistic estimate of growth for local traffic; however, potential population growth and development external to the study area would not be accounted for in the resulting traffic projections.

To provide a conservative analysis framework, both procedures were used, the salient components of which are described below.

Specific Development by Others

The Medway Planning and Economic Development Department was contacted in order to determine if there were any projects planned within the study area that would have an impact on future traffic volumes at the study intersections. Based on this consultation, the following project was identified for inclusion in this assessment:

- ***Proposed Residential Development, 39 Main Street (Route 109), Medway, Massachusetts.*** This proposed project consists of the construction of a 190-unit multifamily residential development to be located at 39 Main Street (Route 109), east of the Project site.

Traffic volumes associated with the aforementioned development project by others were obtained from the traffic study conducted for the specific development.⁸ No other developments were identified at this time that are expected to result in an increase in traffic within the study area beyond the general background traffic growth rate.

General Background Traffic Growth

Traffic-volume data compiled by MassDOT from permanent count stations located in Medway were reviewed in order to determine general traffic growth trends in the area. This data indicates that traffic volumes have fluctuated over the 10-year period between 2009 and 2019, with an average decrease of 0.86 percent per year. In order to provide a prudent planning condition for the Project, a 1.0 percent per year compounded annual background traffic growth rate was used in order to account for future traffic growth and presently unforeseen development within the study area.

Roadway Improvement Projects

The Town of Medway and MassDOT were contacted in order to determine if there were any planned future roadway improvement projects expected to be complete by 2029 within the study area. Based on these discussions, no roadway improvement projects aside from routine maintenance activities were identified to be planned within the study area at this time.

No-Build Traffic Volumes

The 2029 No-Build condition peak-hour traffic volumes were developed by applying the 1.0 percent per year compounded annual background traffic growth rate to the 2022 Existing peak-hour traffic volumes and then adding the traffic volumes associated with the identified specific development project by others. The resulting 2029 No-Build weekday morning, weekday evening and Saturday midday peak-hour traffic volumes are shown on Figure 4.

PROJECT-GENERATED TRAFFIC

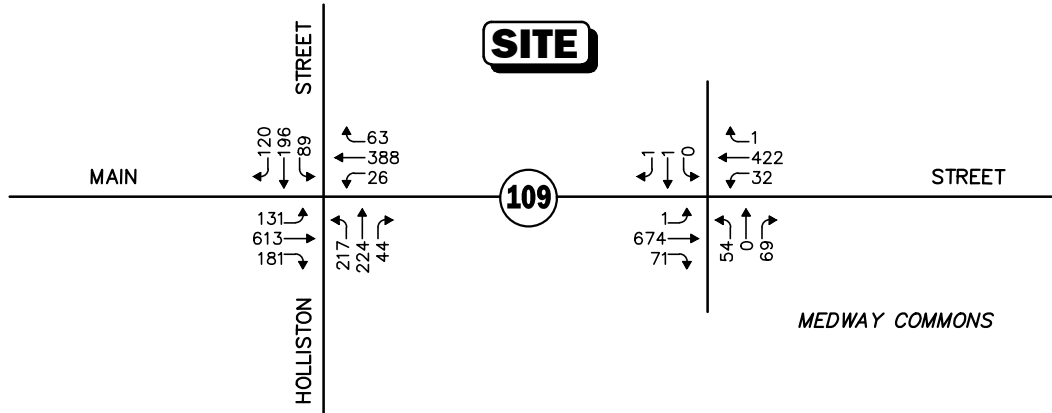
Design year (2029 Build) traffic volumes were determined by estimating Project-generated traffic volumes and assigning those volumes on the study area. The following sections describe the methodology used to develop the anticipated traffic characteristics of the Project.

As proposed, the Project will entail the construction of a 21,900± sf medical office building. In order to develop the traffic characteristics of the Project, trip-generation statistics published by the Institute of Transportation Engineers (ITE)⁹ for a similar land use as that proposed was used. ITE Land Use Code (LUC) 720, *Medical-Dental Office Building*; was used to establish the trip-generation characteristics of the Project, the results of which are summarized in Table 5, with the detailed trip calculations provided in the Appendix.

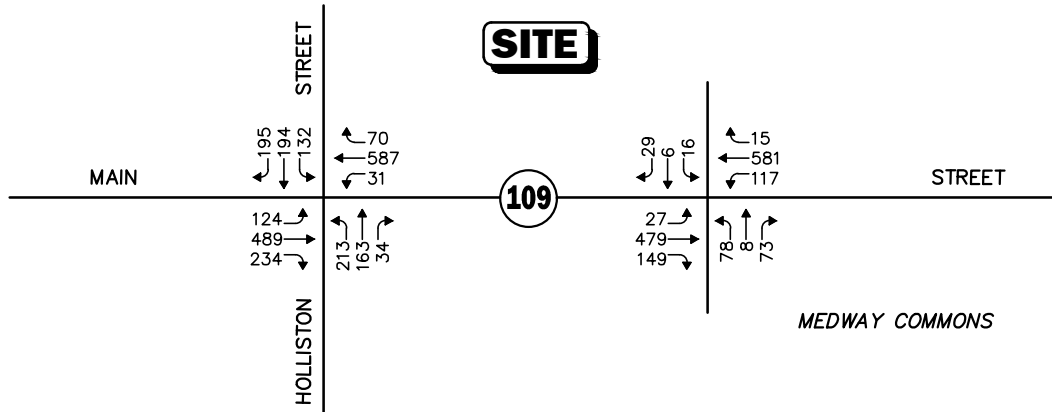
⁸*Transportation Impact Assessment*, Proposed Residential Development; 39 Main Street (Route 109); Medway, Massachusetts; VAI; November 2018.

⁹Ibid 1.

WEEKDAY MORNING PEAK HOUR (7:15 to 8:15 AM)



WEEKDAY EVENING PEAK HOUR (4:00 to 5:00 PM)



SATURDAY MIDDAY PEAK HOUR (11:00 AM to 12:00 PM)

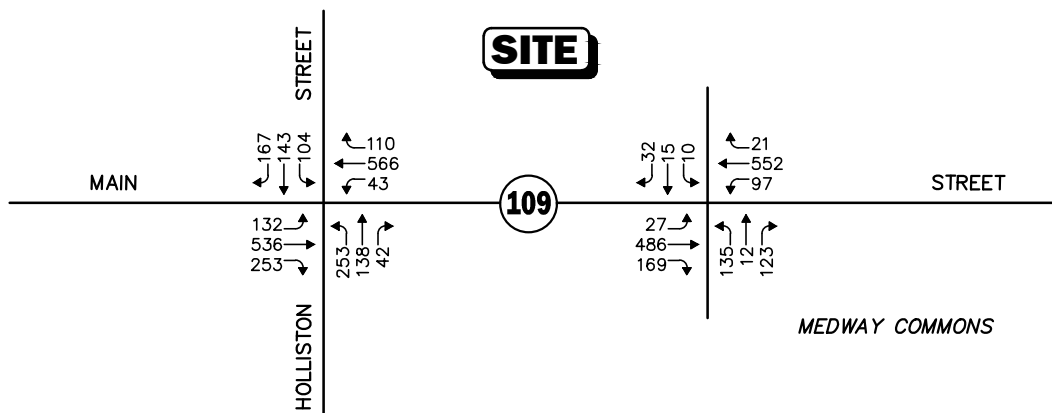


Figure 4

2029 No-Build
Peak-Hour Traffic Volumes

Table 5
TRIP GENERATION SUMMARY

Time Period	Vehicle Trips ^a		
	Entering	Exiting	Total
<i>Average Weekday:</i>	394	394	788
<i>Weekday Morning Peak-Hour:</i>	48	13	61
<i>Weekday Evening Peak-Hour:</i>	26	60	86
<i>Average Saturday:</i>	151	151	302
<i>Saturday Midday Peak-Hour:</i>	38	28	66

^aBased on ITE LUC 720, *Medical-Dental Office Building*.

Project-Generated Traffic-Volume Summary

As can be seen in Table 5, the Project is expected to generate approximately 788 vehicle trips on an average weekday and 302 vehicle trips on a Saturday (both two way volumes over the operational day of the Project), with approximately 61 vehicle trips (48 vehicles entering and 13 exiting) expected during the weekday morning peak-hour, 86 vehicle trips (26 vehicles entering and 60 exiting) expected during the weekday evening peak-hour and 66 vehicle trips (38 vehicles entering and 28 exiting) expected during the Saturday midday peak-hour.

TRIP DISTRIBUTION AND ASSIGNMENT

The directional distribution of generated trips to and from the Project site was determined based on a review of existing traffic patterns within the study area during the commuter peak periods. The general trip distribution for the Project is graphically depicted on Figure 5. Traffic volumes expected to be generated by the Project were assigned onto the study area roadway network as shown on Figure 6 for the weekday morning, weekday evening and Saturday midday peak hours.

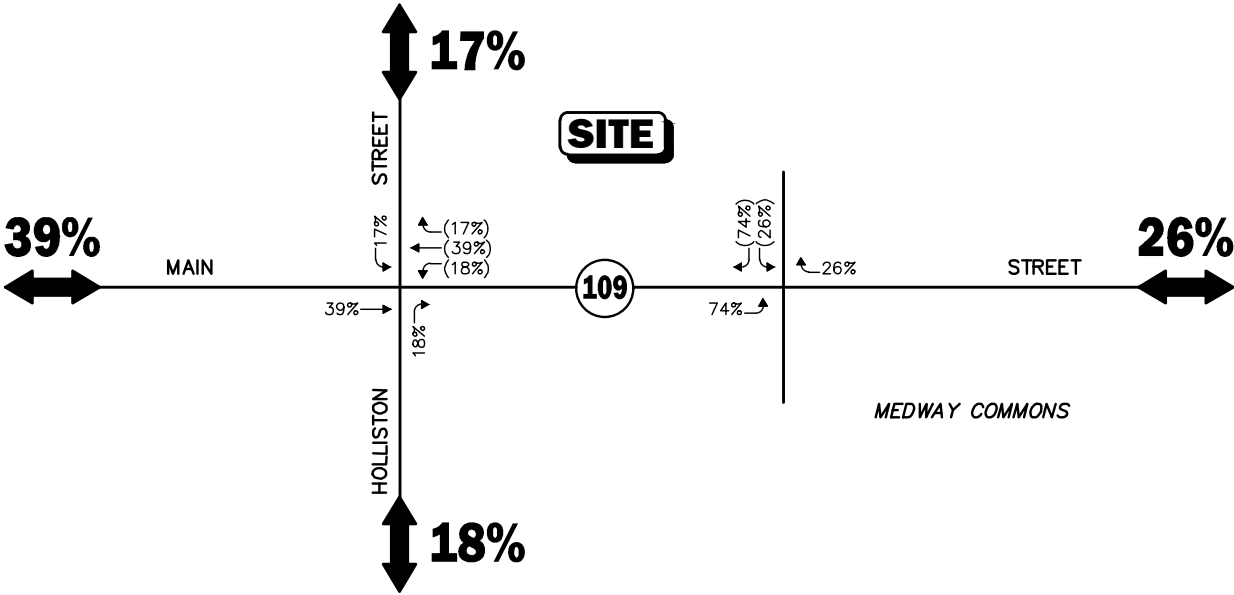
FUTURE TRAFFIC VOLUMES - BUILD CONDITION

The 2029 Build condition traffic volumes consist of the 2029 No-Build traffic volumes with the additional traffic expected to be generated by the Project added to them. The 2029 Build weekday morning, weekday evening and Saturday midday peak-hour traffic volumes are graphically depicted on Figure 7.

A summary of peak-hour projected traffic-volume changes outside of the study area that is the subject of this assessment is shown in Table 6. These changes are a result of the construction of the Project.

Legend:

XX Entering Trips
(XX) Exiting Trips

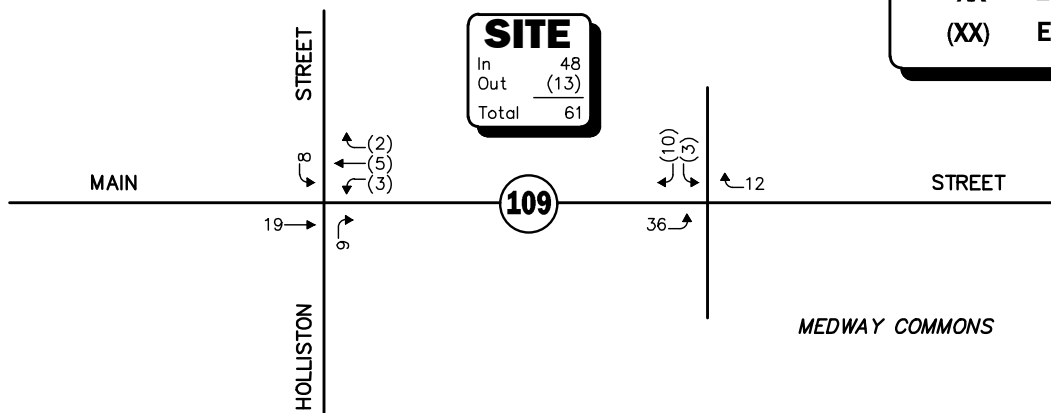


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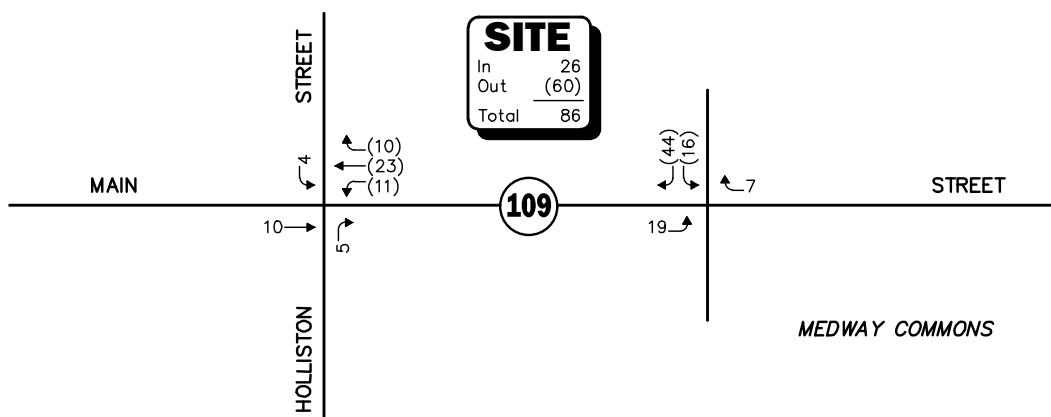


Figure 5
Trip Distribution Map

WEEKDAY MORNING PEAK HOUR (7:15 to 8:15 AM)



WEEKDAY EVENING PEAK HOUR (4:00 to 5:00 PM)



SATURDAY MIDDAY PEAK HOUR (11:00 AM to 12:00 PM)

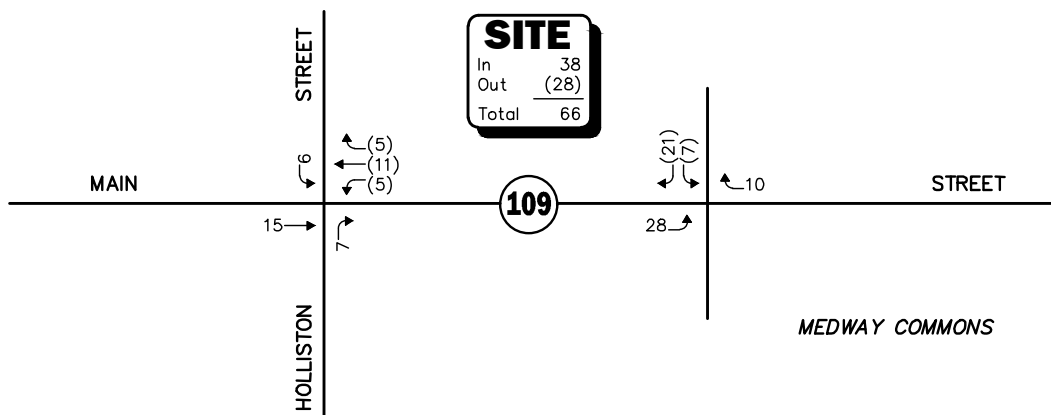
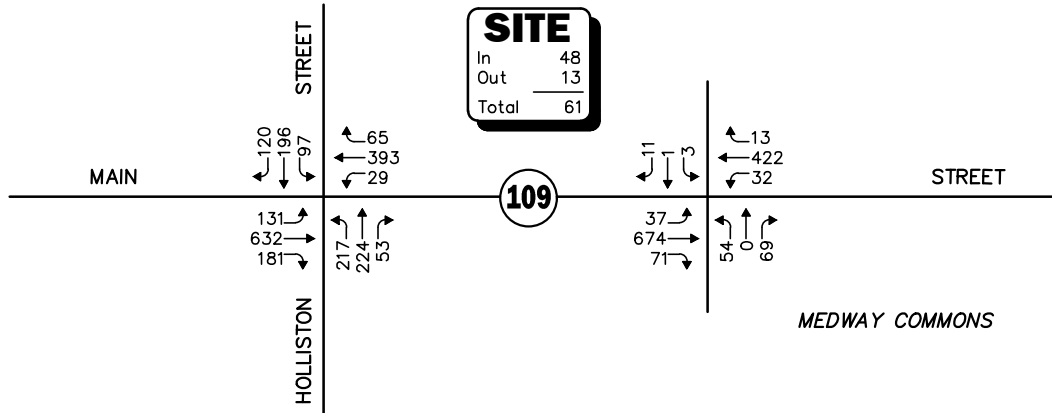


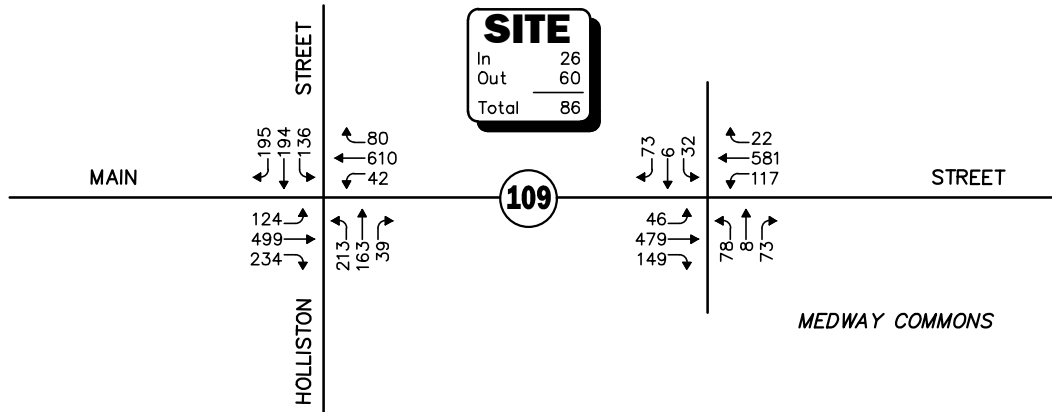
Figure 6

Project-Generated
Peak-Hour Traffic Volumes

WEEKDAY MORNING PEAK HOUR (7:15 to 8:15 AM)



WEEKDAY EVENING PEAK HOUR (4:00 to 5:00 PM)



SATURDAY MIDDAY PEAK HOUR (11:00 AM to 12:00 PM)

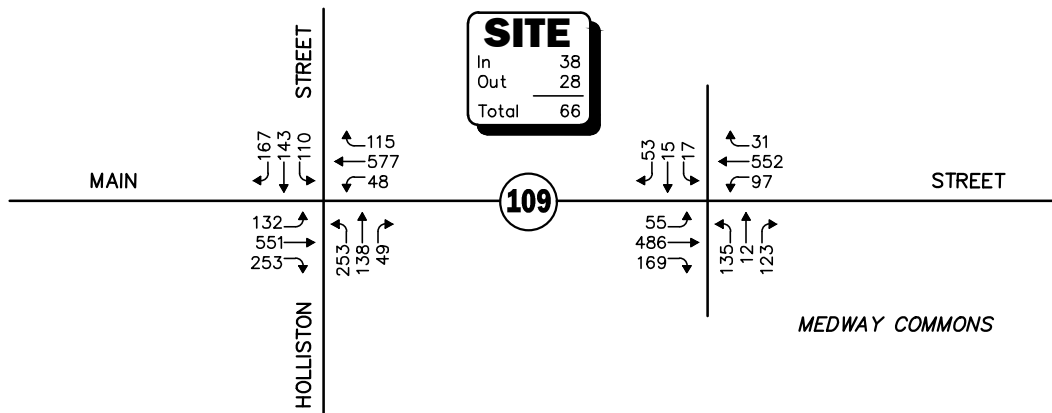


Figure 7

2029 Build
Peak-Hour Traffic Volumes

Table 6
PEAK-HOUR TRAFFIC-VOLUME INCREASES

Location/Peak Hour	2022 Existing	2029 No-Build	2029 Build	Traffic- Volume Increase Over No-Build	Percent Increase Over No-Build
<i>Route 109, east of the Project site driveway:</i>					
Weekday Morning	1,076	1,198	1,213	15	1.3
Weekday Evening	1,140	1,281	1,304	23	1.8
Saturday MIDDAY	1,149	1,289	1,306	17	1.3
<i>Route 109, west of Holliston Street:</i>					
Weekday Morning	1,514	1,650	1,674	24	1.5
Weekday Evening	1,687	1,842	1,875	33	1.8
Saturday MIDDAY	1,752	1,907	1,933	26	1.4
<i>Holliston Street, north of Route 109:</i>					
Weekday Morning	759	823	833	10	1.2
Weekday Evening	808	878	892	14	1.6
Saturday MIDDAY	730	794	805	11	1.4
<i>Holliston Street, south of Route 109:</i>					
Weekday Morning	822	888	900	12	1.4
Weekday Evening	803	869	885	16	1.8
Saturday MIDDAY	805	872	884	12	1.4

As shown in Table 6, Project-related traffic-volume increases outside of the study area relative to 2029 No-Build conditions are anticipated to range from 1.2 to 1.8 percent during the peak periods, with vehicle increases shown to range from 10 to 33 vehicles. ***When distributed over the peak hour, the predicted traffic-volume increases would not result in a significant impact (increase) on motorist delays or vehicle queuing outside of the immediate study area that is the subject of this assessment.***

TRAFFIC OPERATIONS ANALYSIS

Measuring existing and future traffic volumes quantifies traffic flow within the study area. To assess quality of flow, roadway capacity and vehicle queue analyses were conducted under Existing, No-Build, and Build traffic-volume conditions. Capacity analyses provide an indication of how well the roadway facilities serve the traffic demands placed upon them, with vehicle queue analyses providing a secondary measure of the operational characteristics of an intersection or section of roadway under study.

METHODOLOGY

Levels of Service

A primary result of capacity analyses is the assignment of level of service to traffic facilities under various traffic-flow conditions.¹⁰ The concept of level of service is defined as a qualitative measure describing operational conditions within a traffic stream and their perception by motorists and/or passengers. A level-of-service definition provides an index to quality of traffic flow in terms of such factors as speed, travel time, freedom to maneuver, traffic interruptions, comfort, convenience, and safety.

Six levels of service are defined for each type of facility. They are given letter designations from A to F, with level-of-service (LOS) A representing the best operating conditions and LOS F representing congested or constrained operating conditions.

Since the level of service of a traffic facility is a function of the traffic flows placed upon it, such a facility may operate at a wide range of levels of service, depending on the time of day, day of week, or period of year.

¹⁰The capacity analysis methodology is based on the concepts and procedures presented in the *Highway Capacity Manual*; Transportation Research Board; Washington, DC; 2010.

Signalized Intersections

The six levels of service for signalized intersections may be described as follows:

- *LOS A* describes operations with very low control delay; most vehicles do not stop at all.
- *LOS B* describes operations with relatively low control delay. However, more vehicles stop than *LOS A*.
- *LOS C* describes operations with higher control delays. Individual cycle failures may begin to appear. The number of vehicles stopping is significant at this level, although many still pass through the intersection without stopping.
- *LOS D* describes operations with control delay in the range where the influence of congestion becomes more noticeable. Many vehicles stop and individual cycle failures are noticeable.
- *LOS E* describes operations with high control delay values. Individual cycle failures are frequent occurrences.
- *LOS F* describes operations with high control delay values that often occur with oversaturation. Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

Levels of service for signalized intersections are calculated using the operational analysis methodology of the 2000 *Highway Capacity Manual*¹¹ and implemented as a part of the Synchro® 11 software as recommended by MassDOT. This method assesses the effects of signal type, timing, phasing, and progression; vehicle mix; and geometrics on delay. Level-of-service designations are based on the criterion of control or signal delay per vehicle. Control or signal delay is a measure of driver discomfort, frustration, and fuel consumption, and includes initial deceleration delay approaching the traffic signal, queue move-up time, stopped delay and final acceleration delay. Table 7 summarizes the relationship between level of service and control delay. The tabulated control delay criterion may be applied in assigning level-of-service designations to individual lane groups, to individual intersection approaches, or to entire intersections.

¹¹*Highway Capacity Manual*; Transportation Research Board; Washington, DC; 2000.

Table 7
LEVEL-OF-SERVICE CRITERIA
FOR SIGNALIZED INTERSECTIONS^a

Level of Service	Control (Signal) Delay Per Vehicle (Seconds)
A	≤10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	>80.0

^aSource: *Highway Capacity Manual*, Transportation Research Board; Washington, DC; 2000; page 16-2.

Vehicle Queue Analysis

Vehicle queue analyses are a direct measurement of an intersection's ability to process vehicles under various traffic control and volume scenarios and lane use arrangements. The vehicle queue analysis was performed using the Synchro® intersection capacity analysis software which is based upon the methodology and procedures presented in the 2010 *Highway Capacity Manual*. The Synchro® vehicle queue analysis methodology is a simulation based model which reports the number of vehicles that experience a delay of six seconds or more at an intersection. For signalized intersections, Synchro® reports both the average (50th percentile) the 95th percentile vehicle queue. Vehicle queue lengths are a function of the capacity of the movement under study and the volume of traffic being processed by the intersection during the analysis period. The 95th percentile vehicle queue is the vehicle queue length that will be exceeded only 5 percent of the time, or approximately three minutes out of sixty minutes during the peak one hour of the day (during the remaining fifty-seven minutes, the vehicle queue length will be less than the 95th percentile queue length).

ANALYSIS RESULTS

Level-of-service and vehicle queue analyses were conducted for 2022 Existing, 2029 No-Build, and 2029 Build conditions for the intersections within the study area. The results of the intersection capacity and vehicle queue analyses are summarized in Table 8, with the detailed analysis results presented in the Appendix.

The following is a summary of the level-of-service and vehicle queue analyses for the intersections within the study area. For context, we note that an LOS of "D" or better is generally defined as "acceptable" operating conditions. Project-related impacts at the study area intersections were identified as follows:

Table 8
SIGNALIZED INTERSECTION LEVEL-OF-SERVICE AND VEHICLE QUEUE SUMMARY

Signalized Intersection/Peak Hour/Movement	2022 Existing				2029 No-Build				2029 Build			
	V/C ^a	Delay ^b	LOS ^c	Queue ^d 50 th /95 th	V/C	Delay	LOS	Queue 50 th /95 th	V/C	Delay	LOS	Queue 50 th /95 th
Route 109 at Holliston Street												
<i>Weekday Morning:</i>												
Route 109 EB LT	0.33	12.6	B	2/3	0.38	13.1	B	2/3	0.39	13.3	B	2/3
Route 109 EB TH	0.84	33.5	C	11/21	0.91	39.4	D	12/24	0.97	51.1	D	19/25
Route 109 EB RT	0.13	0.2	A	0/0	0.14	0.2	A	0/0	0.14	0.2	A	0/0
Route 109 WB LT	0.11	16.3	B	1/1	0.17	16.5	B	1/1	0.17	16.8	B	1/1
Route 109 WB TH	0.55	25.9	C	5/7	0.62	25.9	C	6/8	0.63	25.9	C	6/8
Route 109 WB RT	0.04	0.0	A	0/0	0.05	0.1	A	0/0	0.05	0.1	A	0/0
Holliston Street NB LT	0.69	27.3	C	4/6	0.77	32.1	C	5/7	0.77	32.1	C	5/7
Holliston Street NB TH/RT	0.67	34.8	C	6/9	0.79	43.3	D	7/11	0.82	46.3	D	7/11
Holliston Street SB LT	0.39	26.9	C	2/3	0.46	27.2	C	2/3	0.51	27.5	C	2/3
Holliston Street SB TH	0.81	49.9	D	6/8	0.91	66.3	E	6/9	0.91	66.3	E	6/9
Holliston Street SB RT	0.10	22.1	C	0/1	0.11	22.6	C	0/1	0.11	22.6	C	0/1
Overall	--	27.9	C	--	--	32.3	C	--	--	35.5	D	--
<i>Weekday Evening:</i>												
Route 109 EB LT	0.35	12.9	B	2/2	0.43	14.8	B	2/3	0.44	15.1	B	2/3
Route 109 EB TH	0.52	18.7	B	6/12	0.60	21.3	C	9/13	0.60	21.3	C	9/14
Route 109 EB RT	0.14	0.2	A	0/0	0.15	0.2	A	0/0	0.15	0.2	A	0/0
Route 109 WB LT	0.07	10.7	B	1/1	0.09	10.9	B	1/1	0.13	11.6	B	1/1
Route 109 WB TH	0.72	24.0	C	9/12	0.79	26.5	C	8/13	0.81	27.2	C	10/13
Route 109 WB RT	0.04	0.0	A	0/0	0.05	0.1	A	0/0	0.06	0.1	A	0/0
Holliston Street NB LT	0.69	31.4	C	4/7	0.76	35.7	D	4/8	0.78	38.4	D	4/8
Holliston Street NB TH/RT	0.58	36.1	D	4/7	0.63	37.5	D	5/8	0.66	39.4	D	5/8
Holliston Street SB LT	0.42	26.8	C	2/4	0.50	27.4	C	3/5	0.53	28.0	C	3/5
Holliston Street SB TH	0.71	43.2	D	5/7	0.74	45.2	D	5/8	0.74	45.2	D	5/8
Holliston Street SB RT	0.14	24.4	C	0/2	0.23	24.9	C	1/3	0.24	25.0	C	1/3
Overall	--	22.9	C	--	--	24.8	C	--	--	25.3	C	--
<i>Saturday Midday:</i>												
Route 109 EB LT	0.39	13.5	B	2/3	0.47	15.4	B	2/4	0.48	15.9	B	2/4
Route 109 EB TH	0.66	20.9	C	9/16	0.72	23.1	C	11/21	0.74	24.0	C	12/22
Route 109 EB RT	0.16	0.2	A	0/0	0.18	0.2	A	0/0	0.18	0.2	A	0/0
Route 109 WB LT	0.12	14.0	B	1/1	0.16	14.9	B	1/1	0.18	15.2	B	1/2
Route 109 WB TH	0.79	29.2	C	10/19	0.85	33.7	C	12/22	0.86	34.8	C	13/23
Route 109 WB RT	0.07	0.1	A	0/0	0.08	0.1	A	0/0	0.08	0.1	A	0/0
Holliston Street NB LT	0.67	27.1	C	5/7	0.74	31.5	C	5/9	0.74	31.8	C	5/9
Holliston Street NB TH/RT	0.45	30.7	C	4/6	0.49	32.0	C	4/7	0.51	32.6	C	4/7
Holliston Street SB LT	0.29	25.0	C	2/3	0.34	26.0	C	2/3	0.37	26.3	C	2/4
Holliston Street SB TH	0.46	32.9	C	3/5	0.48	34.0	C	3/6	0.48	34.2	C	3/6
Holliston Street SB RT	0.11	20.4	C	0/2	0.17	21.6	C	1/3	0.18	21.8	C	1/3
Overall	--	21.3	C	--	--	23.7	C	--	--	24.3	C	--

See notes at end of table.

Table 8 (Continued)
SIGNALIZED INTERSECTION LEVEL-OF-SERVICE AND VEHICLE QUEUE SUMMARY

Signalized Intersection/Peak Hour/Movement	2022 Existing				2029 No-Build				2029 Build			
	V/C ^a	Delay ^b	LOS ^c	Queue ^d 50 th /95 th	V/C	Delay	LOS	Queue 50 th /95 th	V/C	Delay	LOS	Queue 50 th /95 th
Route 109 at the Project site driveway and the Medway Commons Driveway												
<i>Weekday Morning:</i>												
Route 109 EB LT	0.00	4.9	A	0/0	0.00	4.9	A	0/0	0.06	4.9	A	0/1
Route 109 EB TH	0.52	7.4	A	5/6	0.57	7.4	A	4/5	0.57	8.0	A	4/11
Route 109 EB RT	0.05	9.0	A	0/0	0.05	9.0	A	0/0	0.05	9.0	A	0/0
Route 109 WB LT	0.07	3.7	A	0/1	0.08	4.1	A	0/1	0.08	4.2	A	0/1
Route 109 WB TH/RT	0.31	5.4	A	2/7	0.36	5.7	A	3/7	0.39	6.8	A	5/8
Medway Commons driveway NB LT/TH	0.42	38.5	D	2/3	0.44	38.9	D	2/3	0.45	39.1	D	2/3
Medway Commons driveway NB RT	0.06	35.2	D	0/1	0.06	35.5	D	0/1	0.06	35.5	D	0/1
Project site driveway SB LT	0.00	0.0	A	0/0	0.00	0.0	A	0/0	0.04	35.4	D	0/1
Project site driveway SB TH/RT	0.01	34.9	C	0/0	0.01	35.2	D	0/0	0.02	35.3	D	0/1
Overall	--	10.3	B	--	--	10.3	B	--	--	10.8	B	--
<i>Weekday Evening:</i>												
Route 109 EB LT	0.05	4.3	A	0/1	0.06	4.3	A	0/1	0.10	4.4	A	0/1
Route 109 EB TH	0.37	7.6	A	4/6	0.44	7.6	A	5/6	0.44	7.8	A	5/6
Route 109 EB RT	0.10	4.7	A	0/1	0.11	4.7	A	0/1	0.11	4.7	A	0/1
Route 109 WB LT	0.17	3.7	A	1/2	0.19	4.2	A	1/2	0.19	4.4	A	1/2
Route 109 WB TH/RT	0.42	8.1	A	4/11	0.47	8.7	A	4/13	0.49	8.7	A	8/13
Medway Commons driveway NB LT/TH	0.48	36.5	D	2/4	0.48	36.5	D	2/4	0.50	36.5	D	2/4
Medway Commons driveway NB RT	0.05	32.5	C	0/1	0.05	32.5	C	0/1	0.05	32.5	C	0/1
Project site driveway SB LT	0.10	32.9	C	1/1	0.10	32.9	C	1/1	0.18	33.3	C	1/2
Project site driveway SB TH/RT	0.05	32.5	C	0/1	0.05	32.5	C	0/1	0.08	32.5	C	0/2
Overall	--	11.3	B	--	--	11.3	B	--	--	12.5	B	--
<i>Saturday Midday:</i>												
Route 109 EB LT	0.09	9.1	A	0/1	0.10	9.4	A	0/1	0.20	9.9	A	1/1
Route 109 EB TH	0.58	14.7	B	6/11	0.64	15.6	B	7/13	0.64	15.7	B	7/13
Route 109 EB RT	0.16	11.3	B	1/2	0.17	11.3	B	1/3	0.17	11.3	B	1/3
Route 109 WB LT	0.22	6.8	A	1/2	0.24	7.4	A	1/2	0.24	7.8	A	1/2
Route 109 WB TH/RT	0.62	13.4	B	5/12	0.68	14.3	B	6/14	0.72	16.6	B	10/15
Medway Commons driveway NB LT/TH	0.56	21.9	C	3/5	0.58	24.1	C	3/5	0.60	24.5	C	3/5
Medway Commons driveway NB RT	0.10	17.4	B	0/1	0.10	18.9	B	0/1	0.10	18.9	B	0/1
Project site driveway SB LT	0.05	17.2	B	0/1	0.05	18.6	B	0/1	0.09	18.9	B	1/1
Project site driveway SB TH/RT	0.08	17.3	B	1/1	0.08	18.7	B	1/1	0.10	18.8	B	1/1
Overall	--	14.5	B	--	--	15.4	B	--	--	16.2	B	--

^aVolume-to-capacity ratio.

^bControl (signal) delay per vehicle in seconds.

^cLevel-of-Service.

^dQueue length in vehicles based on 25-feet per vehicle.

NB = northbound; SB = southbound; EB = eastbound; WB = westbound; LT = left-turning movements; TH = through movements; RT = right-turning movements.

Route 109 at Holliston Street

Overall operating conditions were shown to degrade from LOS C to a LOS D during the weekday morning peak-hour as a result of a predicted increase in overall average motorist delay of 3.2 seconds with the addition of Project-related traffic. Vehicle queues at the intersection were shown to increase by up to seven (7) vehicles with the addition of Project-related traffic. Independent of the Project, it was noted that through movements on the Holliston Street southbound approach are predicted to operate at capacity (i.e., LOS “E”) during the weekday morning peak-hour under No-Build conditions.

Route 109 at the Project site driveway and the Medway Commons Driveway

No-change in overall level of service is predicted to occur over No-Build conditions; however, the addition of Project-related traffic was shown to result in an increase in average motorist delay (35.4 seconds) that caused a degradation in level-of-service for left-turn movements from the Project site driveway during the weekday morning peak-hour from LOS A to LOS D. Vehicle queues at the intersection were shown to increase by up to six (6) vehicles with the addition of Project-related traffic.

SIGHT DISTANCE EVALUATION

Sight distance measurements were performed at the Project site driveway intersection with Route 109 in accordance with MassDOT and American Association of State Highway and Transportation Officials (AASHTO)¹² requirements. Both stopping sight distance (SSD) and intersection sight distance (ISD) measurements were performed. In brief, SSD is the distance required by a vehicle traveling at the design speed of a roadway, on wet pavement, to stop prior to striking an object in its travel path. ISD or corner sight distance (CSD) is the sight distance required by a driver entering or crossing an intersecting roadway to perceive an on-coming vehicle and safely complete a turning or crossing maneuver with on-coming traffic. In accordance with AASHTO standards, if the measured ISD is at least equal to the required SSD value for the appropriate design speed, the intersection can operate in a safe manner. Table 9 presents the measured SSD and ISD at the subject intersection.

¹²*A Policy on Geometric Design of Highway and Streets*, 7th Edition; American Association of State Highway and Transportation Officials (AASHTO); Washington D.C.; 2018.

Table 9
SIGHT DISTANCE MEASUREMENTS^a

Intersection/Sight Distance Measurement	Feet		
	Required Minimum (SSD)	Desirable (ISD) ^b	Measured
Route 109 at the Project Site Driveway			
<i>Stopping Sight Distance:</i>			
Route 109 approaching from the east	250	--	500+
Route 109 approaching from the west	250	--	500+
<i>Intersection Sight Distance:</i>			
Looking to the east from the Project Site Driveway	250	335	500+
Looking to the west from the Project Site Driveway	250	415	500+

^aRecommended minimum values obtained from *A Policy on Geometric Design of Highways and Streets*, 7th Edition; American Association of State Highway and Transportation Officials (AASHTO); 2018; and based on a 35 mph approach speed along Route 109.

^bValues shown are the intersection sight distance for a vehicle turning right or left exiting a roadway under STOP control such that motorists approaching the intersection on the major street should not need to adjust their travel speed to less than 70 percent of their initial approach speed. The critical gap for left-turn movements exiting the Project site driveway was increased by 0.5 seconds in order to account for the time to cross the left-turn lane along Route 109 westbound.

As can be seen in Table 9, the available lines of sight at the Project site driveway intersection with Route 109 exceed the recommended minimum sight distance to function in a safe (SSD) and efficient (ISD) manner based on a 35 mph approach speed along Route 109, which is 3 to 7 mph above the measured 85th percentile vehicle travel speed approaching the driveway (28/32 mph) and is consistent with the posted speed limit.

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

VAI has conducted a TIA in order to determine the potential impacts on the transportation infrastructure associated with the proposed construction of a medical office building to be located at 86 Holliston Street in Medway, Massachusetts. The following specific areas have been evaluated as they relate to the Project: i) access requirements; ii) potential off-site improvements; and iii) safety considerations; under existing and future conditions, both with and without the Project. Based on this assessment, we have concluded the following with respect to the Project:

1. Using trip-generation statistics published by the ITE,¹³ the Project is expected to generate approximately 788 vehicle trips on an average weekday and 302 vehicle trips on a Saturday (both two-way volumes over the operational day of the Project), with approximately 61 vehicle trips expected during the weekday morning peak-hour, 86 vehicle trips expected during the weekday evening peak-hour and 66 vehicle trips expected during the Saturday midday peak-hour;
2. The Project will not result in a significant impact (increase) on motorist delays or vehicle queuing over anticipated future conditions without the Project (No-Build condition), with overall intersection operations maintained at LOS D or better, where an LOS of “D” or better is defined as “acceptable” traffic operations;
3. All movements at the Project site driveway intersection with Main Street (Route 109) were shown to operate at a LOS D or better during the peak hours, with vehicle queue increases attributable to the Project shown to range from 0 to 6 vehicles (Route 109 eastbound approach);
4. The study area intersections were found to have a motor vehicle crash rate that is below the MassDOT Highway Division District 3 average crash rate for similar intersections, but above the MassDOT statewide average crash rate. A Road Safety Audit (RSA) has been conducted at the Route 109/Holliston Street intersection and the majority of the improvements recommended therein have been completed;¹⁴ and

¹³Ibid 1.

¹⁴Ibid 2.

5. Lines of sight to and from the Project site driveway intersection were found to exceed the recommended minimum distances for safe and efficient operation based on the appropriate approach speed.

In consideration of the above, we have concluded that the Project can be accommodated within the confines of the existing transportation infrastructure in a safe and efficient manner with implementation of the recommendations that follow.

RECOMMENDATIONS

A detailed transportation improvement program has been developed that is designed to provide safe and efficient access to the Project site and address any deficiencies identified at off-site locations evaluated in conjunction with this study. The following improvements have been recommended as a part of this evaluation and, where applicable, will be completed in conjunction with the Project subject to receipt of all necessary rights, permits, and approvals.

Project Access

Access to the Project will be provided by way of the existing driveway that serves the abutting commercial property (Walgreens Pharmacy) and intersects the north side of Route 109 opposite the Medway Commons driveway. The intersection operates under traffic signal control. The following recommendations are offered with respect to the design and operation of the Project site access and internal circulation, many of which are reflected on the site plans:

- The shared (with Walgreens) access driveway should continue to provide two (2) exiting travel lanes (left-turn lane and a through/right-turn lane) and a two (2) entering travel lanes, with exiting traffic under traffic signal control. The individual driveways that will serve the Project site and internal circulating aisles should be a minimum of 24 feet in width and designed to accommodate the turning and maneuvering requirements of the largest anticipated responding emergency vehicle as defined by the Medway Fire Department.
- Where perpendicular parking is proposed, the drive aisle behind the parking should be a minimum of 23 feet in order to facilitate parking maneuvers.
- All signs and pavement markings to be installed within the Project site will conform to the applicable standards of the *Manual on Uniform Traffic Control Devices* (MUTCD).¹⁵
- A sidewalk is proposed within the Project site that will extend to the existing sidewalk along the north side of Route 109. Pedestrian crossings that are constructed in conjunction with the Project will include marked crosswalks with Americans with Disabilities Act (ADA) compliant wheelchair ramps.
- Signs and landscaping to be installed as a part of the Project within the intersection sight triangle areas of the Project site driveway should be designed and maintained so as not to restrict lines of sight.
- Snow accumulations (windrows) within the sight triangle areas of the Project site driveway should be promptly removed where such accumulations would impede sight lines.

¹⁵Ibid 3.

- Electric vehicle (EV) charging stations are provided in accordance with the Town of Medway Zoning Bylaw.

Transportation Demand Management

Regularly scheduled public transportation services are not currently provided in the immediate vicinity of the Project site. To the south of the Project site, GATRA operates fixed route bus service along Holliston Street by way of the Medway T Shuttle, with a stop at the Medway Middle School, an approximate 13 minute walking distance from the Project site. In addition, GATRA provides Dial-a-Ride paratransit services to eligible persons that cannot use fixed-route transit all or some of the time due to a physical, cognitive or mental disability in compliance with the ADA.

In an effort to encourage the use of alternative modes of transportation to single-occupant vehicles (SOVs), the following Transportation Demand Management (TDM) measures will be implemented as a part of the Project:

- A transportation coordinator will be assigned for the Project to coordinate the TDM program;
- A “welcome packet” will be provided to employees detailing available public transportation services, bicycle and walking alternatives, and commuter options, and should include the contact information for the transportation coordinator;
- Specific amenities will be provided to discourage off-site trips, including providing a break-room equipped with a microwave and refrigerator; offering direct deposit of paychecks; and other such measures to reduce overall traffic volumes and travel during peak traffic volume periods;
- Pedestrian accommodations are incorporated within the Project site; and
- Secure bicycle parking has been provided within the Project site.

With implementation of the aforementioned recommendations, safe and efficient access will be provided to the Project site and the Project can be accommodated within the confines of the existing transportation system.

APPENDIX

PROJECT SITE PLAN

AUTOMATIC TRAFFIC RECORDER COUNT DATA

MANUAL TURNING MOVEMENT COUNT DATA

SEASONAL ADJUSTMENT DATA

COVID-19 ADJUSTMENT DATA

VEHICLE TRAVEL SPEED DATA

MASSDOT CRASH RATE WORKSHEETS AND HIGH CRASH LOCATION
MAPPING

GENERAL BACKGROUND TRAFFIC GROWTH

BACKGROUND DEVELOPMENT TRAFFIC-VOLUME NETWORKS

TRIP-GENERATION CALCULATIONS

SIGHT DISTANCE CALCULATIONS

CAPACITY ANALYSIS WORKSHEETS





May 23, 2022

Ms. Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
Medway Town Hall
155 Village Street
Medway, MA 02053

**Re: Milford Regional Medical Center
Major Site Plan Review
86 Holliston Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 86 Holliston Street in Medway, Massachusetts. The Project consists of construction of a 21,900 square-foot medical building with associated driveways, parking lot containing 102 parking spaces, utilities, and drainage infrastructure.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Site Plan, 86 Holliston Street, Medway, Massachusetts" dated April 14, 2022, prepared by Guerriere & Halnon, Inc. (GHI).
- A Stormwater Report (Report), containing the Project Narrative and other required submittals for Major Site Plan Review, titled "Stormwater Report for Medway Medical Building, 86 Holliston Street, Medway, MA" dated April 14, 2022, prepared by GHI.
- A Transportation Impact Assessment (TIA), dated April 2022, prepared by Vanasse & Associates, Inc. (VAI).
- Architectural Renderings, dated February 11, 2021, prepared by HPA Design, Inc. (HPA).
- A Photometric Plan, dated April 15, 2022, prepared by Holbrook-Associated, Inc. (HAI).
- An Application for Major Site Plan Approval, dated April 14, 2022, prepared by GHI.
- An Application for Approval of Special Permit, dated April 13, 2022, prepared by the Applicant.

The Plans and accompanying materials were reviewed for conformance with the following Regulations and Bylaws:

- Town of Medway Planning & Economic Development Board Rules and Regulations, Chapter 200 – Site Plans, Rules & Regulations for Submission, Review and Approval of Site Plans. (Amended October 8, 2019)

The Project was also reviewed for good engineering practice and overall site plan efficiency. The Project's TIA has been reviewed for conformance with standard professional practices in the state of Massachusetts for the preparation of traffic impact and access studies for Projects of the size and nature of the proposed development. Review of the Project for zoning and stormwater related matters is being conducted by Town personnel and is excluded from this review.

SITE PLAN REVIEW

Site Plan Rules and Regulations (Chapter 200)

1. An Environmental Impact Assessment has not been provided. (Ch. 200 §204-3.F.2)
2. A Neighborhood Impact Assessment has not been provided. (Ch. 200 §204-3.F.3)
3. A Parking Impact Assessment has not been provided. (Ch. 200 §204-3.F.4)
4. Earth removal calculations have not been provided. (Ch. 200 §204-3.I)
5. Earth fill estimates have not been provided. (Ch. 200 §204-3.J)
6. Wetlands adjacent to the site have been identified and displayed on the Plans. However, a copy of an Order of Resource Area Delineation (ORAD) from the Medway Conservation Commission depicting the approved wetland resource affecting the proposed Project has not been provided. (Ch. 200 §204-3.K)
7. A Site Context Sheet has not been provided. However, a Vicinity Map providing parcels with 2,000 feet of the site is provided on the Cover Sheet and an Abutter Sheet is also included in the Plans. A waiver has been requested from this Regulation. (Ch. 200 §204-5.B)
8. The Applicant has not included proposed setback lines on the Plans. (Ch. 200 §204-5.D.1)
9. A Landscaping Plan has been provided. However, it is not stamped by a Registered Professional Landscape Architect. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.8)
10. Floor plans with the use of all interior areas have not been provided. (Ch. 200 §204-5.D.11)
11. A Master Signage Plan has not been provided. (Ch. 200 §204-5.D.14)
12. The Applicant has requested a waiver to provide 5-foot-wide sidewalks between the parking area and the building entrance. However, it appears the sidewalks on the Plans exceed 5 feet throughout. Applicant or GHI to advise and update as needed. (Ch. 200 §207-9.B.1)
13. The Applicant has included a large portion of the proposed parking along the street frontage. We recommend the Applicant consider relocating the building closer to the frontage with all parking to the side and rear of the Project. This condition would also help alleviate potential issues with the south entrance/egress and the anticipated queue at the traffic signal. If parking is required along the frontage, we recommend removing parking facing the roadway and including one-way circulation (egress) at the south drive aisle to incentivize parking in the northerly portions of the site. (Ch. 200 §207-12.B)
14. The parking lot layout has several spaces adjacent to building entrances. Parking spaces shall not be located within 20 feet of building entrances, building exits, and emergency access points. A waiver has been requested from this Regulation. (Ch. 200 §207-12.G.3.a)
15. It appears the proposed parking may be within 15 feet to a property line at the north side of the Project. The Applicant should show dimensioning from the property lines to the closets parking space. (Ch. 200 §207-12.G.3.b)
16. The Applicant has not included curb radius throughout the site. All curbing shall have a minimum radius of three feet. (Ch. 200 §207-12.H.2)
17. Provisions for the installation of underground telephone and cable TV have not been provided on the Plans. Additionally, electric runs to proposed lighting and the proposed electric vehicle charging has not been provided. (Ch. 200 §207-16.A)
18. The Applicant should confirm if two 6-foot square dumpsters are sufficient to serve the proposed building. The dumpster area appears to be undersized for the use. The narrative shall also elaborate on medical waste disposal and how that will occur. (Ch. 200 §207-17)

19. The Applicant has provided a Landscaping Plan with evergreen landscape buffers only located at the rear property line. Perimeter landscaping with evergreens are required between the site and all adjoining properties. A waiver has been requested from this Regulation. (Ch. 200 §207-19.B.2)
20. Shade trees are required for every 6 parking spaces. It does not appear the site provides enough shade trees adjacent to parking areas in the Landscaping Plan. A waiver has been requested from this Regulation. (Ch. 200 §207-19.C.1.d)

General Site Plan Comments

21. We recommend the Applicant consider land banking the southernmost parking aisle to reduce overall impervious area on the site which is currently at approximately 74% impervious coverage. The Applicant is providing 29 additional parking spaces as compared to required spaces calculated by the use.
22. The Applicant should provide narrative on potential modification of the striping on the existing driveway to accommodate the new development. Additionally, stop bars are recommended at stop signs for consistency.
23. The waiver list on the Cover Sheet is inconsistent with the waiver requests provided in the Major Site Plan Application and should be coordinated.
24. The Applicant should provide detail on the proposed generator pad and any additional required screening.

TRAFFIC REVIEW

Project Study Area Intersections

25. The traffic impact assessment (TIA) evaluated two existing, signalized intersections including the Route 109/Holliston Street intersection and the Route 109/Walgreens/Medway Commons intersection. The Project proposes to share access to the site with the Walgreens driveway on Route 109. Town of Medway Planning & Economic Development Board Rules and Regulations require TIA's to include all intersections within one-quarter mile of a site which would include the Route 109/Richard Road intersection for the proposed medical office building Project. Although not specifically evaluated as part of the TIA, the traffic study estimates that the proposed medical office building will generate approximately 15 to 23 vehicle trips through this intersection during peak hours. This represents an additional vehicle trip every 2 to 4 minutes which would not be expected to materially impact operations at the Route 109/Richard Road intersection. Therefore, the study area presented in the TIA is appropriate for a Project of this size and land use.

Study Time Periods

26. The study includes an impact analysis of the weekday morning (7am-9am) and weekday evening (4pm-6pm) peak periods. The proposed medical office building is anticipated to also provide outpatient emergency care (in addition to women's health and wellness and pediatric care). Therefore, the study also includes an impact analysis of the Saturday midday (11am-2pm) peak periods. The time periods chosen for detailed analysis are appropriate for this type of medical office use.

Traffic Volumes

27. The turning movement counts (TMCs) and automatic traffic recorder (ATR) counts were conducted on Thursday, February 17, 2022 and Saturday, February 19, 2022 at the study intersections. The traffic volumes were increased by 12.5 percent for seasonality (February was determined to be a below-average traffic month) based on MassDOT historical traffic count data. The study also reviewed historical count data at the Route 109/Walgreens/Medway Commons intersection from October 2018. The study determined that no adjustments to the observed February 2022 traffic volumes were warranted as a result of the ongoing COVID-19 pandemic. Tetra Tech generally concurs with this methodology.

Public Transportation

28. The TIA states that the Greater Attleboro-Taunton Regional Transit Authority (GATRA) provides Dial-a-Ride paratransit services to eligible persons in the community. However, regularly scheduled public transportation is not provided in the immediate vicinity of the site, with the closest GATRA bus stop located more than 10 minutes away. Therefore, the TIA did not reduce the estimate vehicle trip generation for the proposed medical office building as a result of area public transportation services. Tetra Tech agrees with this methodology.

Sight Distance

29. The TIA evaluated available sight distances at the existing Walgreens driveway on Route 109 since this driveway is also proposed to support access to the site. The sight distance evaluation was based on procedures outlined in the American Association of State Highway and Transportation Officials' (AASHTO) A Policy on Geometric Design of Highways and Streets, 7th Edition (2018). The sight distance evaluation was based on the posted speed limit of 35 miles per hour (mph). The observed 85th percentile travel speeds on Route 109 were not included in the evaluation as they were lower than the posted speed limit. Tetra Tech generally concurs with this methodology.
30. Tetra Tech identified discrepancies between the tabular summary of the sight distance analysis presented in the TIA and the supporting calculations provided in the attachment materials. However, the discrepancies do not change the overall conclusion reported in the TIA that the available stopping sight and intersection sight distance on Route 109 at the shared access way with the site/Walgreens exceeds minimum AASHTO requirements for the posted speed limit.

Safety Analysis

31. The TIA provided a crash analysis for the existing study intersections between 2015 and 2019 (the most recent complete year of MassDOT data) based on MassDOT crash data which is generally consistent with industry standard methodology. During the five-year study period, intersection improvements were implemented by others at the Route 109/Holliston Street intersection to address safety issues identified in the 2014 Road Safety Audit (RSA) prepared for the intersection. The TIA did not provide the crash data in the appendix material. Tetra Tech recommends the MassDOT crash data be provided for completeness.
32. The TIA reported a total of 36 crashes at the Route 109/Holliston Street intersection and 25 crashes at the Route 109/Medway Commons Driveway intersection during the five-year study period, resulting in crash rates consistent with or below the MassDOT Statewide (0.78) and Districtwide (0.89) averages for signalized intersections. Tetra Tech generally concurs with the crash rate calculations provided.
33. Although not discussed in the TIA, VAI has completed an RSA for the Route 109/Medway Commons/Walgreens driveway intersection (Dated April 2022) as part of the nearby multifamily residential development Project to be located at 39 Main Street in Medway. The April 2022 RSA identified numerous potential short-term and long-term improvements to enhance safety at the Route 109/Medway Commons/Walgreens driveway intersection. Given that this intersection will serve as the de facto access to the 86 Holliston Street site, Tetra Tech recommends that the Applicant work with the Town to identify which, if any, of the safety improvements identified in the April 2022 should be implemented as part of the proposed medical office building Project.

Study Time Horizon

34. The TIA utilized a seven-year planning horizon from the year the traffic study was submitted (2029 Future Year condition) which is consistent with MassDOT traffic study guidelines.

Future No-Build Traffic Volumes

35. A one percent annual growth rate was applied for seven years from the 2022 Existing peak hour traffic volumes to estimate peak hour traffic volumes in the planning year 2029. This growth rate was based on MassDOT continuous count station data. The TIA also considered traffic associated with specific area development Projects based on consultation with the Medway Planning and Economic Development Department. Tetra Tech generally concurs with this methodology.

Trip Generation

36. Trip Generation Land Use Code (LUC) 720 – Medical-Dental Office trip rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition were applied. This methodology is reasonable for the proposed medical office building use.

Trip Distribution/Trip Assignment

37. The distribution of Project trips through the study intersections is based on existing travel patterns adjacent to the site during peak commuting periods. Tetra Tech recommends that the Applicant provide the supporting trip distribution calculations for review.

Intersection Operational Analysis

38. The TIA utilized Highway Capacity Manual (HCM) methodology for the signalized intersections using Synchro software to conduct the intersection capacity analyses. This is consistent with industry-standard methodology.
39. The TIA indicates that the study intersections operate at overall levels of service (LOS) D or better operations during the peak hours under existing conditions and future year conditions (with or without the Project). Industry standards suggest that LOS D or better operations during peak hours are generally considered acceptable for most intersections. The TIA also reports that all movements at the intersection will operate at LOS D or better operations with or without the Project. The exception is the Holliston Street southbound movement at Route 109 which is expected to operate at longer delays (LOS E) during the weekday morning peak hour. However, this LOS E condition will occur independently of the proposed medical office building use, with a Project-related delay increase to this movement of less than 2 seconds. Project-related vehicle queues at the study intersections are shown to increase by up to 7 vehicles during peak hours. Additionally, field observations conducted by Tetra Tech during the weekday evening peak hour indicate that existing vehicle queues on Route 109 westbound at Holliston Street extend back through the Route 109/Medway Commons Walgreens driveway intersection at times. Tetra Tech recommends that the Applicant consider evaluating traffic signal timing modifications at the study intersections to determine if improved vehicle queueing can be achieved.

Parking

40. Per the parking summary provided in site Layout Plan Sheet 5, the total proposed parking supply of 102 spaces exceeds the Town requirement of 73 spaces (1 space per 300 sf applied to a 21,900-sf medical office building). Therefore, preparation of a parking analysis is not warranted for the Project. However, please see prior comments regarding parking in the Site Plan Review section.

Site Access/Emergency Access

41. The TIA recommended numerous Project access improvements including a minimum internal circulation aisle width of 24 feet, compliance with Manual on Uniform Traffic Control Devices (MUTCD) standards for all proposed signage and pavement markings, compliance with American with Disabilities Act (ADA) standards for all proposed crosswalks and wheelchair ramps, maintenance of proposed signage and landscaping so as not to restrict sight lines at the site driveway and the timely removal of snow accumulations (windrows) within site driveway sight line triangles. Tetra Tech generally concurs with these recommendations.

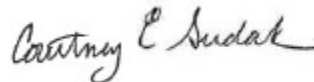
42. The Project is committed to implementing a Transportation Demand Management (TDM) program aimed at reducing single-occupancy vehicle usage at the site. Tetra Tech agrees with the implementation of a TDM program for the site and recommends that the Applicant work with the Town to finalize the specific elements of the program including the location and number of proposed bicycle parking.
43. Queues from vehicles waiting to exit the shared access way onto Route 109 could block vehicles from entering the front (south side) of the proposed medical office building site due to the close proximity of the southerly site driveway and the Route 109 signal. Tetra Tech recommends that the Applicant evaluate the feasibility of restricting the southerly driveway to exit-only movements or implementing alternative traffic guidance/control at the internal southerly intersection with Walgreens (i.e., Do Not Block pavement markings and signage, all-way Stop control, etc.) to minimize vehicle conflicts on the north leg of the Route 109/Walgreens driveway intersection.
44. The Project proposes to install Stop signs at the Project driveway approaches to the shared access way with Walgreens. Tetra Tech recommends that MUTCD-compliant Stop bar pavement markings also be installed at these locations.
45. The Project proposes to locate the medical office building's trash pick-up/drop-off area at the intersection with the proposed northerly site driveway and the shared access way with Walgreens. Although this is a low-volume intersection, the location of the proposed trash area will require a trash truck to pull in and/or back out in the intersection causing a potentially unsafe condition. Tetra Tech recommends that the Applicant explore the feasibility of relocating the proposed trash area so that a trash truck can safely maneuver in and out of the trash area with minimal impacts to vehicles traveling through this area.
46. Tetra Tech recommends that the Applicant provide information on the proposed loading/delivery operations and ensure that proposed loading activity will not impede access and circulation for patients, staff or emergency vehicles.
47. Tetra Tech recommends that the Applicant provide AutoTurn analyses to ensure that the largest emergency vehicle, delivery vehicle and trash truck can adequately access the site. The emergency circulation should be reviewed with the Medway Fire Department.
48. The proposed snow storage location in the northeast portion of the site could block the sight line of the trash area for vehicles entering the rear part of the site at this location.
49. The proposed snow storage in the southwest corner of medical office building could block the views of oncoming traffic and vehicles pulling in or backing out of parking spaces in this area of the site.

These comments are offered as guides for use during the Town's review and additional comments may be generated during the course of review. The Applicant shall be advised that any absence of comment shall not relieve him/her of the responsibility to comply with all applicable local, state and federal regulations for the Project. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

Very truly yours,



Steven M. Bouley, PE (Site Review)
Project Manager



Courtney E. Sudak, PE (Traffic Review)
Project Manager

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Allen M. Tingley
Chief of Police

Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
Fax: 508-533-3216
Emergency: 911

May 10, 2022

To: Susan Affleck-Childs
Planning & Economic Development Coordinator

From: Jeffrey W. Watson
Sergeant/Safety Officer
Medway Police Department

Ref: 86 Holliston St. Medical Center

I have reviewed the proposed site plan for 86 Holliston St. done by Guerriere & Halnon, Inc. dated April 14, 2022.

I would request that the South Side Entrance become exit only. All traffic entering the complex would enter through the North entrance. Do not Enter signs would be installed on the outside of the Exit. I would also request Stop signs and painted stop lines at both the north and south Exits.

In March of 2022 a Road Safety Audit was done by Mass DOT on the intersection of Main St at Medway Commons and Walgreens. The audit shows many rear end accidents at this intersection on the West bound lane. The current southern exit and entrance is too close to the Main St intersection. This has the potential to have cars queuing up causing a great safety concern for even more rear end accidents.

I would also request the Town look at Table Three, page 10 and 11 of the Safety Audit. This table shows the potential safety enhancements necessary for this intersection. If we are to add this type of traffic to this area, I would ask that the Town request these recommendations.

If you have any questions, please let me know.

I will email a copy of the Road Safety Audit to you.

All signage shall meet the standards of the Medway Department of Public Works.

ROAD SAFETY AUDIT

Main Street (Route 109) at
Medway Commons and Walgreens Driveways
Town of Medway

March 2022

Prepared For:



On Behalf of:
Toll Brothers Apartment Living

Prepared By:



Transportation Engineers & Planners

35 New England Business Center Drive
Suite 140
Andover, MA 01810-1066

Table of Contents

Contents

Background	1
Project Data	1
Project Location and Description.....	3
Audit Observations and Potential Safety Enhancements.....	5
Summary of Road Safety Audit.....	9

List of Appendices

Appendix A.	RSA Meeting Agenda
Appendix B.	RSA Audit Team Contact List
Appendix C.	Detailed Crash Data
Appendix D.	RSA Procedure
Appendix E.	Road Safety Audit References

List of Figures

Figure 1: Locus Map.....	4
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List of Tables

Table 1: Participating Audit Team Members.....	2
Table 2: Estimated Time Frame and Costs Breakdown.....	9
Table 3: Potential Safety Enhancement Summary – Main Street at Medway Commons and Walgreens Driveways	10

Background

The Federal Highway Administration (FHWA) defines a Road Safety Audit (RSA) as the formal safety examination of an existing or future road or intersection by an independent, multidisciplinary team. The purpose of an RSA is to identify potential safety issues and possible opportunities for safety improvements considering all roadway users. The Massachusetts Department of Transportation's (MassDOT) RSA procedures are defined in Appendix D.

The intersection of Main Street (Route 109) with Medway Commons and Walgreens driveways was identified as a high crash cluster based on the Highway Safety Improvement Program (HSIP) cluster data for the period of time from 2013-2015. Currently the MassDOT HSIP map shows HSIP cluster for 2015-2017, 2016-2018, and 2017-2019. The intersection of Main Street with Medway Commons and Walgreens driveways is not listed as a high crash location on those three lists.

This RSA was proposed by the proponent for the 190-unit multifamily residential development to be located at 39 Main Street. Although the 190-unit residential development was not shown to result in a change in level of service (LOS) over No-Build conditions, in an effort to advance safety improvements at this location that are warranted as a result of existing conditions unrelated to the multifamily residential development, the proponent facilitated this RSA in order to identify improvement strategies for the intersection.

Project Data

The RSA for the subject location was conducted on March 1, 2022 at Medway Town Hall. The RSA Meeting Agenda is provided in Appendix A. Participating audit team members and their affiliation are listed in Table 1 with team member contact information provided in Appendix B. For this RSA, team members were encouraged to visit the location prior to the meeting to observe operations and evaluate potential safety issues, using MassDOT's Safety Review Prompt list for guidance. Prior to the meeting, team members were provided with the following:

1. Collision diagram,
2. Crash data summary table,
3. Bar charts analyzing motor vehicle crashes reported within the review period (2014-2018).

This material was reviewed by the audit team at the March 1, 2022 meeting in conjunction with aerial views of the subject intersection via Google Earth.

Table 1: Participating Audit Team Members

Audit Team Member	Agency/Affiliation
Shane Leary	MassDOT District 3 Traffic
Lola Campbell	MassDOT District 3 Traffic
Dakota DelSignore	MassDOT Traffic Safety Division
Michelle Deng	MassDOT Traffic Safety Division
Peter Pelletier	Town of Medway Department of Public Works
Tom Irwin	Town of Medway Fire Department
Jeff Watson	Town of Medway Police Department
Jennifer Conners	Vanasse and Associates, Inc.
Derek Roach	Vanasse and Associates, Inc.

Motor vehicle crash data was provided by the MassDOT Traffic Safety Division for the most recent five-year review period available at the time (2014-2018). All reported collisions that involved police dispatch were handled by the Town of Medway Police Department.

The data provided for the study area intersections include 19 reported crashes, with 16 crashes (84 percent) resulting in property damage only, three (3) (16 percent) resulting in personal injury or possible injury, and no reported fatalities. The majority of the crashes, 17 of the total 19 (89 percent) were rear-end crashes while two (2) (11 percent) were sideswipe crashes. The majority of the crashes, 17 out of 19 (89 percent) occurred on dry pavement, while one (1) crash (5 percent) occurred on wet pavement, and one (1) (5 percent) occurred under snowy/icy pavement conditions. The majority of the crashes, 15 out of 19 (79 percent) occurred during clear weather, while three (3) crashes (16 percent) occurred during cloudy weather, and one (1) (5 percent) occurred during snowy/icy weather conditions. The majority of the reported crashes occurred during the afternoon hours, with 26 percent occurring from 12:00 to 2:00 PM, 32 percent occurring from 2:00 to 4:00 PM, and 26 percent occurring from 4:00 to 6:00 PM. All of the crashes occurred during daylight hours.

Project Location and Description

Main Street (Route 109)

Main Street is a two-lane urban principal arterial roadway under the jurisdiction of the Town of Medway that traverses the study area in a general east-west orientation. Within the study area, Main Street provides one lane of travel in each direction, with additional turning lanes provided at signalized intersections. Directional travel along Main Street is separated by a double-yellow centerline. The posted speed limit on Main Street in the study area is 35 miles per hour (mph). Sidewalk is provided along the north side of Main Street within the study area. Illumination along the corridor is provided by way of streetlights mounted on wooden utility poles with the nearest streetlight located on a utility pole approximately 25 feet east of this intersection on the north side of the roadway. Land use along Main Street in the vicinity of the study area consists primarily of commercial properties including the Medway Commons shopping center and Walgreens.

Main Street at Medway Commons and Walgreens Driveways

Main Street is intersected by Medway Commons and Walgreens driveways from the south and north, respectively, to form a four-way intersection under traffic signal control. The Main Street eastbound approach provides an 11-foot wide exclusive left-turn lane, a 12-foot wide general-purpose travel lane, and a 12-foot wide exclusive right-turn lane. The Main Street westbound approach provides a 14-foot wide exclusive left-turn lane and a 14-foot wide through/right-turn lane. The Medway Commons northbound approach provides a 12-foot wide left-turn/through lane and a 12-foot wide exclusive right-turn lane. The Walgreens driveway southbound approach provides a 12-foot wide exclusive left-turn lane and an 11-foot wide through/right-turn lane.

The traffic signal at this location operates under a three-phase traffic signal operation, with protected left-turn phases provided for eastbound and westbound traffic on Main Street. Pedestrian signal phasing is provided via push-button activation and occurs as an exclusive phase. Painted crosswalks are provided across the Main Street eastbound and Walgreens driveway southbound approaches to this intersection. Figure 1 depicts the intersection of Main Street with Medway Commons and Walgreens driveways in relation to the surrounding area.



Figure 1: Locus Map

Audit Observations and Potential Safety Enhancements

Following the RSA site visit, audit team members returned to the meeting room at Medway Town Hall and a group discussion was held on the various safety issues that were observed in the field. The safety issues observed are summarized and described in more detail in the following section with summaries of potential safety enhancements as discussed during the RSA.

Main Street at Medway Commons And Walgreens Driveways – Observations and Safety Issues

1. Congestion on Main Street, particularly in the westbound direction, leads to long queues and motorist frustration. Specifically, the westbound queue from the intersection of Main Street at Holliston Street is spilling back to this signal and beyond. It was noted by audit team members that this signal is not currently coordinated with the intersection of Main Street with Holliston Street, which seems to be contributing to the long westbound queues. While waiting in the queue, drivers are constantly starting and stopping which leads to more chances for rear-end collisions. In addition, drivers want to clear the intersection and will queue up through the intersection to do so which may block vehicles on the northbound and southbound approaches from entering the intersection. Some drivers speed up to try and make it through the intersection on the yellow interval and have to stop suddenly due to the queue at the intersection of Main Street at Holliston Street. On the contrary, some westbound drivers may stop when they still have the green indication because the queue from Main Street at Holliston Street has already backed up through the intersection. This may cause cars further back in the queue who only see the green indication to continue driving and cause a rear-end collision. Fourteen (14) of the 19 reported collisions at this intersection were rear-end crashes involving westbound traffic on Main Street.
2. During the field visit, audit team members stated that the westbound clearance interval (yellow time) seemed to be shorter than the eastbound clearance interval. The shortened clearance interval in the westbound direction may be contributing to drivers speeding up to try and clear the intersection on the yellow interval. However, due to the westbound queue at the intersection of Main Street with Holliston Street, these drivers often have to stop suddenly after clearing the Main Street at Medway Commons and Walgreens driveways intersection.
3. During the field visit, audit team members noted the lack of retroreflective strips on the backplates to the signal heads of the intersection. This may be contributing to rear-end collisions if drivers are having difficulty seeing the signal indications and when they change. In addition, team members noted that drivers stuck in the long queue westbound may confuse the signal heads at the intersection of Main Street with Medway Commons and Walgreens driveways with the signal heads for the intersection of Main Street with Holliston Street. At a certain distance away, the two sets of signal heads align. This maybe contributing to rear-end crashes as drivers assume they have the red/green light when it is actually the Main Street at Holliston Street signal heads they are seeing change indications. In addition, trees on the north side of Main Street hang over the westbound approach and may obscure the traffic signal heads when the trees have leaves. This may further contribute to westbound rear-end crashes.
4. Pavement markings are either faded or not provided at a number of locations at this intersection. Pavement markings are lightly faded on all approaches to this intersection, potentially leading to

driver confusion and contributing to crashes at this location. Furthermore, no pavement markings are provided on the Medway Commons inbound leg to delineate the two inbound lanes. This is a contributing factor for sideswipe crashes.

5. The crash data indicated that the driver's contributing factor in five (5) of the crashes was "following too closely" and in another six (6) the factor was "inattention". These behaviors often lead to rear-end collisions.
6. Glare was noted by the audit team members as a known issue, especially for westbound traffic in the evening. There was one rear-end crash in the data where the driver indicated they caused the collision due to not being able to see the car in front of them stop because of solar glare.
7. During the field visit, audit team members acknowledged that pedestrian equipment at this location does not meet Americans with Disabilities Act (ADA) standards. Although the crash history did not indicate any pedestrian-related crashes at this location over the time period reviewed, it is anticipated that there will be more pedestrian activity at this intersection once the 190-unit multifamily residential development is constructed and occupied.

Safety Issue No. 1 – Congestion:

Prior to the site visit, audit team members noted the frequency of motor vehicle collisions in the westbound direction on Main Street, including 14 westbound rear-end collisions. In comparison, four (4) motor vehicle collisions were reported for vehicles traveling eastbound on Main Street at this location. Only one (1) crash was reported on the southbound approach and no crashes were reported on the northbound approach. During the site visit, it was noted by audit team members that this signal is not coordinated with the intersection of Main Street at Holliston Street, which is contributing to the long westbound queues. While waiting in the queue, drivers are constantly starting and stopping, which leads to more chances for rear-end collisions. In addition, frustrated drivers want to clear the intersection and will queue up through the intersection to do so which may block vehicles on the northbound and southbound approaches from entering the intersection. Also, drivers speed up to try and clear the intersection and have to stop suddenly due to the queue at the intersection of Main Street at Holliston Street. This behavior was observed by audit team members during the site visit. On the contrary, some westbound drivers may stop when they still have the green indication because the queue from Main Street at Holliston Street has already backed up through the intersection. This may cause cars further back in the queue who only see the green indication to continue driving and cause a rear-end collision. Fourteen (14) of the 19 reported collisions at this intersection were rear-end crashes involving westbound traffic on Main Street.

Potential Safety Enhancements:

1. Consider coordinating the Main Street at Medway Commons and Walgreens driveways signal with the Main Street at Holliston Street signal. Audit team members from the Town of Medway indicated that the coordination of these two signals is planned and will be implemented as soon as a part for the Main Street at Holliston Street intersection arrives.

Safety Issue No. 2 – Clearance Intervals:

During the field visit, audit team members observed that the westbound clearance interval (yellow time) was shorter than the eastbound clearance interval. One would expect that these clearance intervals would

be the same length. If in fact, the westbound clearance interval is shorter than required by MassDOT standards, it may be contributing to the high number of westbound rear-end collisions. Frustrated drivers who have been waiting in the long queue may speed up when the light turns yellow in order to try and clear the intersection before the all-red indication. However, the westbound queue from the intersection of Main Street with Holliston Street is often queued up through this intersection which causes those speeding up to clear the intersection to then stop suddenly. During the site visit, team members observed vehicles speeding up to get through the intersection on the yellow interval only to then stop suddenly due to the queue at Main Street with Holliston Street.

Potential Safety Enhancements:

1. Check the clearance intervals at this intersection and consider updating the timings if determined they do not meet MassDOT standards.

Safety Issue No. 3 – Traffic Signal Head Conspicuity:

During the field visit, audit team members noted the lack of retroreflective strips on the backplates of the signal heads of the intersection. This may be contributing to rear-end collisions if drivers are having difficulty seeing the signal indications and when they change. In addition, team members noted that drivers stuck in the long queue westbound may confuse the signal heads at the intersection of Main Street with Medway Commons and Walgreens driveways with the signal for the intersection of Main Street with Holliston Street. At the right distance away, the two sets of signal heads align exactly. This is also likely contributing to rear-end crashes as drivers assume they have the red/green light when it is actually the Main Street at Holliston Street signal head they are looking at. In addition, trees on the north side of Main Street hang over the westbound approach and may obscure the traffic signal heads when the trees have leaves. This may further contribute to westbound rear-end crashes.

Potential Safety Enhancements:

1. Install retroreflective strips to the backplates of the signal heads to improve signal head conspicuity.
2. Consider trimming trees on the north side of Main Street if it is determined they hang down and obscure the signal heads when the trees have leaves.

Safety Issue No. 4 – Pavement Markings:

Field observations revealed the pavement markings at this intersection are lightly faded with no pavement markings provided on the Medway Commons approach to delineate that there are two entering lanes. This was a contributing factor in Cash Number 5, which was a sideswipe on the entering lanes of the Medway Commons shopping center.

Potential Safety Enhancements:

1. Consider striping pavement markings on the Medway Commons entering approach to delineate between the two entering lanes. It should be noted that this approach of the intersection is privately owned and any improvement made on this approach would have to be agreed upon with the owners of the Medway Commons development.
2. Consider restriping the intersection.

Safety Issue No. 5 – Driver Distraction/Inattention:

During the pre-audit meeting, audit team members noted that the crash data showed a trend of driver distraction and inattention. The driver's contributing factor in five (5) of the crashes was "following too closely" and in another six (6) the factor was "inattention".

Potential Safety Enhancements:

1. Consider educational outreach/campaigns for residents to better inform the public of the safety issues surrounding distracted drivers and inattention. It should be noted that audit team members indicated that the Town of Medway already has crosswalk and distracted driver initiatives. It was suggested that further outreach be done with middle schoolers in the Town.
2. Increase police enforcement of cell phone use and other activities that distract drivers.

Safety Issue No. 6 – Solar Glare:

Audit team members noted that the driver that caused Crash Number 17 stated they could not see the cars in front of them stop due to glare from the sun. In addition, audit team members from the Town of Medway indicated that solar glare is a known issue on Main Street westbound, particularly in the afternoons.

Potential Safety Enhancements:

1. Consider posting warning signs that caution drivers of possible solar glare on Main Street westbound.
2. Consider educational outreach to residents to inform them of the hazard of glare, specifically westbound on Main Street in the afternoons, and methods for minimizing the effects of the glare on drivers.

Safety Issue No. 7 – Pedestrian Accommodations:

During the field visit, audit team members acknowledge that the pedestrian equipment at this location is not up to ADA standards. Although the crash history did not indicate any pedestrian-related crashes at this location over the time period reviewed, it is anticipated that there will be more pedestrian activity at this intersection once the 190-unit multifamily residential development is constructed and occupied.

Potential Safety Enhancements:

1. Update the crosswalks at the intersection from Standard crosswalks to Ladder crosswalks.
2. Update all wheelchair ramps at the intersection to ADA standards including installing standard tactile warning panels.
3. Upgrade the pedestrian signal heads to ADA standards including a pedestrian countdown signal.
4. Upgrade the pedestrian push buttons to Accessible Pedestrian Signal (APS) buttons that have auditory functions.

Summary of Road Safety Audit

The RSA team identified safety issues and potential safety enhancements for the intersection under review, based on the on-site field observations, the meeting discussion, and a review of the available crash data. Table 2 lists estimated time frames and construction costs for each category (for timeframe, short-, medium-, and long-term, and for costs, low, medium, and high).

Table 2: Estimated Time Frame and Costs Breakdown

Time Frame	Time	Cost Frame	Costs
Short-Term	<1 Year	Low	<\$10,000
Mid-Term	1-3 Years	Medium	\$10,001-\$50,000
Long-Term	>3 Years	High	>\$50,000

Safety payoffs were based on Crash Modification Factors (CMFs) found on the USDOT FHWA CMF Clearinghouse website for improvement strategies considered in the RSA.

Table 3 provides a summary of the Potential Safety Enhancements discussed during the audit, along with the potential safety payoffs, the estimated time frame for completion, the estimated construction cost, and the responsible agency involved.

**Table 3: Potential Safety Enhancement Summary –
Main Street at Medway Commons and Walgreens Driveways**

Safety Issue	Potential Safety Enhancement	Safety Payoff	Time Frame	Cost	Jurisdiction
Congestion	Consider coordinating the Main Street at Medway Commons and Walgreens driveways signal with the Main Street at Holliston Street signal	Medium	Short-Term	Medium	Town of Medway
Clearance Intervals	Check clearance intervals and consider updating if they do not meet MassDOT standards	Medium	Short-Term	Low	Town of Medway
Traffic Signal Head Conspicuity	Install retroreflective strips to the backplates of the signal heads to improve signal head conspicuity	Medium	Short-Term	Low	Town of Medway
	Consider trimming trees on the north side of Main Street if it is determined they hang down and obscure the signal heads when the tree have leaves	Low	Short-Term	Low	Town of Medway
Pavement Markings	Consider striping pavement markings on Medway Commons entering approach to delineate between the two entering lanes	Low	Short-Term	Low	Owner of Medway Commons
	Consider restriping the intersection	Low	Short-Term	Low	Town of Medway

**Table 3: Potential Safety Enhancement Summary –
Main Street at Medway Commons and Walgreens Driveways (continued)**

Safety Issue	Potential Safety Enhancement	Safety Payoff	Time Frame	Cost	Jurisdiction
Driver Distraction/ Inattention	Consider educational outreach/ campaigns for residents to better inform the public of the safety issue surrounding distracted drivers and inattention.	Low	Long-Term	Low	Town of Medway
	Increase police enforcement of cell phone use and other activities that distract drivers.	Medium	Long-Term	Low	Town of Medway
Solar Glare	Consider posting warning signs that caution drivers of possible solar glare on Main Street westbound.	Low	Short-Term	Low	Town of Medway
	Consider educational outreach to residents to inform them of the hazard of glare, specifically westbound on Main Street in the afternoons and methods for handling the glare.	Low	Long-Term	Low	Town of Medway

**Table 3: Potential Safety Enhancement Summary –
Main Street at Medway Commons and Walgreens Driveways (continued)**

Safety Issue	Potential Safety Enhancement	Safety Payoff	Time Frame	Cost	Jurisdiction
Pedestrian Accommodations	Update the crosswalks at the intersection from Standard crosswalks to Ladder crosswalks	Low	Short-Term	Low	Town of Medway
	Update all wheelchair ramps at the intersection to ADA standards including installing standard tactile warning panels	Medium	Mid-Term	Medium	Town of Medway
	Upgrade the pedestrian signal heads to ADA standards including a pedestrian countdown signal	Medium	Mid-Term	Medium	Town of Medway
	Upgrade the pedestrian push buttons to Accessible Pedestrian Signal (APS) buttons that have auditory function	Medium	Mid-Term	Medium	Town of Medway

Susan Affleck-Childs

From: Matt Frckr <matt.s.fricker@gmail.com>
Sent: Sunday, May 15, 2022 6:35 PM
To: Planning Board
Subject: [External] Cow Farm Next to Walgreen's

Hello,

We are writing to express strong disapproval of allowing the land next to Walgreen's to be used for a medical facility. There are plenty of empty buildings around town that would not require destroying agricultural land.

We should not sacrifice all of the charm of Medway for additional tax revenue.

Thank you,
Matthew and Courtney Fricker
110 Village Street

Sent from my iPhone

Susan Affleck-Childs

From: Contact form at medwayma <cmsmailer@civicplus.com>
Sent: Wednesday, May 11, 2022 12:13 PM
To: Susan Affleck-Childs
Subject: [medwayma] Milford Regional Facility (Sent by Andrew Page, apage8@gmail.com)

Hello sachilds,

Andrew Page (apage8@gmail.com) has sent you a message via your contact form (<https://www.townofmedway.org/user/201/contact>) at medwayma.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofmedway.org/user/201/edit>.

Message:

Hi Susan,

Can you pass this message along to the board?

I watched the public hearing in regards to the proposed Milford Regional medical facility. There was discussion about the building being set back from 109. I understand that they'd like the building to line up with Walgreens but there's way too much parking on this site, specifically in front of the building. We only have one chance to make this right and they should either move the building closer to 109 or remove some of the front parking and replace with more trees.

Thanks
Andrew Page



Allen M. Tingley
Chief of Police

Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
Fax: 508-533-3216
Emergency: 911

May 10, 2022

To: Susan Affleck-Childs
Planning & Economic Development Coordinator

From: Jeffrey W. Watson
Sergeant/Safety Officer
Medway Police Department

Ref: 86 Holliston St. Medical Center

I have reviewed the proposed site plan for 86 Holliston St. done by Guerriere & Halnon, Inc. dated April 14, 2022.

I would request that the South Side Entrance become exit only. All traffic entering the complex would enter through the North entrance. Do not Enter signs would be installed on the outside of the Exit. I would also request Stop signs and painted stop lines at both the north and south Exits.

In March of 2022 a Road Safety Audit was done by Mass DOT on the intersection of Main St at Medway Commons and Walgreens. The audit shows many rear end accidents at this intersection on the West bound lane. The current southern exit and entrance is too close to the Main St intersection. This has the potential to have cars queuing up causing a great safety concern for even more rear end accidents.

I would also request the Town look at Table Three, page 10 and 11 of the Safety Audit. This table shows the potential safety enhancements necessary for this intersection. If we are to add this type of traffic to this area, I would ask that the Town request these recommendations.

If you have any questions, please let me know.

I will email a copy of the Road Safety Audit to you.

All signage shall meet the standards of the Medway Department of Public Works.

ROAD SAFETY AUDIT

Main Street (Route 109) at
Medway Commons and Walgreens Driveways
Town of Medway

March 2022

Prepared For:



On Behalf of:
Toll Brothers Apartment Living

Prepared By:



Transportation Engineers & Planners

35 New England Business Center Drive
Suite 140
Andover, MA 01810-1066

Table of Contents

Contents

Background	1
Project Data	1
Project Location and Description.....	3
Audit Observations and Potential Safety Enhancements.....	5
Summary of Road Safety Audit.....	9

List of Appendices

Appendix A.	RSA Meeting Agenda
Appendix B.	RSA Audit Team Contact List
Appendix C.	Detailed Crash Data
Appendix D.	RSA Procedure
Appendix E.	Road Safety Audit References

List of Figures

Figure 1: Locus Map.....	4
--------------------------	---

List of Tables

Table 1: Participating Audit Team Members.....	2
Table 2: Estimated Time Frame and Costs Breakdown.....	9
Table 3: Potential Safety Enhancement Summary – Main Street at Medway Commons and Walgreens Driveways	10

Background

The Federal Highway Administration (FHWA) defines a Road Safety Audit (RSA) as the formal safety examination of an existing or future road or intersection by an independent, multidisciplinary team. The purpose of an RSA is to identify potential safety issues and possible opportunities for safety improvements considering all roadway users. The Massachusetts Department of Transportation's (MassDOT) RSA procedures are defined in Appendix D.

The intersection of Main Street (Route 109) with Medway Commons and Walgreens driveways was identified as a high crash cluster based on the Highway Safety Improvement Program (HSIP) cluster data for the period of time from 2013-2015. Currently the MassDOT HSIP map shows HSIP cluster for 2015-2017, 2016-2018, and 2017-2019. The intersection of Main Street with Medway Commons and Walgreens driveways is not listed as a high crash location on those three lists.

This RSA was proposed by the proponent for the 190-unit multifamily residential development to be located at 39 Main Street. Although the 190-unit residential development was not shown to result in a change in level of service (LOS) over No-Build conditions, in an effort to advance safety improvements at this location that are warranted as a result of existing conditions unrelated to the multifamily residential development, the proponent facilitated this RSA in order to identify improvement strategies for the intersection.

Project Data

The RSA for the subject location was conducted on March 1, 2022 at Medway Town Hall. The RSA Meeting Agenda is provided in Appendix A. Participating audit team members and their affiliation are listed in Table 1 with team member contact information provided in Appendix B. For this RSA, team members were encouraged to visit the location prior to the meeting to observe operations and evaluate potential safety issues, using MassDOT's Safety Review Prompt list for guidance. Prior to the meeting, team members were provided with the following:

1. Collision diagram,
2. Crash data summary table,
3. Bar charts analyzing motor vehicle crashes reported within the review period (2014-2018).

This material was reviewed by the audit team at the March 1, 2022 meeting in conjunction with aerial views of the subject intersection via Google Earth.

Table 1: Participating Audit Team Members

Audit Team Member	Agency/Affiliation
Shane Leary	MassDOT District 3 Traffic
Lola Campbell	MassDOT District 3 Traffic
Dakota DelSignore	MassDOT Traffic Safety Division
Michelle Deng	MassDOT Traffic Safety Division
Peter Pelletier	Town of Medway Department of Public Works
Tom Irwin	Town of Medway Fire Department
Jeff Watson	Town of Medway Police Department
Jennifer Conners	Vanasse and Associates, Inc.
Derek Roach	Vanasse and Associates, Inc.

Motor vehicle crash data was provided by the MassDOT Traffic Safety Division for the most recent five-year review period available at the time (2014-2018). All reported collisions that involved police dispatch were handled by the Town of Medway Police Department.

The data provided for the study area intersections include 19 reported crashes, with 16 crashes (84 percent) resulting in property damage only, three (3) (16 percent) resulting in personal injury or possible injury, and no reported fatalities. The majority of the crashes, 17 of the total 19 (89 percent) were rear-end crashes while two (2) (11 percent) were sideswipe crashes. The majority of the crashes, 17 out of 19 (89 percent) occurred on dry pavement, while one (1) crash (5 percent) occurred on wet pavement, and one (1) (5 percent) occurred under snowy/icy pavement conditions. The majority of the crashes, 15 out of 19 (79 percent) occurred during clear weather, while three (3) crashes (16 percent) occurred during cloudy weather, and one (1) (5 percent) occurred during snowy/icy weather conditions. The majority of the reported crashes occurred during the afternoon hours, with 26 percent occurring from 12:00 to 2:00 PM, 32 percent occurring from 2:00 to 4:00 PM, and 26 percent occurring from 4:00 to 6:00 PM. All of the crashes occurred during daylight hours.

Project Location and Description

Main Street (Route 109)

Main Street is a two-lane urban principal arterial roadway under the jurisdiction of the Town of Medway that traverses the study area in a general east-west orientation. Within the study area, Main Street provides one lane of travel in each direction, with additional turning lanes provided at signalized intersections. Directional travel along Main Street is separated by a double-yellow centerline. The posted speed limit on Main Street in the study area is 35 miles per hour (mph). Sidewalk is provided along the north side of Main Street within the study area. Illumination along the corridor is provided by way of streetlights mounted on wooden utility poles with the nearest streetlight located on a utility pole approximately 25 feet east of this intersection on the north side of the roadway. Land use along Main Street in the vicinity of the study area consists primarily of commercial properties including the Medway Commons shopping center and Walgreens.

Main Street at Medway Commons and Walgreens Driveways

Main Street is intersected by Medway Commons and Walgreens driveways from the south and north, respectively, to form a four-way intersection under traffic signal control. The Main Street eastbound approach provides an 11-foot wide exclusive left-turn lane, a 12-foot wide general-purpose travel lane, and a 12-foot wide exclusive right-turn lane. The Main Street westbound approach provides a 14-foot wide exclusive left-turn lane and a 14-foot wide through/right-turn lane. The Medway Commons northbound approach provides a 12-foot wide left-turn/through lane and a 12-foot wide exclusive right-turn lane. The Walgreens driveway southbound approach provides a 12-foot wide exclusive left-turn lane and an 11-foot wide through/right-turn lane.

The traffic signal at this location operates under a three-phase traffic signal operation, with protected left-turn phases provided for eastbound and westbound traffic on Main Street. Pedestrian signal phasing is provided via push-button activation and occurs as an exclusive phase. Painted crosswalks are provided across the Main Street eastbound and Walgreens driveway southbound approaches to this intersection. Figure 1 depicts the intersection of Main Street with Medway Commons and Walgreens driveways in relation to the surrounding area.



Figure 1: Locus Map

Audit Observations and Potential Safety Enhancements

Following the RSA site visit, audit team members returned to the meeting room at Medway Town Hall and a group discussion was held on the various safety issues that were observed in the field. The safety issues observed are summarized and described in more detail in the following section with summaries of potential safety enhancements as discussed during the RSA.

Main Street at Medway Commons And Walgreens Driveways – Observations and Safety Issues

1. Congestion on Main Street, particularly in the westbound direction, leads to long queues and motorist frustration. Specifically, the westbound queue from the intersection of Main Street at Holliston Street is spilling back to this signal and beyond. It was noted by audit team members that this signal is not currently coordinated with the intersection of Main Street with Holliston Street, which seems to be contributing to the long westbound queues. While waiting in the queue, drivers are constantly starting and stopping which leads to more chances for rear-end collisions. In addition, drivers want to clear the intersection and will queue up through the intersection to do so which may block vehicles on the northbound and southbound approaches from entering the intersection. Some drivers speed up to try and make it through the intersection on the yellow interval and have to stop suddenly due to the queue at the intersection of Main Street at Holliston Street. On the contrary, some westbound drivers may stop when they still have the green indication because the queue from Main Street at Holliston Street has already backed up through the intersection. This may cause cars further back in the queue who only see the green indication to continue driving and cause a rear-end collision. Fourteen (14) of the 19 reported collisions at this intersection were rear-end crashes involving westbound traffic on Main Street.
2. During the field visit, audit team members stated that the westbound clearance interval (yellow time) seemed to be shorter than the eastbound clearance interval. The shortened clearance interval in the westbound direction may be contributing to drivers speeding up to try and clear the intersection on the yellow interval. However, due to the westbound queue at the intersection of Main Street with Holliston Street, these drivers often have to stop suddenly after clearing the Main Street at Medway Commons and Walgreens driveways intersection.
3. During the field visit, audit team members noted the lack of retroreflective strips on the backplates to the signal heads of the intersection. This may be contributing to rear-end collisions if drivers are having difficulty seeing the signal indications and when they change. In addition, team members noted that drivers stuck in the long queue westbound may confuse the signal heads at the intersection of Main Street with Medway Commons and Walgreens driveways with the signal heads for the intersection of Main Street with Holliston Street. At a certain distance away, the two sets of signal heads align. This maybe contributing to rear-end crashes as drivers assume they have the red/green light when it is actually the Main Street at Holliston Street signal heads they are seeing change indications. In addition, trees on the north side of Main Street hang over the westbound approach and may obscure the traffic signal heads when the trees have leaves. This may further contribute to westbound rear-end crashes.
4. Pavement markings are either faded or not provided at a number of locations at this intersection. Pavement markings are lightly faded on all approaches to this intersection, potentially leading to

driver confusion and contributing to crashes at this location. Furthermore, no pavement markings are provided on the Medway Commons inbound leg to delineate the two inbound lanes. This is a contributing factor for sideswipe crashes.

5. The crash data indicated that the driver's contributing factor in five (5) of the crashes was "following too closely" and in another six (6) the factor was "inattention". These behaviors often lead to rear-end collisions.
6. Glare was noted by the audit team members as a known issue, especially for westbound traffic in the evening. There was one rear-end crash in the data where the driver indicated they caused the collision due to not being able to see the car in front of them stop because of solar glare.
7. During the field visit, audit team members acknowledged that pedestrian equipment at this location does not meet Americans with Disabilities Act (ADA) standards. Although the crash history did not indicate any pedestrian-related crashes at this location over the time period reviewed, it is anticipated that there will be more pedestrian activity at this intersection once the 190-unit multifamily residential development is constructed and occupied.

Safety Issue No. 1 – Congestion:

Prior to the site visit, audit team members noted the frequency of motor vehicle collisions in the westbound direction on Main Street, including 14 westbound rear-end collisions. In comparison, four (4) motor vehicle collisions were reported for vehicles traveling eastbound on Main Street at this location. Only one (1) crash was reported on the southbound approach and no crashes were reported on the northbound approach. During the site visit, it was noted by audit team members that this signal is not coordinated with the intersection of Main Street at Holliston Street, which is contributing to the long westbound queues. While waiting in the queue, drivers are constantly starting and stopping, which leads to more chances for rear-end collisions. In addition, frustrated drivers want to clear the intersection and will queue up through the intersection to do so which may block vehicles on the northbound and southbound approaches from entering the intersection. Also, drivers speed up to try and clear the intersection and have to stop suddenly due to the queue at the intersection of Main Street at Holliston Street. This behavior was observed by audit team members during the site visit. On the contrary, some westbound drivers may stop when they still have the green indication because the queue from Main Street at Holliston Street has already backed up through the intersection. This may cause cars further back in the queue who only see the green indication to continue driving and cause a rear-end collision. Fourteen (14) of the 19 reported collisions at this intersection were rear-end crashes involving westbound traffic on Main Street.

Potential Safety Enhancements:

1. Consider coordinating the Main Street at Medway Commons and Walgreens driveways signal with the Main Street at Holliston Street signal. Audit team members from the Town of Medway indicated that the coordination of these two signals is planned and will be implemented as soon as a part for the Main Street at Holliston Street intersection arrives.

Safety Issue No. 2 – Clearance Intervals:

During the field visit, audit team members observed that the westbound clearance interval (yellow time) was shorter than the eastbound clearance interval. One would expect that these clearance intervals would

be the same length. If in fact, the westbound clearance interval is shorter than required by MassDOT standards, it may be contributing to the high number of westbound rear-end collisions. Frustrated drivers who have been waiting in the long queue may speed up when the light turns yellow in order to try and clear the intersection before the all-red indication. However, the westbound queue from the intersection of Main Street with Holliston Street is often queued up through this intersection which causes those speeding up to clear the intersection to then stop suddenly. During the site visit, team members observed vehicles speeding up to get through the intersection on the yellow interval only to then stop suddenly due to the queue at Main Street with Holliston Street.

Potential Safety Enhancements:

1. Check the clearance intervals at this intersection and consider updating the timings if determined they do not meet MassDOT standards.

Safety Issue No. 3 – Traffic Signal Head Conspicuity:

During the field visit, audit team members noted the lack of retroreflective strips on the backplates of the signal heads of the intersection. This may be contributing to rear-end collisions if drivers are having difficulty seeing the signal indications and when they change. In addition, team members noted that drivers stuck in the long queue westbound may confuse the signal heads at the intersection of Main Street with Medway Commons and Walgreens driveways with the signal for the intersection of Main Street with Holliston Street. At the right distance away, the two sets of signal heads align exactly. This is also likely contributing to rear-end crashes as drivers assume they have the red/green light when it is actually the Main Street at Holliston Street signal head they are looking at. In addition, trees on the north side of Main Street hang over the westbound approach and may obscure the traffic signal heads when the trees have leaves. This may further contribute to westbound rear-end crashes.

Potential Safety Enhancements:

1. Install retroreflective strips to the backplates of the signal heads to improve signal head conspicuity.
2. Consider trimming trees on the north side of Main Street if it is determined they hang down and obscure the signal heads when the trees have leaves.

Safety Issue No. 4 – Pavement Markings:

Field observations revealed the pavement markings at this intersection are lightly faded with no pavement markings provided on the Medway Commons approach to delineate that there are two entering lanes. This was a contributing factor in Cash Number 5, which was a sideswipe on the entering lanes of the Medway Commons shopping center.

Potential Safety Enhancements:

1. Consider striping pavement markings on the Medway Commons entering approach to delineate between the two entering lanes. It should be noted that this approach of the intersection is privately owned and any improvement made on this approach would have to be agreed upon with the owners of the Medway Commons development.
2. Consider restriping the intersection.

Safety Issue No. 5 – Driver Distraction/Inattention:

During the pre-audit meeting, audit team members noted that the crash data showed a trend of driver distraction and inattention. The driver's contributing factor in five (5) of the crashes was "following too closely" and in another six (6) the factor was "inattention".

Potential Safety Enhancements:

1. Consider educational outreach/campaigns for residents to better inform the public of the safety issues surrounding distracted drivers and inattention. It should be noted that audit team members indicated that the Town of Medway already has crosswalk and distracted driver initiatives. It was suggested that further outreach be done with middle schoolers in the Town.
2. Increase police enforcement of cell phone use and other activities that distract drivers.

Safety Issue No. 6 – Solar Glare:

Audit team members noted that the driver that caused Crash Number 17 stated they could not see the cars in front of them stop due to glare from the sun. In addition, audit team members from the Town of Medway indicated that solar glare is a known issue on Main Street westbound, particularly in the afternoons.

Potential Safety Enhancements:

1. Consider posting warning signs that caution drivers of possible solar glare on Main Street westbound.
2. Consider educational outreach to residents to inform them of the hazard of glare, specifically westbound on Main Street in the afternoons, and methods for minimizing the effects of the glare on drivers.

Safety Issue No. 7 – Pedestrian Accommodations:

During the field visit, audit team members acknowledge that the pedestrian equipment at this location is not up to ADA standards. Although the crash history did not indicate any pedestrian-related crashes at this location over the time period reviewed, it is anticipated that there will be more pedestrian activity at this intersection once the 190-unit multifamily residential development is constructed and occupied.

Potential Safety Enhancements:

1. Update the crosswalks at the intersection from Standard crosswalks to Ladder crosswalks.
2. Update all wheelchair ramps at the intersection to ADA standards including installing standard tactile warning panels.
3. Upgrade the pedestrian signal heads to ADA standards including a pedestrian countdown signal.
4. Upgrade the pedestrian push buttons to Accessible Pedestrian Signal (APS) buttons that have auditory functions.

Summary of Road Safety Audit

The RSA team identified safety issues and potential safety enhancements for the intersection under review, based on the on-site field observations, the meeting discussion, and a review of the available crash data. Table 2 lists estimated time frames and construction costs for each category (for timeframe, short-, medium-, and long-term, and for costs, low, medium, and high).

Table 2: Estimated Time Frame and Costs Breakdown

Time Frame	Time	Cost Frame	Costs
Short-Term	<1 Year	Low	<\$10,000
Mid-Term	1-3 Years	Medium	\$10,001-\$50,000
Long-Term	>3 Years	High	>\$50,000

Safety payoffs were based on Crash Modification Factors (CMFs) found on the USDOT FHWA CMF Clearinghouse website for improvement strategies considered in the RSA.

Table 3 provides a summary of the Potential Safety Enhancements discussed during the audit, along with the potential safety payoffs, the estimated time frame for completion, the estimated construction cost, and the responsible agency involved.

**Table 3: Potential Safety Enhancement Summary –
Main Street at Medway Commons and Walgreens Driveways**

Safety Issue	Potential Safety Enhancement	Safety Payoff	Time Frame	Cost	Jurisdiction
Congestion	Consider coordinating the Main Street at Medway Commons and Walgreens driveways signal with the Main Street at Holliston Street signal	Medium	Short-Term	Medium	Town of Medway
Clearance Intervals	Check clearance intervals and consider updating if they do not meet MassDOT standards	Medium	Short-Term	Low	Town of Medway
Traffic Signal Head Conspicuity	Install retroreflective strips to the backplates of the signal heads to improve signal head conspicuity	Medium	Short-Term	Low	Town of Medway
	Consider trimming trees on the north side of Main Street if it is determined they hang down and obscure the signal heads when the tree have leaves	Low	Short-Term	Low	Town of Medway
Pavement Markings	Consider striping pavement markings on Medway Commons entering approach to delineate between the two entering lanes	Low	Short-Term	Low	Owner of Medway Commons
	Consider restriping the intersection	Low	Short-Term	Low	Town of Medway

**Table 3: Potential Safety Enhancement Summary –
Main Street at Medway Commons and Walgreens Driveways (continued)**

Safety Issue	Potential Safety Enhancement	Safety Payoff	Time Frame	Cost	Jurisdiction
Driver Distraction/ Inattention	Consider educational outreach/ campaigns for residents to better inform the public of the safety issue surrounding distracted drivers and inattention.	Low	Long-Term	Low	Town of Medway
	Increase police enforcement of cell phone use and other activities that distract drivers.	Medium	Long-Term	Low	Town of Medway
Solar Glare	Consider posting warning signs that caution drivers of possible solar glare on Main Street westbound.	Low	Short-Term	Low	Town of Medway
	Consider educational outreach to residents to inform them of the hazard of glare, specifically westbound on Main Street in the afternoons and methods for handling the glare.	Low	Long-Term	Low	Town of Medway

**Table 3: Potential Safety Enhancement Summary –
Main Street at Medway Commons and Walgreens Driveways (continued)**

Safety Issue	Potential Safety Enhancement	Safety Payoff	Time Frame	Cost	Jurisdiction
Pedestrian Accommodations	Update the crosswalks at the intersection from Standard crosswalks to Ladder crosswalks	Low	Short-Term	Low	Town of Medway
	Update all wheelchair ramps at the intersection to ADA standards including installing standard tactile warning panels	Medium	Mid-Term	Medium	Town of Medway
	Upgrade the pedestrian signal heads to ADA standards including a pedestrian countdown signal	Medium	Mid-Term	Medium	Town of Medway
	Upgrade the pedestrian push buttons to Accessible Pedestrian Signal (APS) buttons that have auditory function	Medium	Mid-Term	Medium	Town of Medway

Appendix A. RSA Meeting Agenda

Agenda

Road Safety Audit

Medway

MEETING LOCATION: Medway Town Hall, Sanford Hall
Medway Town Hall (155 Village Street)
Medway, MA

DATE: March 1, 2022
TIME : 1:00 PM – 4:00 PM

Type of Meeting:

Road Safety Audit

Attendees:

Invited Participants to Comprise a Multidisciplinary Team

1:00 PM

Welcome and Introductions

1:15 PM

Discussion of Safety Issues

- Crash History – Provided in Advance
- Existing Geometries and Conditions

2:00 PM

Site Visit

- Drive to the intersection of Main Street with Medway Commons and Walgreens Driveways
- As a group, identify areas for improvement

3:00 PM

Discussion of Potential Improvements

- Return to Town Hall
- Discuss observations and finalizes safety issue areas
- Discuss potential improvements and finalize recommendations

4:00 PM

Adjourn for the day – but the RSA has not ended

Instructions for Participants:

- Before attending the RSA on March 1, 2022, participants are encouraged to drive/walk through the intersection and complete/consider elements of the RSA Prompt List with a focus on safety
- All participants will be actively involved in the process throughout. Participants are encouraged to come with thoughts and ideas but are reminded that the synergy that develops and respect for others' opinions are key elements to the success of the overall RSA process.
- After the RSA meeting, participants will be asked to comment and respond to the document materials to assure it is reflective of the RSA completed by the multidisciplinary team.

Safety Review Prompt List

The Safety Review Prompt List provides basic safety-related questions to use when evaluating a given roadway location. The prompt list should be considered when evaluating a roadway to design improvements or conduct a Road Safety Audit. The primary purpose of the prompt list is to identify potential road safety hazards. The list is meant to be general and should be used to prompt an evaluator as to specific matters identified in the field that may have an adverse effect on road safety. The Safety Review Prompt List is not a check of compliance with design standards.

This Prompt List represents the minimum that should be considered when exploring safety opportunities and is not intended to address all aspects of safety.

A summary of the responses should be prepared to highlight potential safety improvement opportunities.

Speed

- Are posted speed limits consistent with speed regulations; are they adequate?
- Are design features consistent with the posted speed (passing opportunities, sight distance, warning signs for horizontal and vertical curves, clearance intervals, sign placement, etc.)?
- Are adequate controls in place for driver compliance with speed limits?

Multi-modal

- Have accommodations been provided for safe movement of pedestrians, bicycles, emergency vehicles, public transportation, and commercial vehicles?
- What design features could be improved, added, or removed to enhance the safe mobility of the various modes?

Pavement Markings

- Are there highly visible and retro-reflective edge lines, centerlines, and other pavement markings?
- Do the pavement markings provide sufficient guidance to the road users? Can the placement of the pavement markings be modified to improve guidance to road users?

Signs

- Are all signs retro-reflective and visible for all roadway conditions, including placed free from obstructions?
- Are signs located to maximize perception and reaction while minimizing intrusion in clear zones?
- Does the signage provide adequate guidance to road users for given road conditions?

- Are pavement markings and signs consistent in effectively guiding road users?

Intersection Control

- Do all signs (STOP signs, lane assignments, street names, etc.) provide visible, clear, non-conflicting messages?
- Is there clear, non-conflicting visibility of traffic control (signal heads, signs, and markings) from all approach lanes?
- Has the potential of misrepresentation of intersection control been considered (at closely spaced intersections or through control that is against expectation)?
- For signalized intersections, have the implications on safety been considered for the signal phasing?
- Is there a safe means by which all modes can travel through the intersection?

Lighting

- Is lighting (from headlights and/or streetlights) adequate for specific roadway conditions and/or use?
- If glare exists from sunlight or opposing headlights, are there countermeasures that can be implemented to minimize potentially detrimental effects?

Obstructions

- Are there obstructions to sightlines or roadway guidance (signs, markings, etc.) that can be removed, relocated, or minimized as part of this project?
- If obstructions or fixed objects exist but cannot be moved, can they be shielded (with guardrails, etc.) or delineated (with reflectors) to improve road user safety? If so, what can be done?

Pavement

- Could the condition of the pavement impact mobility and safety (potholes, edge drop-offs, skid resistance, etc.)?
- What improvements can be made to minimize safety impacts?

Access Points and Traffic Generators

- Is the access control sufficient for the road's function?
- Are site access points located to maximize safety while still providing adequate access?
- Have impacts of site developments been adequately accommodated for safe mobility of all road users?

Parking

- Is parking clearly delineated and in conformance with signs, markings, and regulations?
- Might parking obstruct mobility/safety of pedestrians and other roadway users?

Weather Conditions

- Have accommodations been made for impacts from adverse weather conditions (storage of snow, removal of ponding, adequate drainage, signage of low salt areas, maintenance program for snow removal, and catch basin clearing, etc.)?

Auxiliary Lanes

- Could taper locations and/or alignments contribute to safety challenges?
- Could lack of climbing lanes or passing zones cause driver frustration?
- Do acceleration/deceleration lane lengths necessitate additional signage and/or markings?

Animals

- Do animal migrations impact safety?
- Can measures be taken to reduce animal-vehicle conflicts?

Appendix B. RSA Audit Team Contact List

Participating Audit Team Members

Date: March 1, 2022

Location: 155 Village Street, Medway, MA

Audit Team Members	Agency/Affiliation	Email Address	Phone Number
Shane Leary	MassDOT District 3 Traffic	shane.leary@state.ma.us	774-366-5174
Lola Campbell	MassDOT District 3 Traffic	alolade.campbell@dot.state.ma.us	508-929-3800
Dakota DelSignore	MassDOT Traffic Safety Division	dakota.d.delsignore@dot.state.ma.us	857-368-9648
Michelle Deng	MassDOT Traffic Safety Division	michelle.deng@state.ma.us	857-368-9648
Peter Pelletier	Town of Medway Department of Public Work	ppelletier@townofmedway.org	508-333-3275
Tom Irwin	Town of Medway Fire Department	tirwin@townofmedway.org	508-889-7995
Jeff Watson	Town of Medway Police Department	JWatson@medwaypolice.com	508-328-1781
Jennifer Conners	Vanasse & Associates Inc.	jconners@rdva.com	978-474-8800
Derek Roach	Vanasse & Associates Inc.	droach@rdva.com	978-474-8800

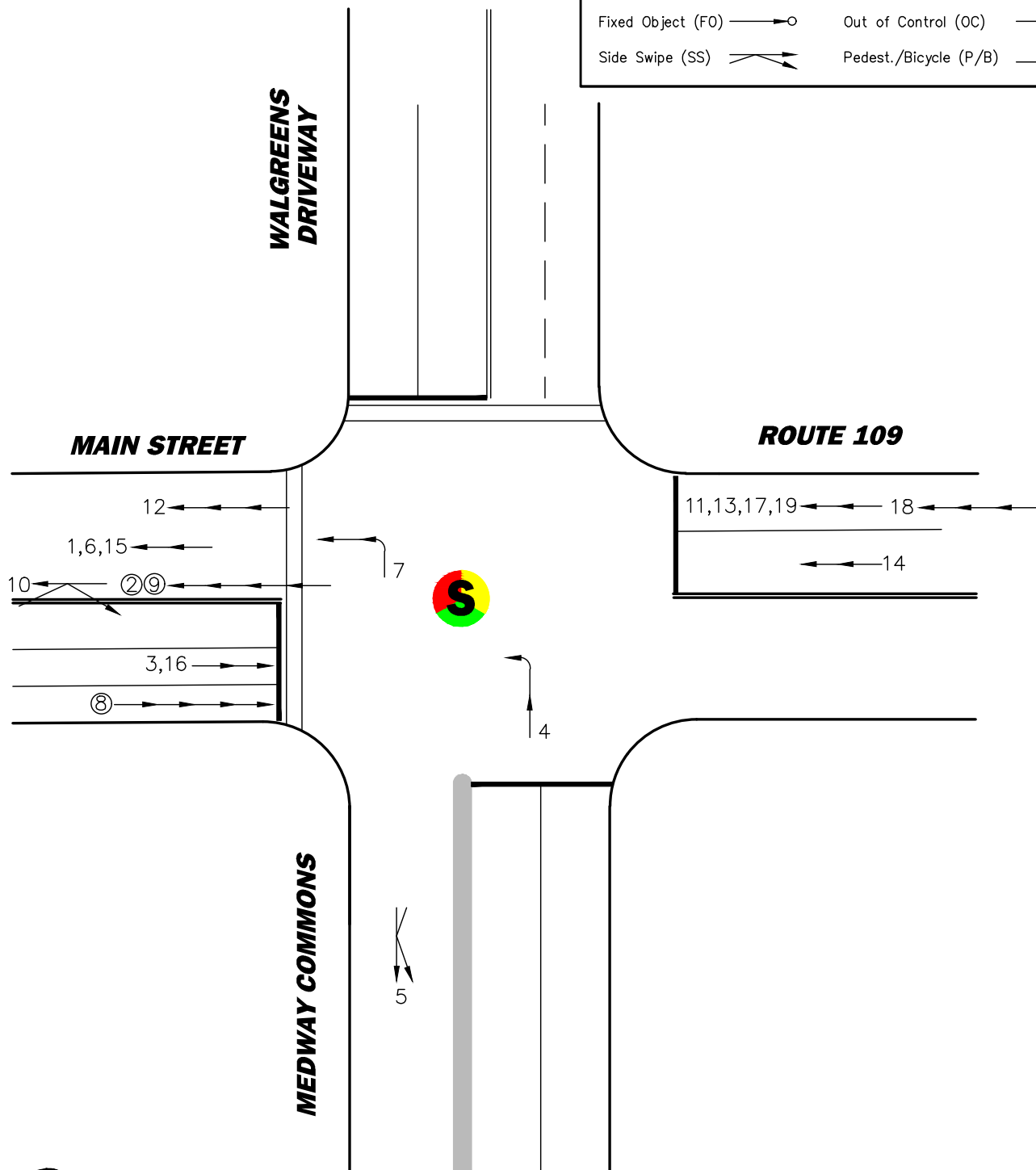
Appendix C. Detailed Crash Data

Legend:

- Nighttime Crash
- Possible Injury

CRASH TYPE

- | | | | |
|-------------------|--|-----------------------|--|
| Angle (A) | | Unknown (U) | |
| Rear End (RE) | | Turning Movement (TM) | |
| Head On (HO) | | Backing Up (BU) | |
| Fixed Object (FO) | | Lane Change (LC) | |
| Side Swipe (SS) | | Out of Control (OC) | |
| | | Pedest./Bicycle (P/B) | |



Not To Scale



Figure CD1

**Collision Diagram -
Main Street (Route 109) at
Medway Commons/
Walgreens Driveway**

[illegible]

Figure CD2



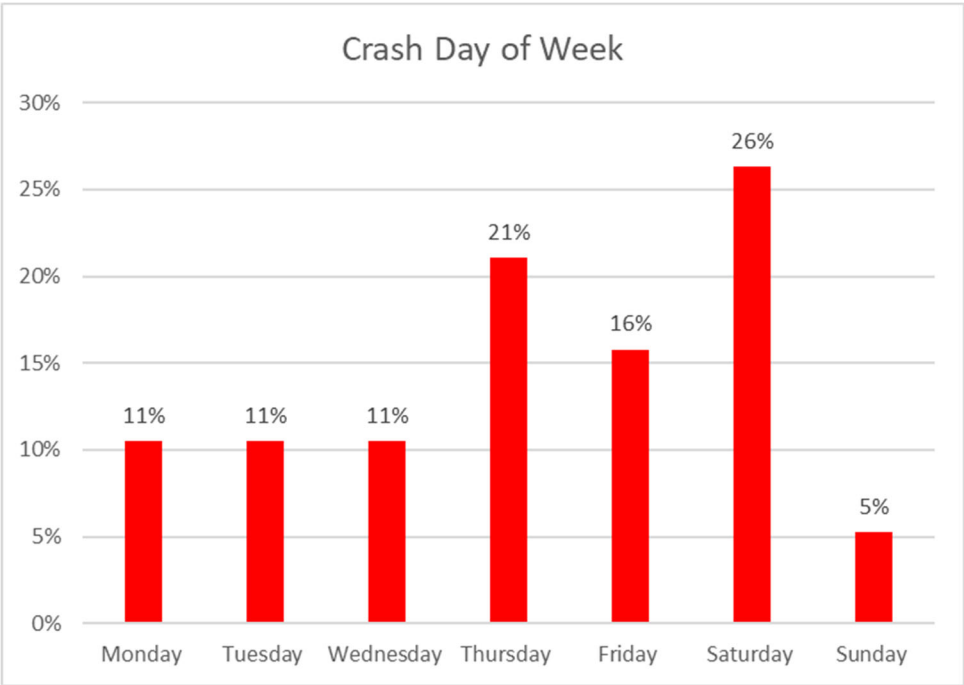
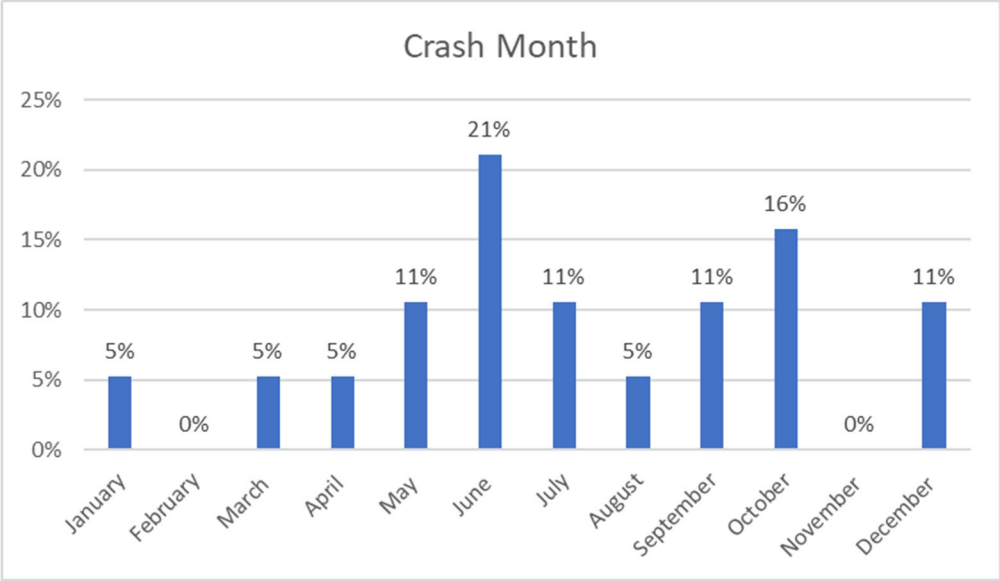
Vanasse & Associates inc

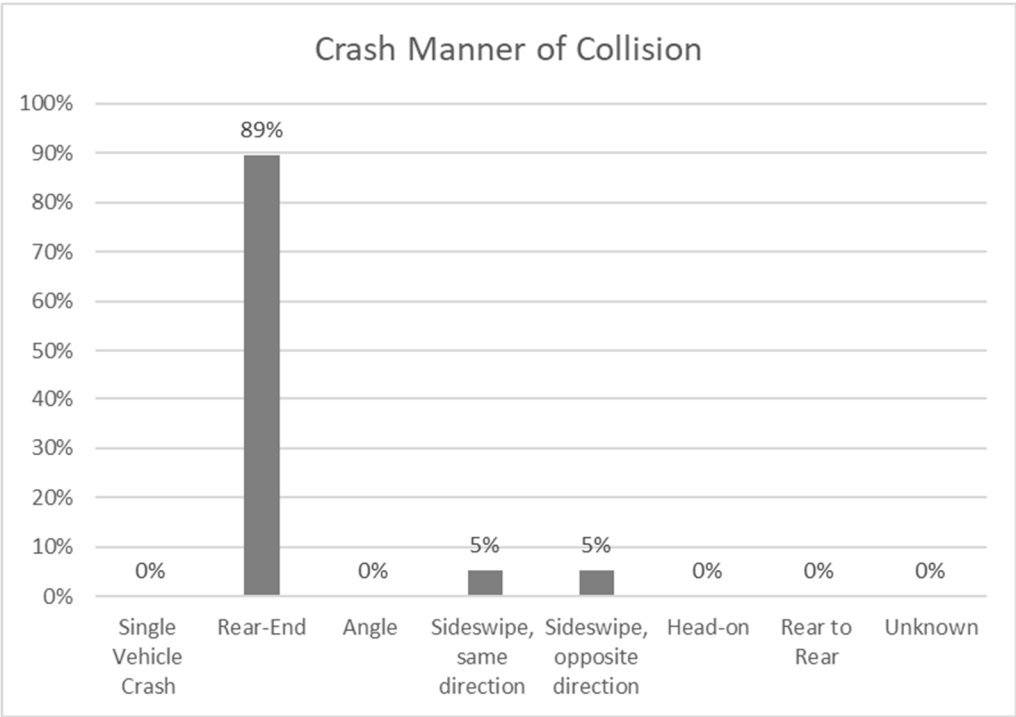
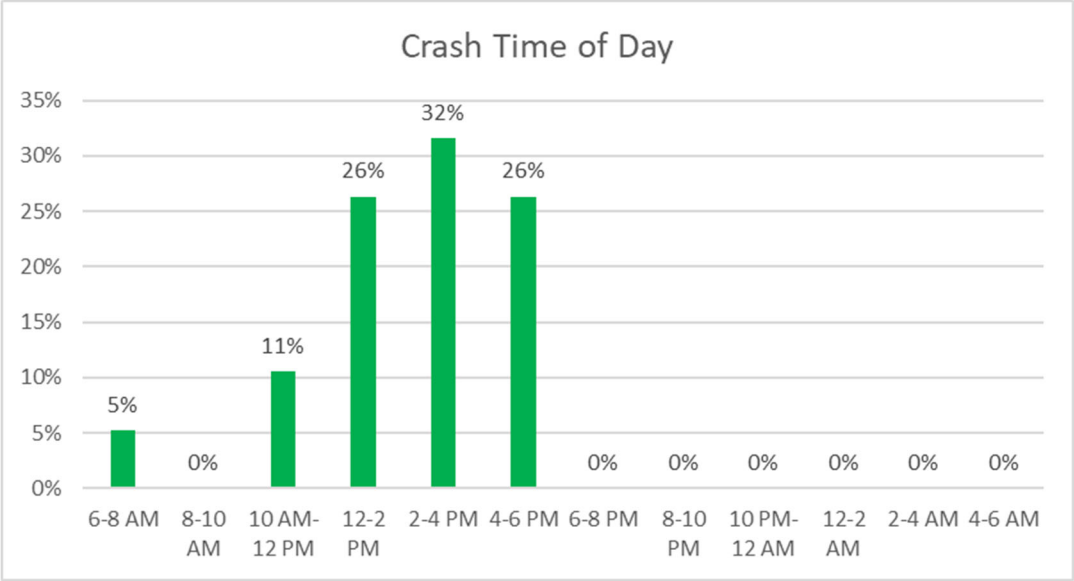
Table 1 Crash Data Summary
Main Street (Route 109) at Medway Commons/Walgreens Driveways
January 2014 - December 2018

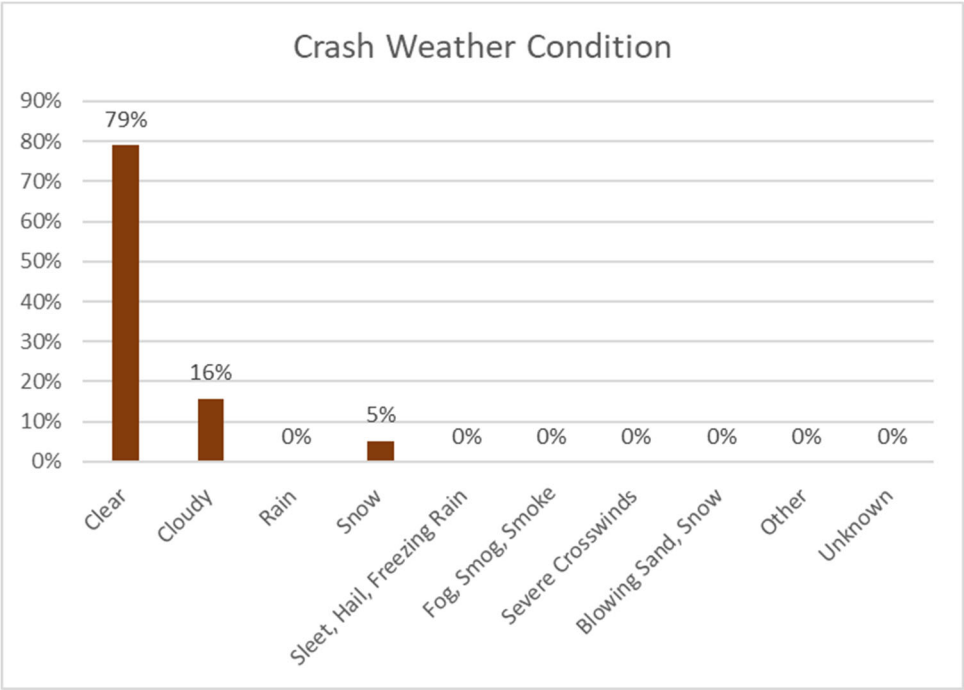
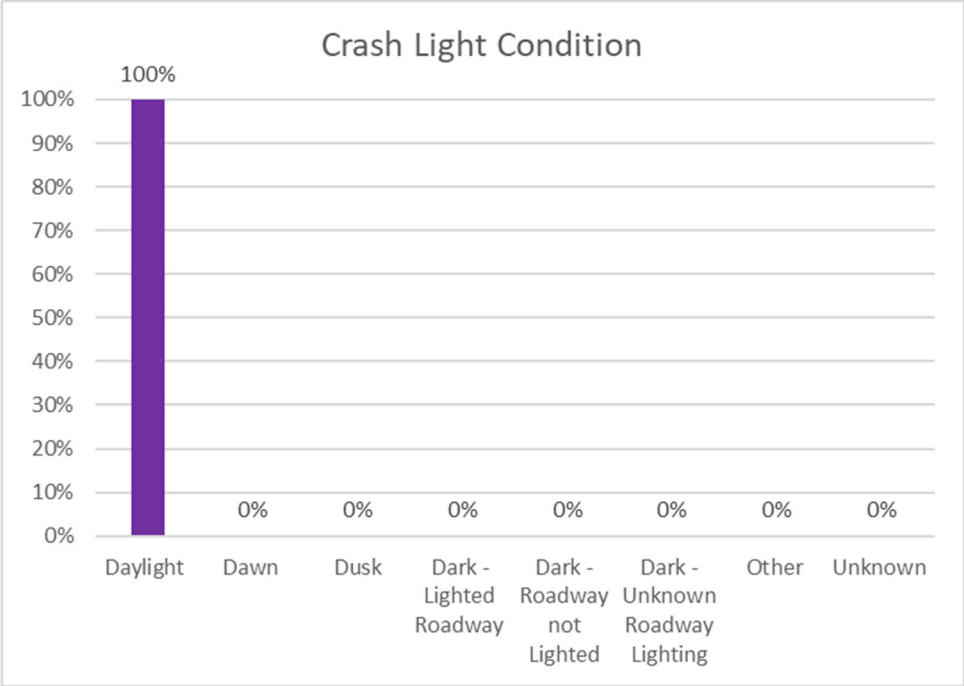
Crash Diagram Reference #	Crash Date	Crash Day	Time	Manner of Collision	Injury Status	Light Conditions	Weather Conditions	Road Surface Condition	Driver Ages				Driver Contributing Circumstances	Comments
1	5/15/2014	Thursday	4:32 PM	Rear-end	No Injury	Daylight	Clear	Dry	24	21			No Improper Driving/Unknown	V1 was stopped in traffic westbound on Main Street when V2 also traveling westbound struck V1 from behind.
2	06/14/2014	Saturday	10:58 AM	Rear-end	Non-fatal Injury	Daylight	Clear	Dry	24	19	50	17	Followed too closely	V1, V2, and V3 were stopped in traffic on Main Street westbound at the intersection of Walgreen's. V4 struck V3 from behind causing chain reaction where V3 was pushed into V2 and V2 was pushed into V1.
3	07/24/2014	Thursday	1:29 PM	Rear-end	No Injury	Daylight	Clear	Dry	61	80			Followed too closely/Inattention	V1 was heading eastbound on Main Street and was stopped in traffic for the light at Medway Commons when V2 struck V1 from behind.
4	08/22/2014	Friday	11:25 AM	Rear-end	No Injury	Daylight	Clear	Dry	64	21			Operating defective equipment	V1 was taking a left out of Medway Commons onto Main Street westbound. V2 was executing the same maneuver and struck V1 from behind. V2 reported that their brakes failed causing the collision. Tow operator reported brakes were working when loading V2 onto flatbed.
5	09/06/2014	Saturday	12:10 PM	Sideswipe, same direction	No Injury	Daylight	Clear	Dry	24	80			Other improper action	V1 and V2 were traveling westbound on Main St and both turned left into Medway Commons. Due to the roadway width, V1 and V2 were side by side prior to turning onto the access road. Both vehicles attempted to turn right at the same time.and V2 sideswiped V1.
6	06/10/2015	Wednesday	4:24 PM	Rear-end	No Injury	Daylight	Clear	Dry	30	74			Inattention	V1 was stopping in traffic westbound on Main Street when V2 did not notice V1 had stopped and struck V1 from behind.
7	06/22/2015	Monday	4:10 PM	Rear-end	No Injury	Daylight	Clear	Dry	31	46			No Improper Driving	V1 and V2 were exiting Medway Commons and attempting to turn left onto Main St westbound. The light turned green, but there was a large amount of traffic in the WB direction. V1 executed its turn and was stopped in the line of traffic when it was rear-ended by V2.
8	09/04/2015	Friday	6:39 AM	Rear-end	Non-fatal Injury	Daylight	Clear	Dry	34	37	23	31	Not Reported	V1, V2, V3, and V4 were traveling eastbound on Main Street when V4 failed to stop in time and struck V3 from behind causing a chain reaction with V3 striking V2 then V2 striking V1.
9	10/03/2015	Saturday	1:46 PM	Rear-end	Non-fatal Injury	Daylight	Cloudy	Dry	74	55	59	34	Followed too closely/Inattention	V1, V2, and V3 were stopped in traffic on Main Street westbound. V4 struck V3 from behind causing chain reaction with V3 striking V2 then V2 striking V1.
10	10/29/2015	Thursday	12:06 PM	Sideswipe, opposite direction	No Injury	Daylight	Clear	Dry	88				Other improper action	V1 was stopped in traffic on Main Street westbound. V2 was traveling on Main Street Eastbound and swerved to the left across the double yellow line to pass a vehicle slowing to turn right into Medway Commons. In doing so V2 struck V1 on the left side.
11	12/13/2015	Sunday	2:57 PM	Rear-end	No Injury	Daylight	Clear	Dry	42	19			Inattention	V1 was stopped in traffic westbound on Main Street when V2 struck V1 from behind.
12	12/15/2015	Tuesday	3:51 PM	Rear-end	No Injury	Daylight	Clear	Dry	39	21	54		Followed too closely	V1 and V2 were stopped in traffic on Main Street westbound. V3 struck V2 from behind causing a chain reaction collision.
13	03/07/2016	Monday	3:04 PM	Rear-end	No Injury	Daylight	Clear	Dry	17				Inattention	V1 was stopped at the traffic light for the Walgreens on Main Street westbound. V2 also traveling west, failed to stop in time and struck V1 from behind.
14	04/23/2016	Saturday	2:01 PM	Rear-end	No Injury	Daylight	Cloudy	Dry	26	28			Inattention	V1 was stopped in traffic westbound on Main Street when V2 also traveling west, did not see V1 stop and struck V1 from behind.
15	01/07/2017	Saturday	1:16 PM	Rear-end	No Injury	Daylight	Snow	Snow	39	38			Not Reported	V1 was trvaeling westbound on Mian Street and stopped for traffic. V2 did not see V1 stop and struck V1 from behind.
16	07/12/2017	Wednesday	4:49 PM	Rear-end	No Injury	Daylight	Clear	Dry	67				Not Reported	V1 was stopped at the red-light eastbound on Main Street when V2 struck V1 from behind. V2 fled the scene.

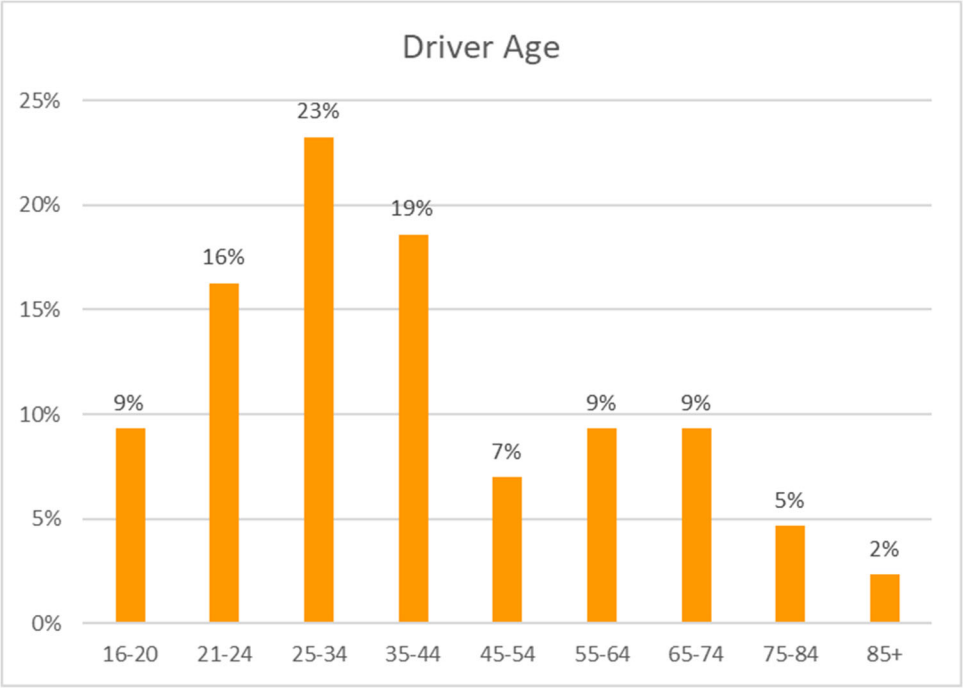
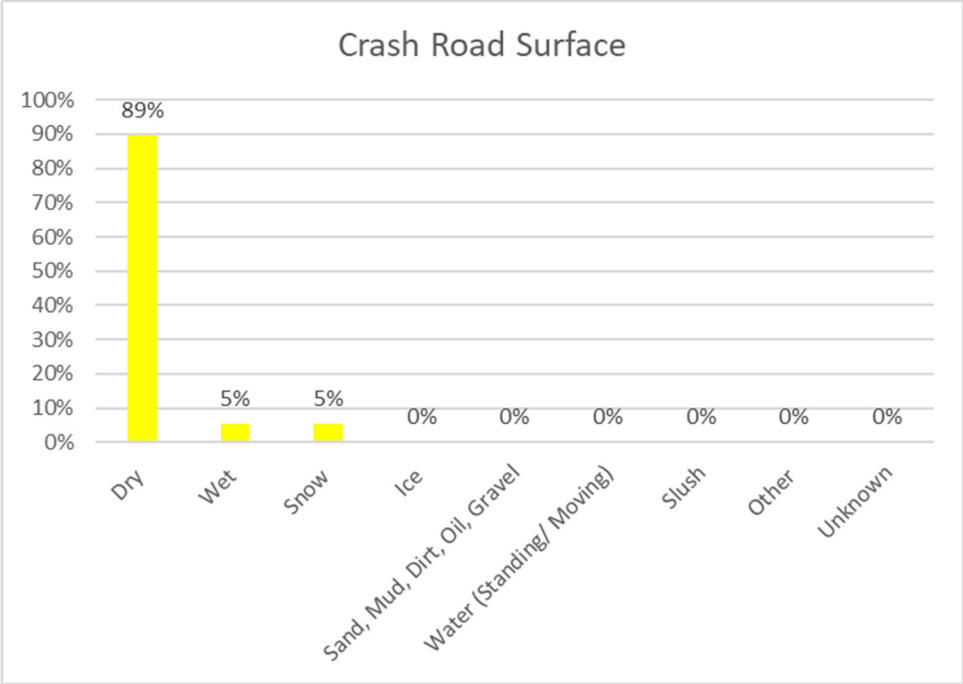
Table 1 Crash Data Summary
Main Street (Route 109) at Medway Commons/Walgreens Driveways
January 2014 - December 2018

Crash Diagram Reference #	Crash Date	Crash Day	Time	Manner of Collision	Injury Status	Light Conditions	Weather Conditions	Road Surface Condition	Driver Ages				Driver Contributing Circumstances	Comments
17	10/27/2017	Friday	5:17 PM	Rear-end	No Injury	Daylight	Clear	Dry	38	36			Glare	V1 was stopped at the red light on Main Street westbound when V2 struck V1 from behind. Operator of V2 states they could not see that V1 had stopped due to glare.
18	05/24/2018	Thursday	2:42 PM	Rear-end	No Injury	Daylight	Clear	Dry	66	25	26		Followed too closely	V1 and V2 were stopped in traffic on Main Street westbound. V3, traveling behind V2, failed to stop in time and struck V2 from behind causing a chain reaction collision.
19	06/05/2018	Tuesday	3:52 PM	Rear-end	No Injury	Daylight	Cloudy	Wet	39	28			No Improper Driving	V1 was stopped at the red light on Main Street westbound when V2 struck V1 from behind. Operator of V2 claims he could not stop in time due to wet pavement.









Appendix D. RSA Procedure



Road Safety Audit Guidelines

Massachusetts Department of Transportation – Highway Division
10 Park Plaza, Boston, Ma 02116-3973

November 1, 2015

Table of Contents

1.0 Introduction.....	3
1.1 Definition.....	3
1.2 When Is A Road Safety Audit Required?	3
1.3 Who Facilitates The Road Safety Audit?	4
2.0 Road Safety Audit Procedure.....	5
2.1 Preparing Background Materials	5
2.2 Assembling An Audit Team.....	6
2.3 Conducting The Road Safety Audit Meeting	6
2.3.1 Pre-Audit Meeting	7
2.3.2 Perform Field Visit.....	7
2.3.3 Post-Audit Meeting.....	7
2.4 Preparing The Road Safety Audit Report.....	8

Appendices

Appendix A.	Recommended Email Invite
Appendix B.	Sample Agenda
Appendix C.	Safety Review Prompt List
Appendix D.	Agency Contact Information
Appendix E.	RSA Report Template
Appendix F.	Sample Crash Data Summary
Appendix G.	References

1.0 Introduction

1.1 Definition

In an effort to reduce the number of crash-related fatalities and incapacitating injuries, Massachusetts Department of Transportation has developed a Strategic Highway Safety Plan. The mission of the Safety Plan is to “Develop, promote, implement, and evaluate data-driven, multidisciplinary strategies to maximize safety for users of the roadway system.” One of the many strategies noted in the current Safety Plan is to “conduct Road Safety Audits (RSA) at high-crash locations throughout the Commonwealth.” A Road Safety Audit, as defined by the Federal Highway Administration (FHWA) is “a formal safety performance examination of an existing or future road or intersection by an independent audit team.” Simply stated, an RSA is a relatively quick process that identifies safety improvements focused on decreasing the number and severity of roadway crashes. The safety improvements recommended typically vary from low cost measures to significant improvement projects. Many States that have employed the RSA technique and implemented the recommendations, have seen measurable decreases in the number of incapacitating and fatal crashes as a result.

1.2 When is a Road Safety Audit Required?

The Massachusetts Department of Transportation (MassDOT) Highway Division has fully embraced the RSA process and has incorporated it into its safety programs. MassDOT has provided RSA training for the District Traffic Engineers and Regional Planning Agencies, and conducted audits for locations experiencing lane departure crashes, cross-median crashes, intersections, bicycle and pedestrian, accessibility, and other high crash locations. MassDOT has incorporated the RSA process as a requirement under any of the following conditions:

1. Projects that include roadway or traffic signal improvements located within a High Crash Cluster (Vehicle, Bicycle, or Pedestrian) of the most recent available years.
2. Projects that include improvements adjacent to a High Crash Cluster or are anticipated to impact the operations of a High Crash Cluster. (ex. Increasing the traffic volumes to a high crash cluster)
3. Projects securing federal funding through the Highway Safety Improvement Program (HSIP) or are anticipated to utilize HSIP funding.

Knowing the success of an RSA, the MassDOT Safety Management Unit is encouraging MassDOT Districts and communities to conduct RSAs at the initial stage of the design process so as to help guide the design and reduce fatalities and injury crashes for locations in which safety has been noted to be a factor in determining needs for improvement.

Tips: To determine if your project is located within a high crash cluster (vehicle, bicycle, or pedestrian) visit the MassDOT Top Crash Location Mapping service. High crash clusters within the most recent posted year will require an RSA. The designer should also check previous years’ crash clusters to verify that the location has never been classified as a high crash location.

<http://services.massdot.state.ma.us/maptemplate/TopCrashLocations>

The designer should also verify that the location does not exceed the threshold of a high crash cluster by comparing the calculated Equivalent Property Damage Only (EPDO) to the regional maximum located in the latest Massachusetts HSIP Guidelines.

<https://www.massdot.state.ma.us/Portals/8/docs/traffic/HSIP/HSIP%20Criteria%20Updates.pdf>

1.3 Who Facilitates the Road Safety Audit?

The RSA should be incorporated into a project designer's scope of work for a roadway improvement project that has identified safety concerns as one of the reasons for the improvement needs or qualifies for one of the listed conditions in Section 1.2. The intention is to have the designer of the improvement project facilitate the RSA and prepare the RSA report. As an RSA must be facilitated by an "Independent" organization, it is critical that the process be conducted early in the project stages prior to any preliminary design. Therefore it shall be required that an RSA be conducted at the following stages:

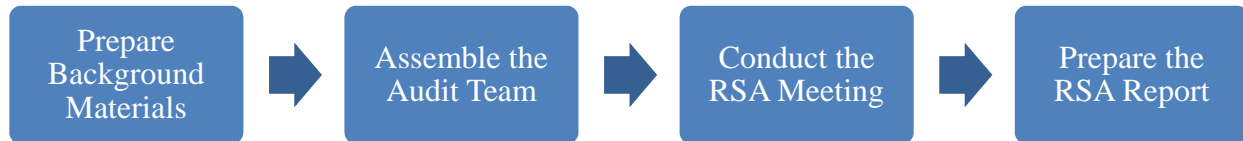
1. In relation to a MassDOT project scope, prior to the development of the 25% Design Submission documents.
2. In relation to a Massachusetts Environmental Policy Act (MEPA) filing, prior to the Environmental Impact Report (EIR) filing and prior to the Transportation Impact Assessment (TIA) report. Note that the RSA may be conducted following the Traffic Scoping Letter.

In the case where an RSA is being conducted after either of the listed stages have been completed, or MassDOT has determined that the project designer cannot be considered an independent organization, an outside consultant shall be retained to facilitate the RSA and prepare the RSA report in accordance with these guidelines.

The necessary steps to prepare, conduct and finalize a RSA are described in Section 2.0. Generally, RSAs last approximately three hours and include a pre-meeting, a field visit, and a post-field visit meeting so that an audit report can be prepared. During the pre-meeting, the team gathers to discuss the location and project, review materials and discuss general concerns of the location. The team, as a group, visits the project site and walks / drives through the area. The team then reconvenes to discuss the safety issues that were noted and to develop short and long term recommendations to ameliorate the safety concerns.

2.0 Road Safety Audit Procedure

As described in the sections below, the RSA should follow a specific procedure to obtain the most useful information possible and hold a successful RSA. The figure below illustrates the steps to completing an RSA.



2.1 Preparing Background Materials

The designer shall obtain, review and summarize the most recent pertinent available information regarding safety. This may include the following:

- ❖ Crash Data
- ❖ Traffic Volumes
- ❖ Traffic Speed Data (including regulatory speeds)
- ❖ Other Safety Concerns

Note that the crash data summaries obtained from the MassDOT Statewide database (Crash Portal) are not adequate and that the actual crash reports (including narratives and diagrams), from the police department reporting the crash data, are critical to a successful audit. The designer shall submit a request to the police department(s) within the study area (State, Local, or other). Such request should encompass an area larger than the study intersection or project limits to have more accurate data for analysis (as an example, requesting crash reports for the entire length of local roadways intersecting the study corridor). The designer shall incorporate all crashes that occur in the study or are a result of the design of the study area (for example, crashes occurring within the limit of the queue storage of an intersection).

The designer should cross-reference the provided crash reports with the Crash Portal using both a mapping method and AdHoc Query tool separately (to compile located and non-located crashes). This cross-reference will help determine that the police department has provided all relevant crash reports for the study area.

The actual crash reports shall be used to prepare collision diagrams and summaries (See Appendix F).

Details of the crash analyses must be concise since they will be used as the “before” information when an evaluation is performed on the effectiveness of the countermeasures. Other relevant information regarding the location may include, but is not limited to: traffic volumes (including pedestrians and bicycles if available), speed/citation data, available roadway plans, traffic reports, and/or signal timings and phasing information (if appropriate).

Tips: All information provided in the Collision Data Summary Table must match the Motor Vehicle Crash Police Report. The consultant should include pertinent information in the comments section for each crash to assist the audit team in identifying the specific cause for the crash. The MassDOT crash portal can be found at the following location: <http://mhd-arccgis/crashportal/>

2.2 Assembling an Audit Team

With input and assistance from the community and/or MassDOT, the designer will select the multidisciplinary RSA team, date, time and location. The team should include (but not limited to) the following:

- ❖ **Engineering (Municipal Engineering, MassDOT District Traffic and Projects)**
- ❖ **Enforcement (local and/or state police, depending upon jurisdiction)**
- ❖ **Emergency response (Police, fire, and ambulance whom respond to crashes in the project area)**
- ❖ **MassDOT Safety Management Unit**
- ❖ Transit (MBTA, RTA, and other transit providers)
- ❖ Regional Planning Agency (RPA)
- ❖ Federal Highway Administration (Safety Engineer)
- ❖ Maintenance (Local Public Works and/or MassDOT maintenance depending upon jurisdiction)

At a minimum, the RSA team requires a representative from Engineering, Enforcement, Emergency Response and the MassDOT's SMU (as shown in bold above). Additional members and interested parties may include the following:

- ❖ Municipal Planning Department
- ❖ MassDOT Project Manager (if applicable)
- ❖ Local Public Health Professionals
- ❖ Bicycle and Pedestrian Advocacy Groups

The designer shall contact the MassDOT Safety Management unit initially for availability. It shall be the responsibility of the designer to ensure that all required interested parties are available to attend the scheduled RSA. An email invitation should be sent to all RSA team participants and include an attachment with the RSA agenda, background materials, and prompt list. (See Appendix A for suggested text of email invite and Appendix B for a copy of a sample agenda).

Tips: It is best for the meetings to take place in close proximity to the project location for meeting efficiency. The designer should discuss with the City/Town officials those parties that would be appropriate to attend the meeting. The designer should also conduct research to determine if applicable advocacy groups should be invited to the RSA. This can include such groups as MassBike, WalkBoston, Mass-in-Motion, etc.

2.3 Conducting the Road Safety Audit Meeting

The RSA meeting shall be conducted in three (3) stages:



2.3.1 *Pre-Audit Meeting*

During the pre-audit meeting, the designer will provide handouts of all information that was provided in the invitation email. It will be the responsibility of the designer to facilitate the RSA meeting, take notes and photos, and then prepare the report in a timely manner. The RSA participants will meet (pre-audit meeting) to discuss the process and goals for the RSA. The designer will present the existing crash data and any known related planned projects to the participants in order to provide an introduction to project. The designer will then begin the conversation of what may be some of the safety issues so that participants can explain why they may be happening (as an example, if a location exhibits a high number of rear end locations from one approach, this should be suggested as an observation and solicit ideas as to why this may be occurring). General comments, safety issues and concerns will also be solicited about the subject location.

Tips: The intention of the RSA meeting is to solicit thoughts and ideas about issues and solutions; therefore, the designer should avoid specific design details regarding any proposed project (for example, that a signal or a re-alignment is being proposed). The designer should prepare visuals such as overall satellite imagery or mapping to assist in pointing out specific issues. Good practice in keeping a record of the safety issues discussed in the meeting is the utilization of note boards.

2.3.2 *Perform Field Visit*

Following the pre-audit meeting, the team will perform a field visit (audit), during which specific issues and concerns will be pointed out by the RSA team (and/or designer) and recorded by the designer. As a minimum, the designer should use the safety review prompt list (see Appendix C) as a reference to ensure that a comprehensive list of safety issues is discussed at the audit site visit. Additionally, the designer should obtain photographs of key safety issues that may be included in the final report.

Tips: The group should verify the issues discussed during the pre-audit meeting. The designer should also ensure that the team walks the site as a group so that all members are able to participate in the conversation. Designers are advised to bring two (2) representatives as one may act as the facilitator and one as the recorder/photographer to ensure that all information discussed during the RSA is captured for the final report.

2.3.3 *Post-Audit Meeting*

Following the field visit, the RSA participants will return to the meeting facility (post-audit meeting) and the designer will facilitate a group discussion, which would confirm that a complete list of safety issues had been identified during the RSA. This is followed by a discussion identifying potential countermeasures. The countermeasures may include short-term, intermediate-term, and long-term improvements and the entity responsible for each of the safety issues for the improvements will be identified. It should be noted that recommendations should be comprehensive and may include engineering, maintenance, enforcement, educational and behavioral countermeasures. In cases where recommendations are presented that do not meet federal or state guidelines, it should be discussed and detailed explanation given. If plans are already underway, the plans may be discussed and reviewed to determine whether or not the existing concerns and issues will be adequately addressed. The designer should then adjourn the meeting by describing the next steps in the process which includes the draft and final reports to be reviewed by the group.

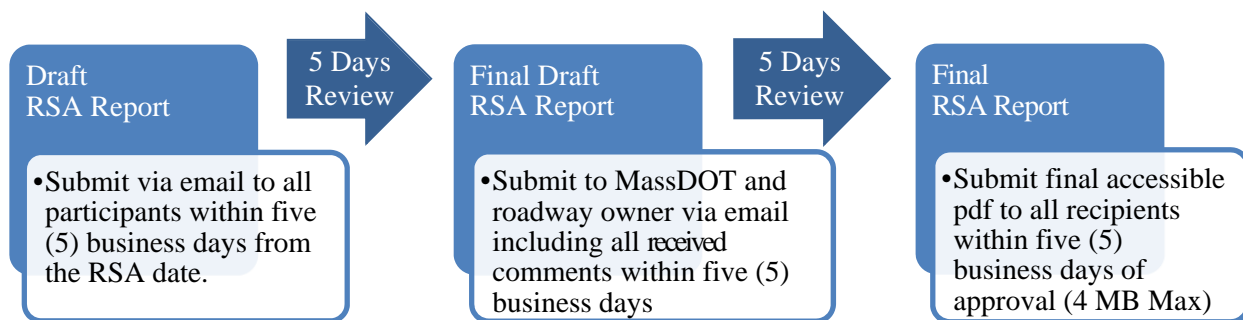
Tips: During the post-audit meeting, the designer should confirm that each safety issue discussed previously is presented with one or many possible solutions. The designer should also stress the importance of the report review process finalizing the meeting as this is critical to ensuring a quality product.

2.4 Preparing the Road Safety Audit Report

An RSA Report, based on MassDOT's report template (see Appendix E), will be prepared describing the Safety issues and countermeasures identified during the RSA. Countermeasures which were not discussed during the RSA may also be included, if they are found to be appropriate. Potential countermeasures which do not conform to MassDOT or FHWA standards will be noted as such in the report.

The MassDOT RSA Report Template in Microsoft Word Format can be found in Appendix E. It is also recommended that the designer review past RSA Reports for examples.

The RSA Report preparation and report review will require the following submissions:



The final RSA report must be submitted in a fully accessible PDF format with a file size no greater than 4 MB. It is suggested to use the Adobe Acrobat Professional Accessibility Checker tool for verifying that the document is accessible. This tool will provide guidance for identified issues.

A complete RSA report should clearly state the safety issues related to the subject location and describe in detail why this poses a risk to this location. An example of how to word a safety issue may be:

“The sight distance on Side Street looking north is impeded by many objects including brush, utility poles, guardrail, and the vertical curvature of the roadway. This poor sight distance appears to be a contributing factor in the number of angle crashes occurring from this approach.”

The designer should avoid vague language and broad descriptions. An example of a poorly worded safety issue description may be:

“The sight distance looking north from Side Street is inadequate and may be the cause of crashes”.

Each potential safety enhancement should then describe how it will mitigate the safety issue. The designer should recognize that this stage of the design is intended to suggest possible mitigation techniques and that multiple enhancements may be applicable to single safety issues. The report should

avoiding phrasing such as “Install Traffic Signal” but rather suggest this as a possible solution by stating “Evaluate the installation of a Traffic Signal.”

As shown in Appendix E and below, the final report should be broken out into five (5) main sections.

Background	The background should describe the RSA process and why the audit was conducted. This should describe that the location of the project is within a high crash cluster in the region (if applicable).
Project Data	This section should describe the date and location of the audit, as well as names and affiliations of the audit team members. It should also describe the process that took place and materials that were utilized and discussed during the audit.
Project Location and Description	This section should describe the location in detail (required descriptions vary if project includes isolated intersections or a roadway corridor. It should also include a location map of the area.
Observations and Potential Enhancements	This section must include all safety issues discussed during the RSA and subsequent potential enhancements. This section may be laid out with each issue described directly followed by the enhancements.
Summary of Road Safety Audit	The summary should provide a basic overview of the recommendations including the major key points. It should also include a complete table listing of all issues and enhancements. The table should provide a general description of the enhancement.

Tips: All observed safety issues must have at least one clearly stated enhancement which describes in detail how it would help to mitigate the safety issue being described. It is also helpful to highlight the crashes that are occurring due to the safety issue. More Information for preparing the Road Safety Audit report can be found in the MassDOT RSA Report Template with additional tips on formatting and editing to create a fully accessible document.

Appendix E. Road Safety Audit References

Road Safety Audit References

CMF Clearinghouse, U.S. DOT Federal Highway Administration; Office of Safety Programs; 2016,
<http://www.cmfclearinghouse.org/>

Massachusetts Traffic Safety Toolbox, Massachusetts Highway Department,
www.mhd.state.ma.us/safetytoolbox.

Road Safety Audits, A Synthesis of Highway Practice. NCHRP Synthesis 336. Transportation Research Board, National Cooperative Highway Research Program, 2004.

Road Safety Audits. Institute of Transportation Engineers and U.S. Department of Transportation, Federal Highway Administration, www.roadwaysafetyaudits.org.

FHWA Road Safety Audit Guidelines. U.S. Department of Transportation, Federal Highway Administration, 2006.

Road Safety Audit, 2nd edition. Austroads, 2000.

Road Safety Audits. ITE Technical Council Committee 4S-7. Institute of Transportation Engineers, February 1995.



June 14, 2022

**Medway Planning & Economic Development Board
Meeting**

4 Marc Road (NeoOrganics)
Special Permit Modification

- Public Hearing Notice dated May 24, 2022
- Application to Modify previously approved marijuana special permit decision
- Application Submittal Letter and Narrative dated April 27, 2022 from Chad Blair
- NeoOrganics marijuana special permit decision from January 2020.
- Email dated May 31, 2022 from Susy Affleck-Childs to Town staff re: application and public hearing
- Email dated June 6, 2022 from abutter John Lally.
NOTE – This email was forwarded to the Medway Building Commissioner as a noise complaint.
- Noise Survey Letter dated April 11, 2022 from Andy Carballeria
- CURRENT Section 7.3 Environmental Standards of the Zoning Bylaw

Board Members

Matthew J. Hayes, Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk,
Jessica Chabot, Member
Sarah Raposa, A.I.C.P.,
Member
Thomas A. Gay, Associate
Member



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT BOARD

Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

May 24, 2022

RECEIVED TOWN CLERK
MAY 24 '22 PM2:46

NOTICE OF PUBLIC HEARING

NeoOrganics, LLC, 4 Marc Road
Proposed Modifications to Previously Approved
Recreational Marijuana Establishment Special Permit and Site Plan Decision

In accordance with the *Medway Zoning Bylaw*, Section 8.10 Recreational Marijuana and the provisions of Chapter 40A, Massachusetts General Laws, notice is given that the *Medway Planning and Economic Development Board* will commence a public hearing on **Tuesday, June 14, 2022 at 8:45 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street** to consider the application of **NEO Organics, LLC of Sudbury, MA** for approval of proposed modifications to the previously issued (1-28-2020) marijuana establishment special permit and site plan decision which authorized NeoOrganics to operate a recreational marijuana cultivation and processing establishment at 4 Marc Road.

The applicant has requested that the Board modify provisions included in the previous decision (Specific Condition D. Noise Management, items 1-5) regarding noise testing requirements and methods.

The 20,718 sq. ft. property, (Parcel 32-026) is owned by Torrey Marc Road, LLC of Attleboro, MA. It is located on the north side of Marc Road in the East Industrial Zoning District. The subject property is bounded on the north and west by property owned by John and Ann Lally and on the east by property owned by Ellen Realty Trust.

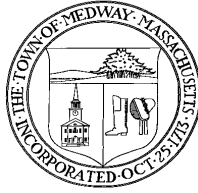
The application documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The materials have also been posted at the Planning and Economic Development Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0>

Interested persons are invited to review the application documents, attend the public hearing, and express their views at the designated time and place. The Sanford Hall meeting room is accessible via elevator to individuals with physical disabilities and challenges. Written comments are encouraged and may be forwarded to: planningboard@townofmedway.org. Questions should be directed to the Medway Planning and Economic Development office at 508-533-3291.

Pursuant to Chapter 22 of the Acts of 2022, this hearing will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Information for participating in the meeting via Zoom will be included on the agenda for the June 14, 2022 meeting which will be posted to the Town's master calendar of events at: <https://www.townofmedway.org/calendar/month/2022-06> and at the Board's web page at: <https://www.townofmedway.org/node/926/agenda/2022>

Matthew J. Hayes, P.E., Chair

For publication in the *Daily News* – Friday, May 27 and Tuesday, May 7, 2022



Planning & Economic Development Board - Town of Medway, MA
MARIJUANA SPECIAL PERMIT

***Application to Modify a Previously Approved Marijuana
Special Permit Decision and/or Plan***

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw.

The Board may ask the Town's Planning and Engineering Consultants to review the application and the proposed Special Permit modification and provide review letters. A copy of those review letters will be provided to you in advance of the meeting.

You and/or your duly authorized Agent/Designated Representative are expected to attend the Board meetings at which your application will be considered to answer any questions and/or submit such additional information as the Board may request.

Your absence may result in a delay in the Board's review of the proposed modification.

_____, 20____

APPLICANT INFORMATION

Applicant's Name: _____

Mailing Address: _____

Name of Primary Contact: _____

Telephone: _____

Office: _____ Cell: _____

Email address: _____

PREVIOUS MARIJUANA SPECIAL PERMIT INFORMATION

Development Name: _____

Date of Marijuana Special Permit Decision: _____

Date of Plan Endorsement: _____

Type of Permit:

- Retail Registered Medical Marijuana Facility
- Non-Retail Registered Medical Marijuana Facility
- Recreational (Adult Use) Marijuana Establishment

Recording information of previous permit and plan (book & page info, date)

PROPERTY INFORMATION

Location Address: _____

The land shown on the plan is shown on Medway Assessor's Map # _____ as Parcel # _____

SCOPE OF PROPOSED MODIFICATION

This is a petition to: (Check all that apply)

1. ***Amend/Modify/Revise a previously approved marijuana site plan***

What modifications are proposed? Why does the Plan need to be modified? ***Attach a complete description of the proposed modified scope of work.***

Plan Modification Title: _____

Plan Date: _____

Prepared by:

Name: _____

Firm: _____

Phone #: _____ Email: _____

2. ***Amend/Modify/Revise a previously approved special permit decision.***

How and why does the Decision need to be modified? ***Attach a thorough description/ explanation. Specify which condition needs to be changed.***

3. ***Request Additional Waivers from the Site Plan Rules and Regulations***

Provide a completed Waiver Request form for each additional waiver request you seek.

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: _____

Mailing Address: _____

Primary Contact: _____

Telephone:
Office: _____ Cell: _____

Email address: _____

CONSULTANT INFORMATION

ENGINEER: _____

Mailing Address: _____

Primary Contact: _____

Telephone:
Office: _____ Cell: _____

Email address: _____

Registered P.E. License #: _____

SURVEYOR: _____

Mailing Address: _____

Primary Contact: _____

Telephone:
Office: _____ Cell: _____

Email Address: _____

Registered P.L.S. License #: _____

ARCHITECT: _____

Mailing Address: _____

Primary Contact: _____

Telephone:
Office: _____ Cell: _____

Email address: _____

Registered Architect License #: _____

LANDSCAPE ARCHITECT/DESIGNER: _____

Mailing Address: _____

Primary Contact: _____

Telephone:
Office: _____ Cell: _____

Email address: _____

Registered Landscape Architect License #: _____

DESIGNATED REPRESENTATIVE INFORMATION

Name: _____

Address: _____

Telephone:
Office: _____ Cell: _____

Email address: _____

SIGNATURES

The undersigned, being the Applicant for approval of a modification to a previously approved marijuana special permit and/or associated site plan, herewith submits this application to the Medway Planning and Economic Development Board for review and approval.

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property under consideration.

(If applicable, I hereby authorize _____ to serve as my Agent/ Designated Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.)

In submitting this application, I authorize the Board, its consultants and agents, Town staff, and members of the Design Review Committee to access the site during the plan review process.

Signature of Property Owner Printed Name Date

Signature of Applicant Printed Name Date
(if other than Property Owner)

Signature of Agent/Designated Representative Printed Name Date

MARIJUANA SPECIAL PERMIT and/or PLAN MODIFICATION FEES

Filing Fee (modification to decision) - \$250

Filing Fee (modification to plan) - \$250

Advance on Plan Review Fee - \$500

(Submit a separate check for the plan review fee)

Make checks payable to: Town of Medway

Please call the Planning and Economic Development Office with any fee questions. 508-533-3291.

MARIJUANA SPECIAL PERMIT and/or PLAN MODIFICATION APPLICATION CHECKLIST

Two (2) original marijuana modification applications with signatures.

IF APPLICABLE, three (3) full size copies and one (1) 11" x 17" version of the proposed Site Plan Modification prepared in accordance with Sections 204-4 and 204-5 of the *Medway Site Plan Rules and Regulations* plus an electronic version.

Certified Abutters List and 3 sets of labels from the Medway Assessor's office – for 300 feet around the subject property.

Explanation as to how and why the plan and/or decision need to be modified.

IF APPLICABLE, Request(s) for Waivers from the *Medway Site Plan Rules and Regulations*. Check with PEDB office for waiver request form.

IF APPLICABLE, two (2) copies of revised Stormwater Drainage Calculations prepared in conformance with Section 204 – 3, G of the *Site Plan Rules and Regulations*

Marijuana Permit and/or Plan Modification Filing Fee – Payable to Town of Medway

Advance of Plan Review Fee – Payable to Town of Medway



April 27, 2022
Town of Medway
Planning & Economic Development
155 Village Street
Medway, MA 02053

Dear Boar Members
Neo Alternatives respectfully requests your consideration of amending The Adults Recreational Marijuana Special Permit approved January 28, 2020.

The specific sections of the decision that we would like reviewed for modification are;
VI. 1 Noise Issues (A-G)
VIII. Conditions D (1-5)

We ask the Town of Medway modify the testing requirements and methods cited in the special permit application.

Ambient Noise

In Special Permit Conditions Section D2a, the Town is requesting that "Ambient background levels shall be established without the influence of any noise emanating from the CommCan facility at 2 Marc Road. At the time this request was made, the 2 Marc Road facility was not in compliance with the Town noise ordinance and therefore the request was prudent to assure noise levels above what are acceptable were not included in the study. As 2 Marc Road has now complied with the new bylaws and since they are a 24-hour operation and Neo has no ability to successfully request a shutdown of their operation, we request that the requirement to test without CommCan at 2 Marc Road in operation be reconsidered.

Study Locations".

We understand that the quantity and location of the study points is effectively prescribed in the special permit, based on FIGURE 2 of our April 19, 2021 report (copied below).



The original intent of FIGURE 2 was to estimate sound levels at a relatively dense grid of points using a computer model. However, a rigorous compliance measurement protocol might reasonably use fewer study points. For example, the Town might consider modifying the special permit conditions to describe measurements at the 4 facility cardinal property lines, rather than the 14 property line points considered in the computer model and measure at the 7 agreed upon community locations. We propose that the next facility noise test be measured based on the normal operating conditions of the building at each of the locations for 20 minutes during daytime operations and again for 20 minutes at each location after midnight.

Access to Private Property

We note that locations denoted R01 to R07 are all on private property. We request that these locations be changed to the nearest publicly-accessible locations as permission to access to public property is often difficult and time consuming to obtain.

We thank you for your consideration

Chad Blair
COO -Neo Organics



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Thomas Gay, Clerk
Matthew Hayes, P.E.,
Member
Richard Di Iulio, Member

Staff

Susan Affleck-Childs,
Planning and Economic
Development Coordinator

**Adult Recreational Marijuana Special Permit,
Groundwater Protection Special Permit, and
Site Plan Decision**

**NeoOrganics, LLC - 4 Marc Road
APPROVED with Conditions**

Decision Date: January 28, 2020

Name/Address of Applicants:

Neo Organics LLC
365 Boston Post Road, # 184
Sudbury, MA 01776

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Name/Address of Property Owner:

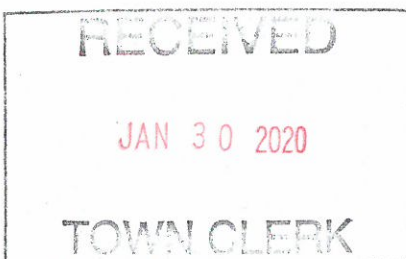
NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road

Assessors' Reference: 32 – 026

Zoning District: East Industrial

Site Plan: Permit Site Plan for 4 Marc Road, Neo Cultivation and
Manufacturing, dated August 6, 2019, last revised
December 13, 2019, prepared by DGT Associates
Surveying and Engineering of Framingham, MA





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COMMONWEALTH OF MASSACHUSETTS

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Groundwater Protection Special Permit, and
Site Plan Decision**

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APPROVED with Conditions**

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Sudbury, MA 01776

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Camas, WA 98607

Name/Address of Property Owner:

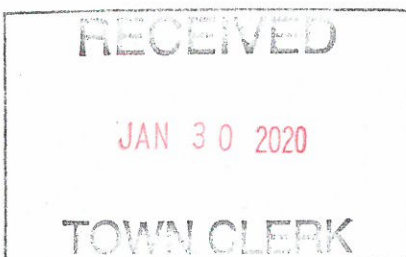
NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road

Assessors' Reference: 32 – 026

Zoning District: East Industrial

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**Adult Recreational Marijuana Special Permit,
Groundwater Protection Special Permit, and
Site Plan Decision
NeoOrganics, LLC - 4 Marc Road
APPROVED with Conditions**

Decision Date: January 28, 2020

Name/Address of Applicants:

Neo Organics LLC
365 Boston Post Road, # 184
Sudbury, MA 01776

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Name/Address of Property Owner:

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20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road

Assessors' Reference: 32 – 026

Zoning District: East Industrial

Site Plan: Permit Site Plan for 4 Marc Road, Neo Cultivation and
Manufacturing, dated August 6, 2019, last revised
December 13, 2019, prepared by DGT Associates
Surveying and Engineering of Framingham, MA

I. PROJECT DESCRIPTION - The Applicants seek a Recreational Marijuana Establishment Special Permit pursuant to Section 8.10 of the Medway *Zoning Bylaw*, a Groundwater Protection Special Permit pursuant to Section 5.6.3 of the *Zoning Bylaw*, and site plan approval pursuant to Section 3.5 of the *Zoning Bylaw*, to use the existing 29,718 sq. ft. (more or less) industrial building at 4 Marc Road, (*Medway Assessors' Parcel 32-026* on the north side of Marc Road in the East Industrial zoning district for the cultivation, processing, manufacturing, and packaging of marijuana for adult recreational use by Neo Organics, LLC of Sudbury, MA. The proposed scope of work includes interior renovations to accommodate the new use, construction of a 3,000 sq. ft. outside concrete mechanical pad to house HVAC and odor control equipment, construction of a dumpster pad with associated fencing, installation of stormwater management measures to supplemental those presently on site, clean-up of the existing manmade drainage ditch, and construction of a 17' wide fire lane along the west side of the building. The property includes wetlands resources which are under the jurisdiction of the Medway Conservation Commission. Because a portion of the site is located within the Town's Groundwater Protection District and 24% of the improved site will have impervious surface, a Groundwater Protection special permit is also required.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, including statements of the Applicant and its representatives, comments offered by the public, and comments provided by the Board's consultants and Town staff, the Medway Planning and Economic Development Board, on January 28, 2020, on a motion made by Tom Gay and seconded by Bob Tucker, voted to approve with CONDITIONS and WAIVERS as specified herein a recreational marijuana establishment special permit, a groundwater protection special permit, and a site plan for 4 Marc Road in Medway, MA.

The vote was approved by a vote of five in favor and none opposed.

Planning & Economic Development Board Member	Vote
Richard Di Iulio	Yes
Matthew Hayes	Yes
Thomas A. Gay	Yes
Andy Rodenhiser	Yes
Robert Tucker	Yes

III. PROCEDURAL HISTORY

- A. August 6, 2019 – Special permit application filed with the Board; filed with the Town Clerk on August 7, 2019
- B. August 9, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. August 9, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- D. August 13 and August 20, 2019 - Public hearing notice advertised in *Milford Daily News*.
- E. August 27, 2019 - Public hearing commenced. The public hearing was continued to September 24, October 8, November 12 and 26, 2019 and to January 14, 2020 when the hearing was closed and a decision rendered.

IV. INDEX OF DOCUMENTS

- A. The following documents were provided at the time the applications were filed with the Board:

Site Plan Application

- Application for Minor Site Plan Approval dated August 6, 2019 with Project Description
- *PERMIT SITE PLAN - Neo Cultivation & Manufacturing*, dated August 6, 2019, prepared by DGT Associates of Framingham, MA
- Requests for Waivers from Medway *Site Plan Rules and Regulations*
- Purchase & Sale Agreement dated February 8, 2019, between NEK, LLC (property owner) and Pangea Realty LLC (buyer), pertaining to the sale of the 4 Marc Road property.
- *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 25, 2019, prepared by DGT Associates of Framingham, MA
- Schematic Design (floor plan), Sheet A1.2, 4 Marc Road, by Anderson Porter Design, Cambridge, MA

Marijuana Special Permit Application

- Marijuana Special Permit Application dated August 6, 2019 with Project Description
- Odor Mitigation Plan received August 6, 2019, unattributed
- Noise Mitigation Plan received August 6, 2019, unattributed
- Security Plan received August 6, 2019, unattributed
- Transportation of Marijuana Guidelines received August 6, 2019, unattributed

Groundwater Protection Special Permit

- Groundwater Protection Special Permit Application dated August 8, 2019 with Project Description

- B. During the course of the review, a variety of other materials were submitted to the Board by the Applicant and its representatives and consultants:

- Updated Noise Mitigation Plan dated September 27, 2019 with Noise Mitigation Plan letter from Andy Caballerira of Acentech, Inc. dated September 25, 2019
- Updated Odor Mitigation Plan by Impact Engineering dated September 12, 2019.
- Revised site plans from DGT Engineering Associates dated September 19, 2019, October 24, 2019 and December 13, 2019.
- Plan revision submittal letter from DGT Engineering Associates dated September 19, 2019
- Response letter from DGT Engineering Associates dated September 26, 2019 to Tetra Tech review comments dated August 22, 2019.
- Response letter from DGT Engineering Associates dated October 23, 2019 to Tetra Tech comments dated September 27, 2019
- Revised floor plans from Anderson Porter Design dated September 9, 2019
- Photometric plan by Illuminate dated September 23, 2019
- NeoOrganics security plan, unattributed, received September 19, 2019

- Assignment of interest in the purchase and sale agreement from Pangea, LLC to 4 Marc Road LLC dated March 1, 2019
 - Lease dated May 3, 2019 between Neo Organics, LLC and 4 Marc Road LLC for 4 Marc Road.
 - Additional request for a waiver from *Site Plan Rules and Regulations*, dated September 10, 2019.
 - Proposed sound wall information received November 8, 2019
 - *Land Disturbance Area Plan* dated September 27, 2019, revised October 22, 2019 and December 13, 2019, prepared by DGT.
 - *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road* dated July 25, 2019, revised September 19, 2019, last revised December 13, 2019, prepared by DGT Associates of Framingham, MA.
- C. During the course of the review, a variety of other materials were submitted to the Board by the Board's consultants and Town staff:
- Plan review letters and emails from Gino Carlucci, PGC Associates, dated August 20, 2019, October 3, 2019 and October 31, 2019
 - Plan review letters from Tetra Tech to the Board dated August 22, 2019, September 27, 2019 and October 28, 2019
 - Noise mitigation plan review letters from Ron Dempsey, Noise Control Engineering, dated August 21, 2019, October 3, 2019 and October 23, 2019
 - Odor mitigation plan review letters from Bruce Straughan, Straughan Forensic dated August 21, 2019 and October 2, 2019.
 - Host Community Agreement dated March 4, 2019 between Neo Cultivation MA, LLC and Neo Manufacturing MA, LLC and the Town of Medway.
 - Letter dated August 16, 2019 from Building Commissioner Jack Mee
 - Review letter dated October 7, 2019 from Police Chief Allen Tingley
 - Email memo dated August 12, 2019 from Treasurer/Collector Joanne Russo
 - 2 Marc Road CommCan recreational marijuana special permit decision dated February 26, 2019
 - Email memo dated November 26, 2019 from Deputy Fire Chief Mike Fasolino
 - Email memo dated December 12, 2019 from Fire Chief Jeff Lynch.
 - Plan review letter from Tetra Tech to the Conservation Commission dated December 16, 2019.
 - Revised Conservation Commission Order of Conditions dated January 14, 2020.
 - MA Department of Environmental Protection EP Noise Policy and associated Noise Regulations (310 CMR 7.10).
 - Installation Guide – Atlantic Industries Limited – AIL Tuf Barrier and Silent Protector Sound Walls
- D. Abutter Comments
- Email communication dated October 8, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
 - Email communication dated November 12, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
 - Email communication dated December 4, 2019 (with attachments) from abutter John Lally, 35 Coffee Street

E. Other Documentation

1. Mullins Rule Certification dated September 10, 2019 for Board member Matthew Hayes pertaining to the August 27, 2019 hearing.
2. Mullins Rule Certification dated October 22, 2019 for Board member Robert Tucker pertaining to the October 8, 2019 hearing.
3. Mullins Rule Certification dated October 17, 2019 for Board member Thomas Gay pertaining to the October 8, 2019 hearing.

V. **TESTIMONY** – During the course of the public hearing, the Board heard and received verbal testimony from:

- Gino Carlucci, PGC Associates, the Town’s Consulting Planner – Commentary throughout the public hearing process.
- Steve Bouley, P.E, Tetra Tech – Commentary throughout the public hearing process
- Ron Dempsey and Jeff Komrower of Noise Control Engineering LLC, acoustic sound consultants for the Town.
- Jaime Lewis, Neo Organics
- Andy Carballeria, Acentech Inc., acoustic sound consultant for the Applicant.
- Bert Corey and Joe Losanno, DGT Associates, engineering consultant for the Applicant.
- Resident and abutter John Lally, 35 Coffee Street
- Resident and neighbor Edward Burns, 43 Coffee Street

VI. **FINDINGS**

The Planning and Economic Development Board, at its meeting on January 28, 2020, on a motion made by Bob Tucker and seconded by Tom Gay, voted to approve the following **FINDINGS** regarding the site plan and special permit applications for 4 Marc Road. The motion was approved by a vote of five in favor and none opposed.

GENERAL FINDINGS from PUBLIC HEARING TESTIMONY

(1) **NOISE ISSUES**

- A. Pursuant to Section 7.3.C.2. of the *Zoning Bylaw*, the “Maximum permissible sound pressure levels measured at the property line nearest to the noise source for noise radiated continuously from the noise source between 10 PM and 7 AM shall be as follows.”

Frequency Band (Cycles per Second)	Sound Pressure Level (Decibels 43 0.0002 Dyne/CM2)
2-72	69
75-150	54
150-300	47
300 - 600	41
600 – 1,200	37
1,200 – 2,400	34
2,400 - 4,800	31
4,800 – 10,000	28

“For noise levels between 7 A.M. and 10 P.M., and if the noise is not smooth and continuous, the following corrections shall be added to each of the decibel levels given above:

- Daytime operation only: +5
- Noise source operated at less than 20% of any 1-hour period: +5”

- B. Earlier in 2019, during the Board’s review of the recreational marijuana establishment special permit application for 2 Marc Road, the Board along with the Board’s sound consultant (Noise Control Engineering) and that applicant’s sound consultant (Acentech, Inc.) agreed that the frequency band range form of noise measurement specified in the *Medway Zoning Bylaw* is outdated. The consultants concurred that noise measurements in accordance with the *Zoning Bylaw*’s standards are neither ideal nor typical today. The Board acknowledged that frequency band ranges presently included in the *Zoning Bylaw* do not accurately reflect contemporary sound measurement standards and provide challenges to interpretation and enforcement of the applicable provisions of the *Zoning Bylaw*. The Board was willing to allow a conversion to more modern standards, but only as long as the conversion was more, not less restrictive.

Noise Control Engineering converted the *Zoning Bylaw*’s frequency band noise levels to octave bands for noise measurement purposes. The method used was based on the frequency span of the octave bands and is consistent with the conversion documented in the 1980 EPA document *905-R-80-117 Noise Legislation Trends and Implications*. The table below shows the conversion of the *Bylaw*’s frequency band noise standards to the modern octave band noise standards with the nighttime and daytime adjustments.

Octave Band Center Frequency (Hz)	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Nighttime	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Daytime
63	67	72
125	55	60
250	48	53
500	42	47
1000	38	43
2000	35	40
4000	32	37
8000	28	33

- C. The Applicant’s preliminary noise mitigation plan was submitted to the Board on August 6, 2019 with the special permit application. The Board retained Noise Control Engineering (NCE) of Billerica, MA to review that preliminary noise mitigation plan. NCE provided an email communication dated August 21, 2019 with comments and recommendations of additional information needed.
- D. The Applicant prepared an updated noise mitigation plan which was submitted to the Board on September 27, 2019. The Applicant also retained sound consultant Acentech, Inc. of Cambridge, MA to evaluate the anticipated levels of noise

producing equipment to be installed at the 4 Marc Road facility and provide recommendations for suitable noise control measures. Acentech developed a computer model of the facility's sound using CadnaA, an acoustic modeling software. The noise producing equipment includes a 300 kw generator, transformer, air handling units (AHU), a variety of condensing units, and rooftop exhaust fans. Acentech determined that the proposed noise generating equipment, absent any noise mitigation measures, will not comply with the noise regulations included in Section 7.3.C.2. of the *Zoning Bylaw* at all property lines of 4 Marc Road. To mitigate the excessive noise from certain of the noise producing sources, Acentech recommended placing sound barriers around the condensing and air handling units and to select a generator and enclosure that would meet the *Zoning Bylaw*'s sound requirements.

Acentech then calculated the expected noise levels, with the planned noise control measures applied, at 14 receptor locations at the property lines of 4 Marc Road and at 7 receptor residential locations at second story building heights. Acentech found that the estimated sound levels created by the noise generating equipment, with the added noise mitigation measures recommended by Acentech, would be below the Town's noise standards (converted from frequency band to octave band) as described in Item B.

- E. The Board retained Noise Control Engineering, LLC (NCE) to evaluate the Applicant's proposed noise mitigation plan for the 4 Marc Road property. NCE provided an email communication dated October 3, 2019 and personal testimony by NCE personnel was provided during the November 12, 2019 hearing.
- F. The Board is in receipt of written and verbal testimony of abutters and nearby residents in the vicinity of 4 Marc Road expressing serious concerns and objections to the excessive noise emanating from the existing marijuana facility operating at 2 Marc Road. Concern was expressed that similar issues would occur with the 4 Marc Road facility.
- G. The Applicant has represented that the 4 Marc Road facility, as part of its permitting with the Massachusetts Cannabis Control Commission, is required to comply with the MA DEP Noise Policy and associated Noise Regulations (310 CMR 7.10). These regulations state that a source of sound violates the regulation if the source:
 - 1. Increases the broadband sound level by more than 10dB above ambient, or
 - 2. Produces a "pure tone" condition which occurs when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

The MA DEPT Noise Policy and Regulations state that these criteria are measured both at the property line and at the nearest inhabited residence. "Ambient" is defined as the background A-weighted sound level that is exceeded 90% of the time (the L₉₀ metric) measured during equipment operating hours.

(2) **ODOR ISSUES**

- A. Pursuant to Section 7.3.D. of the *Zoning Bylaw*, “In all districts, no emissions of odorous gases or odoriferous matter in such quantities as to be discernible outside the property line shall be permitted. Any industrial process which may involve the creation and/or emission of any odors shall be provided with a secondary safeguard system. No objectionable odor greater than that caused by 0.001201 oz. per thousand cubic feet of hydrogen sulfide or any odor threshold as defined in Table III in Chapter 5 of Air Pollution Abatement Manual (copyright 1951 by manufacturing Chemists Assoc., Inc., Washington, DC) shall be permitted.”
- B. The Applicant’s preliminary odor mitigation plan was submitted to the Board August 6, 2019 with the special permit application. The Board retained Straughan Forensic, LLC of Arvada, CO, to review that preliminary odor mitigation plan. Straughan Forensic provided review letters dated August 21, 2019 with comments and recommendations of additional information needed.
- C. The Applicant retained Impact Engineering Inc. of Castle Rock, CO to prepare an updated odor mitigation plan which was submitted to the Board on September 19, 2019. At the Board’s request, Straughan Forensic, LLC evaluated the Applicant’s updated odor mitigation plan for the 4 Marc Road property and provided a review letter dated October 2, 2019.

- (3) **HOURS OF OPERATION** – The applicant has informed the Board that as a marijuana growing facility, the establishment will operate 24 hours a day/7 days a week. The Applicant anticipates that the facility will be occupied by a maximum of twenty-five employees. Occupancy will be generally limited to the hours of 7 am to 7 pm, Sunday – Saturday.

RECREATIONAL MARIJUANA ESTABLISHMENT SPECIAL PERMIT FINDINGS
(Sub-section 8.10 of the Zoning Bylaw)

- (1) The recreational marijuana cultivation and processing establishment will operate inside the existing building at 4 Marc Road, a permanent, stand-alone building which does not include residential units or doctors’ offices. The site includes driveways, parking areas, utility systems, and stormwater management facilities.
- (2) None of the uses listed in Section 8.10 E. 4. of the *Zoning Bylaw* (public or private school serving students in grades K-12) are located within 500 feet of the site of the proposed facility.
- (3) As conditioned herein and as required by the *Zoning Bylaw*, smoking, burning and consumption of marijuana or marijuana-infused products on the premises is not allowed.
- (4) No drive-through service is proposed. It is not needed as a retail operation is not planned for the site nor does the *Zoning Bylaw* allow for a drive-through facility.
- (5) As conditioned herein, any signage for the facility shall comply with Section 8.10.F and Section 7.2 of the *Zoning Bylaw*.

- (6) As conditioned herein, the Applicant shall provide the contact information for management staff and key holders of the facility to Town officials.
- (7) As conditioned herein, the Board finds that the recreational marijuana establishment will not create a nuisance to abutters or to the surrounding area or create any hazard. Both the Applicant and the Town have contracted with noise and odor consultants. The Applicant has prepared a noise mitigation plan which has been reviewed by the Town's noise consultant. It will be implemented in accordance with Specific Condition D herein. The Applicant has also provided an odor control plan which will be implemented in accordance with Special Condition E herein.

The Board is requiring on-going noise and odor monitoring to ensure compliance with the Town's requirements. See Special Conditions D and E. The Building Commissioner, in consultation with the Health Agent, and the Town's noise and odor consultant(s), will confirm compliance with the noise and odor requirements of the *Zoning Bylaw* after the required noise and odor mitigation measures are installed. As conditioned herein, any non-compliance will be addressed through zoning enforcement.

- (8) The existing building meets the requirements for "openness of premises" since no activities within the building or displays of products are visible from the exterior of the building and the front of the building, which includes the primary entrance to the facility, is fully visible from the site's frontage. All operations are within the restricted building and there is no direct consumer access as no retail sales are allowed pursuant to the *Zoning Bylaw*.
- (9) The special permit authorizes only the following adult recreational marijuana establishment activities: cultivation, manufacturing, processing and packaging of marijuana and marijuana products, and the transport and delivery of such to other recreational marijuana establishments. Retail sales and marijuana social establishments are not allowed pursuant to the *Zoning Bylaw*.
- (10) As conditioned herein, copies of required licenses and permits issued by the Commonwealth will be provided upon approval by the Massachusetts Cannabis Control Commission. The recreational marijuana operation will be operated in strict compliance with Massachusetts Cannabis Control Commission regulations.
- (11) Applicant, NEK, LLC is the record owner of the property as shown on the Medway Assessor's records and the seller on a purchase and sale agreement with Pangea Realty LLC dated February 8, 2019. On March 1, 2019, Pangea Realty LLC assigned its interest in the purchase and sales agreement to 4 Marc Road, LLC which will own the 4 Marc Road property.

The Applicant, Neo Organics, LLC will be a tenant in the subject property and building pursuant to a lease dated May 3, 2019 with 4 Marc Road, LLC. Accordingly, the Applicant has the right to use the site for a registered marijuana establishment.

- (12) Prior to plan endorsement, the Applicant shall provide a sworn statement disclosing the owner's or other similarly situated individuals' interest in the registered marijuana establishment.

- (13) A certified list of all abutter and parties of interest was provided. The Planning and Economic Development office coordinated the production and mailing of the required public hearing notice for the Special Permit and Site Plan applications to the required parties.
- (14) A site plan was submitted and has been revised pursuant to comments from the Board's consultants and the Conservation Commission. A detailed floor plan of the premises showing the functional areas of the facility has also been provided. The facility's security plan including lighting, fencing, gates and alarms was submitted and provided to the Police Chief during the permitting process.
- (15) A copy of the policies and procedures for the transfer, acquisition, or sale of adult recreational marijuana between approved marijuana establishments was provided as part of the special permit application.
- (16) A comprehensive noise mitigation plan prepared by the applicant's noise consultant, Acentech, Inc. was submitted and reviewed by Noise Control Engineering, the Board's noise consultant. The plan was revised, re-submitted, and re-reviewed. The planned noise mitigation measures are expected to enable the facility to meet the Town's noise standards as included in Section 7.3 of the *Zoning Bylaw*. As conditioned herein, any non-compliance will be addressed through zoning enforcement.
- (17) A comprehensive odor mitigation plan prepared by the applicant's odor consultant, Impact Engineering, Inc, was submitted to the Board and reviewed by Straughan Forensic, LLC, the Board's odor consultant. The odor mitigation plan was revised, re-submitted and re-reviewed. As conditioned herein, any non-compliance will be addressed by the Building Commissioner through zoning enforcement.
- (18) The required public hearing and review process for this special permit application has been followed.
- (19) The adult recreational marijuana establishment, as conditioned herein, has been designed to minimize adverse visual or economic impacts on abutters and other parties in interest. No changes in the existing building or site are proposed other than the described site improvements and possible additional measures to address potential noise and odor impacts if such occur in the future.
- (20) As conditioned herein, the proposed facility will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations.
- (21) As conditioned herein, the Applicant has satisfied the conditions and requirements of this Section 8.10 and Section 3.4 of the *Zoning Bylaw*.

SITE PLAN RULES AND REGULATIONS FINDINGS – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development Board shall determine the following:

- (1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?

The site is within an industrial park which is accessed directly from Route 109 so there is no access through minor streets serving residential areas. There is no backing up onto a public way.

- (2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?

The existing building and site are of an industrial style, with the scale and materials similar to other buildings within the industrial park. No exterior building façade renovations are planned.

- (3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned.

The site is heavily wooded at its access driveway from Marc Road. The parking areas are along the driveway and behind the building. There is no outside storage of materials. An outdoor dumpster is included but it will be located at the back of the site and will have an enclosure around it. As the site is already developed, considerable landscaping is already provided. The building is set back approximately 110' from the western boundary line of the subject property.

- (4) Is adequate access to each structure for fire and service equipment provided?

The site plan has been revised pursuant to feedback from the Medway Fire Department to now include construction of a fire lane on the west side of the building. Fire Chief Jeff Lynch, in an email dated December 12, 2019, approved the revised site plan as suitable access to the building will be provided.

- (5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

- a) the volume of cut and fill; *Since this is an existing developed site, the volume of cut and fill is minimal to adapt the site for a new use. The project scope is limited primarily to cleaning out and upgrading an existing drainage system and the installation of a new equipment pad and sound barrier on the west side of the building.*
- b) the number of trees to be removed with particular care taken with mature trees and root systems; *This is an existing developed site so tree removal is minimal to accommodate the construction of an equipment pad and a fire access road.*
- c) the visual prominence of man-made elements not necessary for safety; *The only added man-made visual element to the site is the equipment pad and associated sound barrier. While necessary to project abutters from excessive*

noise, it is not visible from Marc Road and it is screened from the westerly abutter by a slope with existing trees on it.

- d) *the removal of existing stone walls; No existing stone walls are being removed.*
 - e) *the visibility of building sites from existing streets; The current building is located off Marc Road, up a hill and the site includes trees between the road and building such that only the entrance driveway and sign are visible from Marc Road. This is not being changed for the new use.*
 - f) *the impacts on waterways and environmental resource areas; A small portion of the site is within the 100-foot wetlands buffer zone and in the Town's Groundwater Protection District. The only work proposed within this area consists of improvements to the stormwater management system which is upgraded throughout the site to comply with current standards so the impacts on waterways and environmental resource areas is positive. The project has also been reviewed by the Conservation Commission and an Order of Conditions has been issued.*
 - g) *soil pollution and erosion; The submitted plans include an Erosion and Sediment Control Plan, which has been reviewed and approved by the Town's Consulting Engineer. The Conservation Commission has also issued an Order of Conditions.*
 - h) *noise. The possibility of noise impacts on abutters has been the issue of most concern and has generated the most discussion at the public hearings. A comprehensive noise control plan was required and submitted to the Board. The Board's noise engineering consultant reviewed the initial plan and considered supplemental information submitted by abutters. Changes to the initial noise mitigation plan were made, including the addition of significant noise barriers with noise baffling features to contain the noise generated by the exterior mechanical equipment. The plan as approved will have minimal noise impacts and those impacts will be monitored once the building attains its full operating status and any needed adjustments will be required accordingly.*
- (6) Is pedestrian and vehicular safety both on the site and egressing from it maximized?
- There is no significant pedestrian use anticipated since no public access to the building is allowed. Pedestrian safety within the parking lot is standard and is adequate due to minimal vehicular traffic. Sidewalk improvements are planned to modify the existing concrete walkway to provide for handicap accessibility. The existing sight lines at the driveway for exiting traffic will be increased through the clearing of some trees (9" diameter and less) to the east of the driveway and some regarding.*
- (7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

There are no historic features on site.

- (8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

A photometric plan has been submitted that demonstrates that there is no light trespass or glare off site.

- (9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The limit of work is reasonable. It makes use of an already developed site and provides a comprehensive stormwater management system to address the existing facility and proposed site improvements.

GENERAL SPECIAL PERMIT FINDINGS (Sub-section 3.4 of the Zoning Bylaw)

- (1) The proposed site is an appropriate location for the proposed use.

Section 8.10 of the Zoning Bylaw (Recreational Marijuana) and Table 1 – Schedule of Uses specifies that non-retail recreational marijuana establishments are allowed by special permit in the East and West Industrial zoning districts. The subject site at 4 Marc Road is located within the East Industrial zoning district and is therefore an eligible location for the proposed use. Further, the site is not located within 500 feet of any of the uses from which marijuana establishments are prohibited (existing public or private school serving students in grades K-12). The site includes an existing industrial building constructed in 1984; the property has been used for industrial purposes for 35 years.

- (2) Adequate and appropriate facilities will be provided for the operation of the proposed use.

The recreational marijuana cultivation and processing uses will occur within the existing industrial building at 4 Marc Road. Suitable parking is available with access from Marc Road. As documented in the findings under Site Plan Rules and Regulations above, adequate and appropriate facilities have been provided for the operation of the facility. The site's internal driveways and stormwater management system have been reviewed by the Board's Consulting Engineer and found to be adequate.

- (3) The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.

The existing site contains suitable driveways, parking areas and stormwater management systems. Pedestrians are not expected to access the site as no retail marijuana operation is permitted. As conditioned herein, the Applicant is required to meet the Town's noise and odor standards as specified in Section 7.3 of the Zoning Bylaw and provide additional noise and odor mitigation measures if needed in the future.

- (4) The proposed use will not cause undue traffic congestion or conflicts in the immediate area.

The proposed facility is expected to have 25 employees. The available on-site parking exceeds the number of parking spaces required. As the facility will not have a retail operation, non-employee traffic to the site will be minimal. The Industrial Park Road system is adequate to handle the routine employee traffic. Marc Road was recently reconstructed as part of the approval of an adjacent business facility at 2 Marc Road, so the adjacent roadway quality leading to the property is excellent. Furthermore, the site's access is via Marc Road from Industrial Park Road from Main Street/Route 109, a major east-west arterial roadway, so there is no traffic impact on local residential roadways.

- (5) The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site or operational attributes of the proposed use.

Site plan review has addressed each of these potential impacts on adjoining properties. A photometric plan for the lighting has been submitted; it documents that lighting will not spill over onto adjoining properties. The stormwater management plan has been reviewed and approved; stormwater will not result in flooding on adjoining properties. An odor control plan, specific to the property's use as a marijuana cultivation facility, has been submitted by the Applicant and reviewed by a firm specializing in odor mitigation. Any dust generated from the operation of the business shall be contained within the building. Noise has especially been carefully evaluated with the assistance of a noise consultant, and the final noise control plan has been accepted. Also, noise generation will be monitored following full operation of the facility. No vibration is expected to be generated by the operation of the business. Refuse materials will be contained within a locked dumpster area for security purposes. Any other undesirable visual, site or operational attributes of the facility shall either be the same as existing conditions or improved from the previous business operation on the premises.

- (6) The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.

The proposed use is manufacturing and is therefore consistent with the character of the East Industrial Zoning District in which the subject property is located. This application proposes to produce marijuana for adult recreational use within the existing building. The proposed use will not significantly alter the character of the East Industrial zoning district.

The Board heard testimony from residential abutters and neighbors about their concerns regarding adverse noise and odor conditions which may emanate from the proposed facility. These concerns result from their experience of noise and odor issues related to the existing marijuana cultivation and manufacturing operation at the adjacent 2 Marc Road marijuana facility. The Applicant made repeated verbal commitments during the public hearing that they will address neighbor concerns through reasonable noise and odor mitigation measures. Furthermore, as noted

above, the Board paid particular attention to the noise and odor concerns and contracted with outside consultants specializing in noise and odor control to review and provide guidance as to how to minimize such concerns. The final plans include maximum measures to ensure that the impacts are minimal at best. The Applicant will be held to the environmental standards included in Section 7.3 of the Zoning Bylaw. The Cannabis Control Commission requires the Applicant to also meet the MA DEP noise standards. Measures to address other types of potential impacts (lighting, flooding, dust, vibration, refuse materials, etc.) have also been provided. As conditioned herein, the Board finds that reasonable measures will be taken such that this particular industrial use will not adversely affect the surrounding neighborhood.

- (7) The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw.

The Recreational Marijuana section of the Zoning Bylaw (Section 8.10) was adopted by the Town in May 2018 with the specific intent of allowing the establishment of non-retail recreational marijuana establishments at limited locations in Medway. The stated purpose of Section 8.10 is to address possible adverse public health and safety consequences and impacts on the quality of life related to this type of facility by providing for them in appropriate places and under strict conditions. As the proposed facility is located within one of the designated zoning districts, it meets the purpose of the Zoning Bylaw.

- (8) The proposed use is consistent with the goals of the Medway Master Plan.

The existing facility and the expanded use of the facility is in compliance with Goals 1 and 6 of the Economic Development Goals and Objectives section of the Medway Master Plan as follows:

- *Goal 1: Maximize the area's economic resources*
- *Goal 6: Attract new (and retain existing) businesses and increase the industrial/manufacturing base.*

- (9) The proposed use will not be detrimental to the public good.

As a facility in compliance with state and local law, consistent with the goals of the Medway Master Plan, and as thoroughly conditioned herein, the proposed use will not be detrimental to the public good.

GROUNDWATER PROTECTION DISTRICT SPECIAL PERMIT FINDINGS (Sub-Section 7.3 of the Zoning Bylaw) – A portion of the 4 Marc Road site is located within the Town's Groundwater Protection District, therefore a groundwater protection special permit is required.

- (1) Maintenance, repair and enlargement of any existing structure and new construction are permitted uses, subject to certain restrictions, within the Groundwater Protection District. As conditioned, and as noted below, the project will comply with those restrictions.
- (2) As conditioned herein, storage of hazardous materials, as defined in Massachusetts General Laws, c. 21E, is prohibited unless enclosed in a free standing container

within a building. Any accidental spillage will also be contained within the building and any that may enter the municipal sewer system will be treated prior to being discharged to the municipal sewer system.

- (3) As conditioned herein, any commercial fertilizers, as defined in Massachusetts General Law, c. 128, §64, used for the growing of marijuana plants will be stored within containers and kept inside the 4 Marc Road building.
- (4) The facility will handle toxic and hazardous materials. All use of hazardous materials will be contained within the building and as the risk of spillage during deliveries is low, the facility qualifies for a special permit. Operation and maintenance procedures are in place to prevent any accidental outdoor spillage from reaching groundwater.
- (5) Water control devices are prohibited unless they can be shown to prevent adverse impacts on groundwater. The stormwater management plans have been reviewed by the Town's Consulting Engineer to ensure that no adverse impacts will result.
- (6) The facility and associated site improvements will render more than 71,000 square feet of the site impervious. The Town's Consulting Engineer has reviewed the stormwater management plan to ensure that groundwater recharge does not degrade groundwater quality.
- (7) As required by Section 5.6.F. 1. of the *Zoning Bylaw*, the plans have been provided to the Board of Health, Conservation Commission, Water and Sewer Commission, and Department of Public Services for review and consultation to evaluate whether the proposed project will adversely impact the quality or quantity of water available within the Groundwater Protection District, and to determine that disturbance of the soils, topography, drainage, vegetation and other characteristics is minimized.

VII. WAIVERS – At its January 28, 2020 meeting, the Board, on a motion made by Bob Tucker and seconded by Richard Di Iulio, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved by a vote of five in favor and none opposed.

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

Section 204-3 A. 7. - Development Impact Statement. A written Development Impact Statement shall be provided to describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts. At its discretion, the Planning Board, upon written request of the applicant, and based on the Board's preliminary assessment of the scale and type of development proposed, may waive or modify the requirements for submission of any of the elements of the *Development Impact Statement*. The *Development Impact Statement* shall consist of the following four elements: traffic, environmental, community and parking.

The Applicant has requested a waiver from this requirement. The site is already developed and has been used for industrial purposes since 1984. The proposed site improvement work is minimal. Traffic is not expected to increase beyond previous occupants. The preparation of traffic,

environmental, community and parking impact assessments is not expected to reveal any useful information related to the site or the project's impacts. The recreational marijuana facility use is highly regulated by the Massachusetts Cannabis Control Commission and is subject to a special use zoning permit from the Board. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-4 B - Site Context Sheet. A Site Context Sheet including the following items shall be submitted.

- 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted.
- 2) Abutters' names and addresses with assessor's reference.
- 3) Lot lines with dimensions and easement areas.
- 4) Existing topography at two (2) foot intervals from USGS survey maps or actual land survey.
- 5) All easements (*utility, conservation and other*) and rights-of-way.
- 6) Zoning district boundaries including groundwater protection district, wetlands, and flood plain zones.

The Applicant has requested a waiver from this requirement. A separate Site Context Sheet has not been provided as part of the plan set. However, the information specified to be included on a Site Context Sheet is included on other sheets included in the plan set. For the foregoing reason, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 C. 3. Existing Landscape Inventory – An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a “mapped” overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.

The Applicant has requested a waiver from this requirement. The site is large (6.68 acres) and is mostly wooded in nature. The existing building will be reused. Site improvements are minimal and will not result in a large land disturbance area. A 32” pine tree located in the southeast corner of the property is specifically identified to remain and be protected during construction. Locating the all trees with a diameter of one foot or greater at four feet above grade throughout the site would be an unnecessary additional expense and provide no added value to the site design or development. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 D. 7. Proposed Landscape Design – A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter

of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.

The applicant has requested a waiver from this requirement as no new landscaping is proposed for this already developed site. Any marijuana facility is subject to a permit from the Massachusetts Cannabis Control Commission which has strict requirements that prohibit shrubs and trees from being planted in proximity to marijuana establishments in order to promote safety in and around the facility. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 D. 12 – Signage Plan - A *Signage Plan* shall be submitted which includes the design, location, materials, dimensions and lighting for:

- (a) the proposed development and all building identification signage, both freestanding and attached; and
- (b) standards for tenant signs.

The applicant has requested a waiver from this requirement. The applicant intends to reuse the existing monument sign from the prior occupant to display only the property address. No other signage is planned for the building. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board’s approval of this special permit is consistent with the *Zoning Bylaw* and that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered. These conditions are binding on the Applicant.

SPECIFIC CONDITIONS OF APPROVAL

- A. All standard requirements included in Section 8.10 Recreational Marijuana of the *Zoning Bylaw* apply to this special permit. These include but are not limited to:
 - 1. Upon approval and prior to commencing operations on the property to cultivate and process marijuana for adult recreational use, the Applicant shall provide the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board with a copy of the applicable state adult recreational marijuana establishment licenses, permits, and approvals from the Massachusetts Cannabis Control Commission.
 - 2. The Applicant shall provide an annual report of Neo Organics, LLC’s operations to the Board and other Town officials no later than January 31st of each year, including a copy of all current state licenses and demonstrating continued

compliance with the conditions of this special permit. Any change in ownership of Neo Organics, LLC or change in management staff and key holders shall also be reported.

3. This special permit is not transferrable to another party. It shall remain exclusively with the Applicant, Neo Organics, LLC, as the operator of an adult recreational marijuana establishment on the premises.
 4. Smoking, burning and consumption of marijuana or marijuana infused products on the premises is prohibited.
- B. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the *Permit Site Plan for 4 Marc Road, Neo Cultivation and Manufacturing*, dated August 6, 2019, last revised December 13, 2019, prepared by DGT Associates Surveying and Engineering of Framingham, MA shall be further revised to reflect all Conditions and required revisions as specified herein, and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). Upon approval, the Applicant shall provide the revised Plan in its final form to the Board for its endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.
- C. **Other Documentation** - Prior to plan endorsement, the Applicant shall provide a sworn statement the Applicant shall provide a sworn statement disclosing the owner's or other similarly situated individuals' interest in the registered marijuana establishment.
- D. **Noise Management**
1. The Applicant shall install and maintain at all times effective noise reduction equipment for the property to comply with Section 7.3 of the *Zoning Bylaw* as well as the Massachusetts Department of Environmental Protection (MA DEP) noise requirements as established in 310 CMR 7.10. The Applicant will achieve compliance through industry best practices and suitable noise abatement measures. The Applicant shall ensure proper maintenance of all noise abatement equipment to ensure maximum efficiency and effectiveness and ongoing compliance.
 2. Prior to the issuance of an occupancy permit for the 2 Marc Road facility, the Applicant shall provide the Building Commissioner, Health Agent, and Board with a noise study measuring ambient sound levels without the external mechanical equipment in operation, the sound at each of the 4 Marc Road property boundaries during full operating conditions, and the sound at the locations of existing residential receptors and expected future residential receptors. The purpose is to determine if the facility complies with Section 7.3 of the *Zoning Bylaw* as well as the MA DEP noise requirements as established in 310 CMR 7.10. The Board, Building Commissioner or Health Agent may forward the noise study to the Town's noise consultant for peer review and comment, at the Applicant's expense.

- a. Establishment of Ambient Noise Levels – Ambient background levels shall be established without the influence of any noise emanating from the CommCan facility at 2 Marc Road. If background noise levels at 2 Marc Road have been previously established prior to operation of the CommCan facility and are acceptable to the Board, they may be used. If not, new measurements to establish background noise levels will be performed by the Applicant. Any noise sources from 2 Marc Road that may contribute to background noise levels should be turned off during the attended measurements to establish the background noise levels. If unattended monitoring is used, the noise contribution from 2 Marc Road can be established by shutting down the noise sources during a specified time period and calculating the difference in L_{90} levels during on and off times. If it is absolutely not possible to take ambient measurements with the 2 Marc Road facility shutdown, ambient measurements should be taken in an area with similar ambient conditions (i.e. similar distance from major roads or other noise sources) which is far enough from the 2 Marc Road facility so that the 2 Marc Road facility does not significantly influence the measures. If an alternative method for establishing the background levels is proposed, a test plan shall be submitted to the Board for acceptance of the alternative method. The Board may seek guidance from its noise consultant.

Separate background noise levels shall be established for daytime hours (7 am to 10 pm) and nighttime hours (10 pm to 7 am).

Background noise levels can be established either by attended measurements (with the sample time at each measurement location to be not less than 10 minutes) or by unattended measurements for a period of at least 3 days. It will be sufficient to establish the background noise levels at representative locations at the property line.

- b. Measurement of Operational Noise Levels – The operational sounds measurements will consist of attended daytime and nighttime noise measurements at the facility property line and the residential receptors for a period of at least ten minutes. If the equipment is expected to produce higher noise levels at operating conditions other than the full load, those conditions shall be measured as well.

The measurements shall be taken at the same locations as evaluated in the September 27, 2019 Acentech study. These include:

- 14 receptor locations the property lines of 4 Marc Road and
 - 7 residential receptor locations at second story building window heights.
- c. All sound measurements shall be conducted by a qualified acoustical consultant (INCE board certification or equivalent experience) in accordance with industry best practices.

- d. Measurement instrumentation shall comply with Class 1 in accordance with IEC 61678, and should be capable of measuring A-weighted and octave-band sound levels. The acoustic descriptor for reporting shall be the L_{90} sound level for background noise levels. If operational data is steady state, the L_{90} metric can also be used for operational data. Otherwise the L_{eq} or higher metric should be used. Sound level meters shall be provided with windscreens and their calibration shall be field-checked before and after the measurements.
 - e. The Board, Building Commissioner or Health Agent may require the Applicant to implement additional noise mitigation measures if the noise study indicates that the facility is non-compliant with Section 7.3 of the *Zoning Bylaw* or the MA DEP Noise Policy.
3. Approximately six months after beginning operations under this Special Permit, the Applicant shall provide a supplemental noise study. These measurements shall be carried out to the same standards and methods as the initial study. The scope and methods of the study shall be the same as in the initial study described above.

The Applicant shall submit that study to the Building Commissioner, Health Agent and Board so as to determine continued compliance with the *Zoning Bylaw* and any conditions set forth herein as to noise. The Building Commissioner, Health Agent or Board may forward the plan to the Town's noise consultant for review and comment, at the Applicant's expense. The Applicant shall be required to implement additional noise mitigation measures if the facility is non-compliant with the *Zoning Bylaw* and the MA DEP Noise Policy.

4. The Applicant shall annually submit a certification by a registered professional mechanical engineer that there are no changes in the installed mechanical equipment which may impact the noise emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
5. The Building Commissioner, in enforcing the conditions contained herein, may require the Applicant to provide additional noise studies by a qualified noise consultant and/or implement additional mitigation measures should legitimate concerns or complaints develop in the future about noise generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.

E. Odor Management

1. The Applicant shall install and maintain at all times effective odor control technology to remove odors from the facility's exhaust system to comply with Section 7.3 of the *Zoning Bylaw*. The Applicant will complete this through industry best practices and suitable building filtration systems including a secondary safeguard system as required by the *Zoning Bylaw*. The Applicant shall maintain all odor migration equipment to ensure maximum efficiency and effectiveness and ongoing compliance.

2. The presented Odor Mitigation Plan dated September 12, 2019 does not include mechanical drawings for the odor management system. At such time as the mechanical drawings are available, they shall be submitted to the Board for review by the Board's odor consultant, at the applicant's expense, to determine if they comply with the Odor Mitigation Plan.
3. The October 2, 2019 review letter of Straughan Forensic, LLC, the Board's odor consultant, identifies a number of issues and information missing from the Odor Mitigation Plan. The Straughan Forensic letter dated October 2, 2019 is attached and made a part of this decision. These items shall be fully addressed and included in the odor plans submitted to the Massachusetts Cannabis Control Commission for approval. The submittal to the Cannabis Control Commission shall indicate that the odor control system must comply with Section 7.3 of the *Zoning Bylaw*.
4. The Applicant shall provide the odor plan approved by the Massachusetts Cannabis Control Commission to the Board.
5. Prior to the issuance of an occupancy permit by the Medway Building Department, the Applicant shall review the approved odor control system as installed with the Building Commissioner and demonstrate that the measures specified in the approved odor control, abatement and mitigation plan including the secondary safeguard system have been implemented. The Applicant shall provide a certification made by a licensed engineer that the odor mitigation measures included in the approved plan have been installed. Additional odor mitigation measures may be required if determined to be necessary by the Building Commissioner.
6. For each of the two successive years following occupancy, the Applicant shall annually submit a certification by a registered professional engineer that there have been no changes in the mechanical equipment that has been installed to control the odor emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
7. The Building Commissioner, in enforcing the conditions herein, may require additional odor investigations and/or odor mitigation measures should legitimate concerns and complaints develop in the future about odor generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.

F. Conditions Pertaining to Groundwater Protection District Special Permit

1. Storage of hazardous materials and other hazardous materials is prohibited unless in a free-standing container within a building. Any hazardous materials that will be used at the facility shall be identified and a list provided to the Board. Any accidental spillage shall also be contained within the building and any that enters the sewer system shall be treated prior to being discharged to the municipal sewer system.

2. Any fertilizers used on landscape material anywhere on the site shall be the slow-release organic granular type, and only the absolute minimum necessary. All storage of fertilizers must be in a free-standing container within a building, have adequate secondary storage capacity or be within a facility designed to prevent the generation and escape of contaminated runoff or leachate. Application of fertilizers on site must be done in a manner to minimize adverse impacts on groundwater.
3. Outdoor storage anywhere on the site shall consist only of non-hazardous materials. Metal materials stored outside shall be under cover of a building or structure to prevent leaching of the metal into the groundwater.
4. There shall be no outdoor storage of pesticides, herbicides, fungicides or insecticides anywhere on the site. Any such products shall be stored inside.
5. Deicing materials shall be limited to calcium chloride or other deicer material approved by the Medway Department of Public Works.
6. Plowed snow for the site shall be stored only in the designated areas shown on the plan or taken off site in times of substantial storms. No snow shall be disposed of in the stormwater detention basin.
7. All vehicles shall be parked/stored on the paved surface to ensure treatment of any leaks of fluids from the vehicles. There shall be no outdoor maintenance or cleaning of vehicles.
8. There shall be no earth removal within six feet of the historical high groundwater level.
9. The Town reserves the right to periodically inspect the site to ensure compliance with these conditions.

G. *Stormwater Management - Post Construction*

1. The Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Board.
2. The stormwater drainage system, water and sewer systems shall be maintained by the Applicant, its successors and assigns, and shall not be dedicated to the Town. It is the intent of the Board and the Applicant that these systems shall not be accepted by the Town.
3. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the *Post Construction and Long-Term Maintenance Plan* included in the *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.

4. The applicant shall submit annual reports of inspections and maintenance of all stormwater management structures included in the site plan to the Board and the Medway Department of Public Works Compliance Officer starting one year after the Certificate of Site Plan Completion is issued.
 5. In the event that the Applicant, its successors and assigns, or its agent fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.
- H. **Utilities** – All electric, telephone, cable TV and other utilities shall be located underground. No overhead utilities are permitted.
- I. **Water Use and Conservation**
1. The development is relying on the Town’s public water system and the Town is being held to its Water Management Act Permit with the MA Department of Environmental Protection. The Permittee shall incorporate the following water conservation measures for construction of the development:
 - a. private well water for landscape irrigation
 - b. rain-gauge controlled irrigation systems
 - c. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
 2. The Permittee shall not use Town water for irrigation of the site’s lawn and landscaping.
- J. **Signage** – Any changes to the existing sign or proposed new signs shall comply with Section 7.2 of the *Zoning Bylaw*.
- K. The permit holder shall notify the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board in writing within forty-eight hours of the cessation of operation of the marijuana business or the expiration or termination of the license holder’s certificates or registration with the Massachusetts Cannabis Control Commission.
- L. There shall be a valid Host Community Agreement with the Town of Medway in effect at all times during the operation of the marijuana establishment.
- M. **Limitations** - This special permit is limited to the operation of a recreational marijuana cultivation and processing establishment at 4 Marc Road. This permit does not authorize operation of a retail outlet for the sale of adult recreational marijuana products, or the operation of a marijuana social establishment, or the operation of a marijuana testing facility on the premises.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to filing the special permit and site plan decision with the Town Clerk, the Applicant shall pay:
1. the balance of any outstanding project review fees owed to the Town for review of the application by the Town's engineering, planning, noise, odor or other consultants;
 2. an advance on fees for the continued review services to be provided by outside noise and odor consultants as approved by the Planning and Economic Development Board;
 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.
- B. **Other Permits** – This special permit does not relieve the Applicant from its responsibility to apply for, obtain, pay for, and comply with all other required federal, state and Town permits, licenses and approvals. The Applicant or agent shall apply for, obtain, pay for, and comply with all other required Town permits.
- C. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of Town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
1. *Construction Time* - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as carpentry, installation of drywall, flooring, electrical and HVAC systems, painting, etc.
 2. *Neighborhood Relations* – The Permittee shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
 3. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
 4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Permittee shall be responsible

for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.

5. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
7. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).
9. *Stormwater Management* – During construction, the Applicant shall maintain the site and installed stormwater management facilities in accordance with the Construction Period Stormwater Operation and Maintenance Plan included in *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.

D. Construction Oversight

1. Pre-Construction Meeting – At least seven days prior to the start of any site preparation or construction, the Applicant shall meet with the Town's Consulting Engineer, the Planning and Economic Development Coordinator, the Medway Department of Public Works, the Medway Conservation Agent (if applicable), the contractors and Applicant's project engineer for a pre-construction meeting. The construction schedule shall be reviewed and the procedures for inspections discussed.
2. Construction Account
 - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-

built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.

- b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Permittee's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Permittee.
3. Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this *Decision*.
 4. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit.
 5. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection.

E. On-Site Field Changes

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this *Decision* and the *Zoning Bylaw* nor conflict with a specific condition of the *Decision*. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Zoning Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or

emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

F. Modification of Plan and/or Decision

1. Proposed modifications, not included on-site field changes, to the *Decision* or endorsed plan shall be subject to review by the Board.
2. This site plan and special permit approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Board for review as site plan modifications.
3. Any work that deviates from the approved site plan or this *Decision* shall be a violation of the *Zoning Bylaw*, unless the Permittee requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Board.
4. The request for a modification to a previously approved site plan shall be subject to the same application and review process including a public hearing. Whenever additional reviews by the Board, its staff or consultants are necessary due to proposed site plan modifications, the Permittee shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the filing and review fees.
5. The Board shall issue a modification decision, file such with the Town Clerk, and provide copies to the Building Commissioner and other Town officials and the Permittee. Any modification approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

G. Compliance with Plan and Decision

1. The Permittee shall construct all improvements in compliance with the approved and endorsed site plan and this *Decision* any modifications thereto.
2. The Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
3. The Conditions of Approval are enforceable under Section 3.1. F. of the *Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

H. Performance Security

1. No occupancy permit shall be granted until the Board has provided a written communication to the Building Commissioner/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Board's satisfaction, to cover the cost of all remaining work.
2. The Permittee shall propose a form of performance security which shall be of a source and in a form acceptable to the Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:
 - a) the date by which the Permittee shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Board
 - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the approved Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
4. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the Permittee fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a 30% contingency.
5. Final release of performance security is contingent on project completion.

I. Project Completion

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. The work shown on the approved site plan shall be completed by the Permittee or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request from the Permittee filed at least thirty (30) days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is

filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.

2. Prior to issuance of a final occupancy permit, the Permittee shall request a ***Certificate of Site Plan Completion*** from the Board. The ***Certificate*** serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The ***Certificate*** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a ***Certificate*** of Site Plan Completion, the Permittee shall:
 - a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The As-Built Plan shall also show all utilities found during the construction process. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
- J. ***Right to Enter Property*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter the property at any time to ensure continued compliance with the terms and conditions of this special permit and the endorsed site plan.
- K. ***Recording*** - Within thirty days of recording the Decision, the Applicant shall provide the Board and the Building Commissioner with a receipt from the Norfolk County Registry of Deeds indicating that the Decision and Plan have been duly recorded, or supply another alternative verification that such recording has occurred.
- L. ***Conflicts*** –If there is a conflict between this Decision and the *Zoning Bylaw*, the *Bylaw* shall apply.

IX. APPEAL – The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth herein. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in G.L. c. 40A §15.

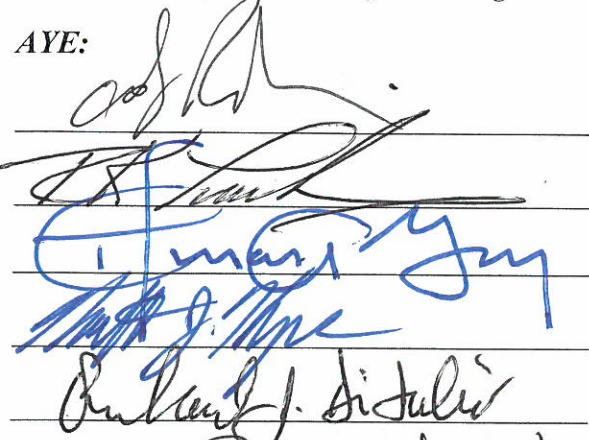
Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty days after the filing of this decision in the office of the Medway Town Clerk.

In accordance with G.L. c. 40A, §11, no special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record, or is recorded and noted on the owner's certificate of title, bearing the certification of the Town Clerk that twenty days have elapsed after the Decision has been filed in the

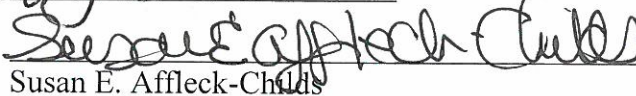
APPROVED by the Medway Planning & Economic Development Board: January 28, 2020

AYE:

NAY:



ATTEST:


Susan E. Affleck-Chellis

Planning & Economic Development Coordinator

January 28, 2020
Date

COPIES TO: Michael Boynton, Town Administrator
Dave D'Amico, DPW Director
Stephanie Carlisle, DPW Compliance Officer
Michael Fasolino, Deputy Fire Chief
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Alan Tingley, Police Chief
Jeff Watson, Police Department
Chad Blair, Neo Organics and 4 Marc Road Realty, LLC
Jaime Lewis, Neo Organics
Jordan Naydeuov, NEK, LLC
Bert Corey, DGT Associates
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

October 2, 2019

Susan Affleck - Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
Email: sachilds@townofmedway.org

Re: NEO Organics – 4 Marc Road Cultivation Facility, Follow-up Review of Odor Mitigation Plan

Dear Ms. Affleck - Childs:

This letter documents the findings from my follow-up review of the resubmitted Odor Mitigation Plan for the cannabis cultivation and processing facility at 4 Marc Road in Medway, Massachusetts. The following documents were reviewed:

- Architectural Floor Plan by Anderson Porter Design, A1.1, 9-09-2019, 1 page
- Permit Site Plan by DGT Associates, C-1 thru C-7, 9-09-2019, 7 pages
- Mech. Systems Ventilation and Odor Mitigation Plan by Impact Engineering, 9-12-2019, 17 pages

I offer the following comments from my review of the documents:

General Comment:

1. The Plan contains narrative descriptions of systems, but no mechanical drawings are available at this time. When the completed mechanical drawings eventually get submitted for permitting, they should be reviewed at that time for compliance with the Odor Mitigation Plan.

Odor Mitigation System design:

2. General: It is stated that "Other than ventilation air, all of the HVAC equipment will recirculate 100% of the supply being distributed to the various applications areas throughout the facility." Since no room air will be exhausted from grow rooms under normal operation, the rooms will not be under negative pressure, and therefore will likely exfiltrate odorous grow room air into the corridors when the doors are opened and possibly through cracks in exterior walls and into the outside air. No information has been provided to indicate that the rooms will be sealed to prevent exfiltration through the room envelope.
3. There is no mention of a control strategy or equipment to mitigate odor that will escape from cultivation and processing rooms when the doors are opened in order for staff to enter or exit the rooms. Will exhaust fans in the Janitor Rooms or other rooms be used to maintain negative pressure in the corridors? If so, these fans will need to run 24/7 and transfer air grilles will need to be installed in the doors or walls to these rooms.
4. In the descriptions for the Drying Room, Post Production/Manufacturing Rooms, and Packaging Rooms, there is no mention of carbon filters like there is for all the other rooms described in this

section or in the Operational Processes section. This seems to imply that no carbon filtering is planned for these three areas, even though the Maintenance Plan section describes carbon filtering for these three areas. This apparent contradiction should be clarified along with a description of how the bi-polar ionization units will be configured, i.e. which air stream will they be placed in, will the exhaust air stream be protected with odor mitigation systems?

Building Exhaust Systems:

5. The list of exhaust systems does not appear to be complete. No exhaust fans are mentioned for the Post Production, Manufacturing, Dishwashing, or Pot Washing Rooms. Will the exhaust air streams from these rooms be protected with odor mitigation systems?

Operational processes:

6. Design criteria for Bi-polar ionization units is not stated. Are these units sized based on a certain number of air changes per hour?

Maintenance plan:

7. In the description for the Flower Rooms and each room that follows after it, the design criteria for the carbon filters is stated to be 15 air-changes per hour, and this is appropriate for flower rooms and each room downstream of it the process. However, this criteria is contradicted in both the Odor Mitigation System Design section and the Operational Processes section, which both state the criteria for these rooms to be 6 air-changes per hour.

If you have any questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Bruce Straughan". The signature is written in a cursive, flowing style.

Bruce Straughan, PE
Straughan Forensic, LLC

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Tuesday, May 31, 2022 3:18 PM
To: Michael Boynton; Mike Fasolino; Donna Greenwood; Bridget Graziano; Joanne Russo; Beth Hallal; Jack Mee; Jeff Lynch; jwatson@medwaypolice.com; Peter Pelletier; Sean Harrington; Stephanie Carlisle; Barbara Saint Andre
Subject: New Permit Applications - NeoOrganics, 4 Marc Road (marijuana cultivation) modification and Medway Commons BrightPath Child Care Center site plan

Hi,

The Planning and Economic Development Board has received permit applications for the above two noted projects and will begin its review at its June 14th meeting.

Project information is available at:

<https://www.townofmedway.org/planning-economic-development-board/pages/medway-commons-brightpath-child-care-center>

<https://www.townofmedway.org/planning-economic-development-board/pages/neo-organics-4-marc-road-special-permit-and-site-plan-0>

Please review the noted projects and provide any comments to me by June 8th for inclusion in the board packet for the June 14th meeting. We particularly need Police and Fire review of the Medway Commons BrightPath Child Care Center site plan as it includes changes in traffic patterns.

Thanks for your help.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291



Susan Affleck-Childs

From: Lally, John - 0666 - MITLL <jlally@ll.mit.edu>
Sent: Tuesday, June 7, 2022 7:25 AM
To: Susan Affleck-Childs
Subject: [External] Neo, 4 Marc Rd Permit Mods & Issues
Attachments: Neo_Noise_Study.pdf

Good morning Susy,

I have additional follow up pertaining to noise from the NeoOrganics facility at 4 Marc Rd and the applicants request for Special Permit and Site Plan modifications. Below is that follow up; I ask that you please forward this email and attachment to PEDB members for their consideration and anyone else as you see fit.

I'm very disappointed to report that the 4 Marc Rd facility is producing noise that is adversely impacting my family's property, what follows are the details.

The 4 Marc Rd facility is "cut" into the hill adjacent to my family's property, and so ground level at our adjacent property line is roughly at roof level of the 4 Marc Rd facility. When standing at this property line and facing the facility one is looking down slightly into the HVAC area that's enclosed by the perimeter noise barriers.

I suspect, because there's no/little noise attenuation above this HVAC area, noise is propagating vertically and spreading out over my family's property.

There is a large amount of exposed duct work that runs from this HVAC area onto the roof, not sure to what extent that may be contributing to the detrimental noise emissions.

There's no doubt this noise is having an adverse impact to my family's property, it's industrial noise considerably above the background level that runs incessantly. This is evident from personal observation and consistent with the level (44dBA) documented in the attached noise report on Pg. 33 of PDF in Fig. 7 (PL04 curve). 44dBA is 16dBA above the late-night minimum of 28dBA measured in the area, see Figure 2 on Pg. 9 of attached PDF. Using the generally accepted "rule-of-thumb" of doubling of perceived loudness per a 10dB increase, yields the noise from 4 Marc Rd ~3 times as loud as the late-night background at our family's property line. This is consistent with what I'm experiencing and why I'm so upset with the situation.

While the 4 Marc Rd facility was permitted prior to the recent environmental updates, these environmental updates are nevertheless informative as to what's a detrimental noise impact.

Folks may recall, one of the provisions in the environmental updates that helps prevent detrimental noise, is limiting continuous industrial noise increases by a new facility at residential property lines to 2dB. A 2dB increase indicates that the new facility noise level is lower than the background noise level. A 3dB increase would indicate a new facility noise level is about the same level as background noise. Allowing the 4 Marc Rd facility to increase the noise at a residential property line by 16dBA is well beyond any bounds of reasonableness.

These environmental updates were literally years in the making, withstood much public discussion, and ultimately codified into law by the citizenry of Medway. This is the community standard in Medway for what constitutes detrimental noise, and based on our experience we know they make

sense. When industrial noise is above the background noise level and running continuously in one's environment, the quality of one's life as you knew it, is over. I also remind folks of the inadequacy of the DEP standard of +10dB to prevent adverse impacts. The 2 Marc Rd facility, prior to getting fixed complied with the DEP +10dB standard, and yet there were noise complaints from approximately half mile away.

I therefore submit, the 4 Marc Rd facility as currently existing is non-compliant with the following provisions of the Recreational Marijuana section of the Medway Zoning Bylaw in effect at the time of 4 Marc Rd permitting:

- 1.) 8.10.H, Prohibition against Nuisances: "No RME shall create a nuisance to abutters or to the surrounding area...including...noise..."
- 2.) 8.10.A, Purposes: "...minimize the adverse impacts of a RME on adjacent properties..."

In consideration of the foregoing, I respectfully request:

- 1.) The applicants request for relief by modifying their special-permit & site-plan is denied and shall not be considered again until the adverse impact(s) the 4 Marc Rd facility is causing have been adequately relieved.
 - a. Suggestions:
 - i. Have applicant supply noise analysis with further noise mitigation measures. Especially to include mitigation of vertically propagating & spreading noise originating from behind noise barriers, and any noise sources outside the noise barriers with consequential contribution to noise emissions.
 - ii. Perhaps use compliance to noise levels in current Medway Zoning Bylaw Environmental Standards as the standard for adequate mitigation.

Respectfully submitted,
John D. Lally,
Resident,
35 Coffee St.
Medway, MA 02053.



April 6, 2022 (revised April 11, 2022)

Chad Blair
Neo Alternatives
617-571-6068
cblair@neoalts.com

Subject Neo-Alternatives Cultivation Facility
4 Marc Road, Medway, MA
Results of Ambient Noise Survey and Daytime Attended Measurements
Acentech Project No. 632403

Dear Chad:

Acentech has been engaged to provide acoustics consulting services in connection with the Neo-Alternatives cannabis cultivation facility in Medway, MA (the facility). The facility will be located 4 Marc Road, and had completed construction and commissioning of most HVAC equipment at the time of this writing.

This report and associated figures summarize the results of noise measurements that we conducted to determine if facility equipment sound is in compliance with applicable criteria. APPENDIX A contains a copy of the special permit for reference. APPENDIX B contains section 7.3 from the most recent Medway Zoning Bylaw, as referenced in the text below.

SUMMARY

Acentech was involved in the noise control engineering and permitting of the facility, to ensure that noise imissions would be consistent with applicable criteria. The facility has been designed with community noise concerns in mind, and has used the Best Available Control Technology (BACT) framework to minimize community noise. The noise control design employs a sound-absorptive barrier wall to block and absorb sound that may otherwise impact the community, as well as equipment selected for low-noise operation.

With few exceptions, facility sound is consistent with special permit requirements and the MassDEP noise policy. At the property line location nearest the facility equipment, a slight exceedance of the special permit criteria was documented in the 1,000 Hz octave-band. Mitigating this exceedance to permit levels would have little measureable impact in the community, and no appreciable benefit to public health.

Facility sound as measured complies with the MassDEP noise policy under all expected operating conditions. Such sound would comply with most, but not all, of the provisions of the revised Medway noise ordinance, were they to apply. However, we understand that facility sound is regulated by the limits in the special permit, which supersede those of the revised Medway bylaw.

FACILITY NOISE CRITERIA

MASSDEP NOISE POLICY

The Massachusetts Department of Environmental Protection (MassDEP) noise policy¹ is based on marginal increases to the existing background sound level. A sound source or facility that causes the background sound level to increase by more than 10 dBA is in violation of the MassDEP noise policy.

¹ <http://www.mass.gov/eea/docs/dep/air/community/noisepolicy.pdf>

In addition, the MassDEP noise policy prohibits the creation of a “pure-tone condition”, wherein the sound pressure level in an octave band exceeds the sound pressure level in both adjacent bands by 3 dB or more.

MassDEP has clarified the application of its noise guidelines in an update on its website², which includes the following statement:

Noise levels that exceed the criteria at the source's property line by themselves do not necessarily result in a violation or a condition of air pollution under MassDEP regulations (see 310 CMR 7.10 U). The agency also considers the effect of noise on the nearest occupied residence and/or building housing sensitive receptors.

SPECIAL PERMIT REQUIREMENTS

Facility Property Line Sound Level Limits

We understand the following levels from the special permit to apply to project sound, when measured at the facility's property lines.

Octave Band Center Frequency (Hz)	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Nighttime	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Daytime
63	67	72
125	55	60
250	48	53
500	42	47
1000	38	43
2000	35	40
4000	32	37
8000	28	33

Additional Requirements

The study described herein was consistent with Conditions D.2.a of the special permit. These are reproduced below *in italics*, with our comments [in brackets]. These comments were submitted to the Town in advance, and we understand them to be acceptable.

D.2.a. Establishment of Ambient Noise Levels – Ambient background levels shall be established without the influence of any noise emanating from the CommCan facility at 2 Marc Road.

[We do not expect it will be possible for CommCan to cease operations. However, our recent study of CommCan operational noise has demonstrated no impact on the nearest sensitive receptors.]

If background noise levels at 2 Marc Road have been previously established prior to operation of the CommCan facility and are acceptable to the Board, they may be used. If not, new measurements to establish background noise levels will be performed by the Applicant.

[This memo describes our protocol to conduct new ambient measurements at four points on the projects property lines.]

Any noise sources from 2 Marc Road that may contribute to background noise levels should be turned off during the attended measurements to establish the background noise levels.

[As above, we do not expect it will be possible for CommCan to cease operations.]

² <http://www.mass.gov/dep/air/laws/noisepol.htm>. See “Where Are MassDEP’s Noise Criteria Applied?”

If unattended monitoring is used, the noise contribution from 2 Marc Road can be established by shutting down the noise sources during a specified time period and calculating the difference in L90 levels during on and off times. If it is absolutely not possible to take ambient measurements with the 2 Marc Road facility shutdown, ambient measurements should be taken in an area with similar ambient conditions (i.e. similar distance from major roads or other noise sources) which is far enough from the 2 Marc Road facility so that the 2 Marc Road facility does not significantly influence the measures.

[As above, we do not expect it will be possible for CommCan to cease operations.]

If an alternative method for establishing the background levels is proposed, a test plan shall be submitted to the Board for acceptance of the alternative method. The Board may seek guidance from its noise consultant. Separate background noise levels shall be established for daytime hours (7 am to 10 pm) and nighttime hours (10 pm to 7 am).

[The ambient monitoring protocol described in our memo should serve as the proposed alternative method for establishing background sound levels.]

SOUND MEASUREMENTS

AMBIENT SURVEY

The special permit requires that ambient sound levels be documented in connection with the noise compliance study. These ambient levels are also useful to assess long-term compliance with the MassDEP noise policy. This section summarizes the ambient survey we completed in March 2022.

Protocol

FIGURE 1 identifies four locations on the site's property lines where we installed unattended sound monitoring kits (SM1 – SM4). These kits contained a Rion NL-52 type 1 sound level meter and battery, and gathered data continuously for six days. SM1 and SM4 are particularly relevant to community noise impacts at residences to the north, south, and west of the project.

Microphones were installed at a height of 5' and provided with windscreens. The sound level meters have current calibration certificates traceable to NIST, and were field-calibrated at install and retrieval to ensure system stability.

We measured both A-weighted and one-third octave-band sound levels in hourly intervals at the locations shown in FIGURE 1. Sound during these intervals has been reported in terms of the 90th percentile level at each of the monitoring locations.

Results

The results of the ambient survey are shown in FIGURE 2. As shown, ambient background sound levels ($L_{AF90, 1-hr}$) were as low as 28 dBA at SM1 and SM4. Based on this finding, the MassDEP noise policy regulatory limit would be at most 38 dBA at residences during the quietest hours of the night.

FACILITY EQUIPMENT, DAYTIME

The special permit requires that facility equipment sound levels be documented with attended measurements. This section summarizes the attended daytime measurements we conducted on March 31, 2022.

Protocol

FIGURE 3 presents 14 compliance measurement locations along the facility property line, referred to as PL01 – PL14. These locations are the same as those described in the sound mitigation plan that we submitted during design. Sound was measured at these locations at 5' above grade.

In addition, FIGURE 5 shows 7 community measurement locations referred to as R01' – R07'. These locations are similar to those in the mitigation plan, but modified to reflect locations that are publicly accessible and do not require access to private property. We understand from email correspondence with the Town of Medway that the alternate community locations are acceptable. Sound was measured at these locations at 15' above grade.

We measured both A-weighted and one-third octave-band sound levels in 10-minute intervals, with the facility operating. After facility sound was measured at each location, we turned off all facility equipment to briefly measure the ambient level in-situ, for the purpose of estimating the facility-only sound level by mathematical correction³.

Operating Conditions

Temperatures during our measurements were on the order of 45 – 50 °F, with partly cloudy skies and moderate winds. These conditions are acceptable for the measurement of sound at relatively close distances, and marginally acceptable for measurements at locations up to 1,000 ft away.

Due to low ambient temperature and humidity, only one of the three GPOD condensing units was operating. Sound data for this equipment were not available during design. However, we have updated our computer model to assume that this equipment produces sound levels of 70 dBA at 1 m, in which case operation of all GPODS will not increase facility sound levels.

Results

Facility Property Lines

FIGURES 4a – 4n present facility and ambient sound levels measured at the property line receptors (PL01 – PL14). It was not possible to credibly measure facility sound at most property lines due to ambient noise. This is a positive finding, suggesting that the facility has minimal acoustic impact in the context of its surroundings.

At the property lines nearest the equipment (PL03 and PL04), we were able to hear and reliably measure facility sound. Ambient noise was sufficiently low to determine the contributions of the facility only, without ambient sound. This is the level regulated by the special permit, in that a permit holder cannot be held responsible for sound they do not produce.

FIGURE 7 compares facility-only levels at PL03 and PL04 to special permit criteria. As shown, overall facility sound levels at PL04 (about 100 ft from the equipment) are 3 dB below the A-weighted limits of the special permit. However, our measurements show a slight (2 dB) exceedance of the special permit nighttime limit in the 1000 Hz octave-band. Mitigating this exceedance to permit levels would have little measureable impact in the community, and no appreciable benefit to public health.

Community

FIGURES 6a – 6g present facility and ambient sound levels measured at the alternate community locations (R01' – R07'). It was not possible to hear or credibly measure the facility at any of the community locations during our daytime measurements.

ANALYSIS

IMPACTS AT NEAREST RESIDENCE

The nearest residential neighbor is in-line with location PL04, about 500 ft from facility equipment. Facility sound levels at this residence are expected to be 30 dBA based on our measurements. This is 6 dB quieter than our computer model prediction during design, which was based on full load (all 3 dry cooler fans operating).

The lowest measured ambient background level during our survey was 28 dBA. This corresponds to the quietest 6 minutes measured over a 6-day study duration. Our measurements show that the facility will increase the lowest ambient level to 32 dBA ($28 + 30 = 32$ dBA) with the operating conditions as measured. This 4 dBA increase complies with the MassDEP noise policy. Operation of all GPODs has no effect on this estimate, due to their low assumed sound level.

³ $L_{\text{facility}} = L_{\text{measured}} - L_{\text{ambient}} = 10 \cdot \log_{10}(10^{L_{\text{measured}}/10} - 10^{L_{\text{ambient}}/10})$. The “-” operator denotes energetic subtraction.

COMPARISON TO UPDATED MEDWAY NOISE BYLAW

Since the issuance of the special permit, significant work has been done by the Medway community and their elected officials to revise the Town's noise bylaw (see APPENDIX B). The revised bylaw:

- *Removes the octave-band requirements*, in favor of a one-third octave-band test for prominent tonal sound. We have not yet reviewed the March 31 measurement data in this level of detail to determine potential facility compliance.

Prominent Discrete Tone: The presence of acoustic energy concentrated in a narrow frequency range, including, but not limited to, an audible tone, which produces a one-third octave sound pressure level greater than that of either adjacent one-third octave and which exceeds the arithmetic average of the two adjacent one-third octave band levels by an amount greater than shown in the following table opposite the center of frequency for the one-third octave band containing the concentration of acoustical energy.

- *Removes the day/night differentiation at industrial and commercial property line receptors*, in favor of one fixed limit of 55 or 50 dBA respectively. Facility sound complies with the revised limits at industrial and commercial receptors.

Industrial Zoned Property to Industrial Zoned Property

	Daytime 7:00 a.m. – 7:00 p.m. @ Property Line	Evening 7:00 pm – 11:00 pm @ Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ Property Line
Overall Level (dBA)	55	55	55

Industrial or Commercial Zoned Property to Commercial Zoned Property

	Daytime 7:00 a.m. – 7:00 p.m. @ Property Line	Evening 7:00 p.m. – 11:00 p.m. @ Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ Property Line
Overall Level (dBA)	50	50	50

- *Strengthens protections at residences*, while relaxing restrictions and commercial and industrial receptors. Facility sound is expected to be 30 dBA at the nearest sensitive receptors at night, which complies with the revised fixed limits.

	Daytime 7:00 a.m. – 7:00 p.m. @ any Residential Property Line	Evening 7:00 pm – 11:00 pm @ any Residential Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ any Residential Property Line	Evening & Nighttime 7:00 p.m. – 7:00 a.m. @ Sensitive Receptors
Maximum Overall Noise Level (dBA)	47	45	42	32

- *Adds a requirement that a new facility not increase the ambient sound level by more than 2 dBA⁴.*
The facility is expected to increase ambient sound levels by as much as 4 dBA, which would not achieve the limits of this new provision if all equipment were to operate during the quietest hours of the night. However, given the redundancy built into the mechanical design of the facility, we do not expect this to be the case frequently, if ever.

The introduction of any potential new noise sources cannot result in an increase in broadband sound pressure levels of more than 2 dB above the existing ambient conditions at the nearest residential property line or any Sensitive Receptor; and

CONCLUSIONS

With few exceptions, facility sound is consistent with special permit requirements and the MassDEP noise policy. At the property line location nearest the facility equipment, a slight exceedance of the special permit criteria was documented in the 1,000 Hz octave-band. Mitigating this exceedance to permit levels would have little measureable impact in the community, and no appreciable benefit to public health.

Facility sound as measured complies with the MassDEP noise policy under all expected operating conditions. Such sound would comply with most, but not all, of the provisions of the revised Medway noise ordinance, were they to apply. However, we understand that facility sound is regulated by the limits in the special permit, which supersede those of the revised Medway bylaw.

* * * * *

I trust that this information is useful to the Town in reviewing your application for a certificate of occupancy. It would be my pleasure to speak with the Town or their peer reviewer to discuss any questions they may have. Please feel free to email or call me at (617) 499-8025 if you have any questions or comments.

Sincerely,



Andrew C. Carballeira, INCE Bd Cert
Principal Consultant

CC: Josh Brophy, Mike Bahtiarian (Acentech)

⁴ Note that in the case of a 28 dBA ambient level, facility sound would be required to be 26 dBA or less in order to not increase the ambient level beyond 30 dBA. In other words, the facility would have to create sound 2 dBA below the lowest measured ambient level to be compliant with this provision.

FIGURES

FIGURE 1. Sound Monitoring Locations (SM1 - SM4)



Data Source: MassMapper (retrieved 3/10/2022)

FIGURE 2. Ambient monitoring results (A-weighted hourly L90)

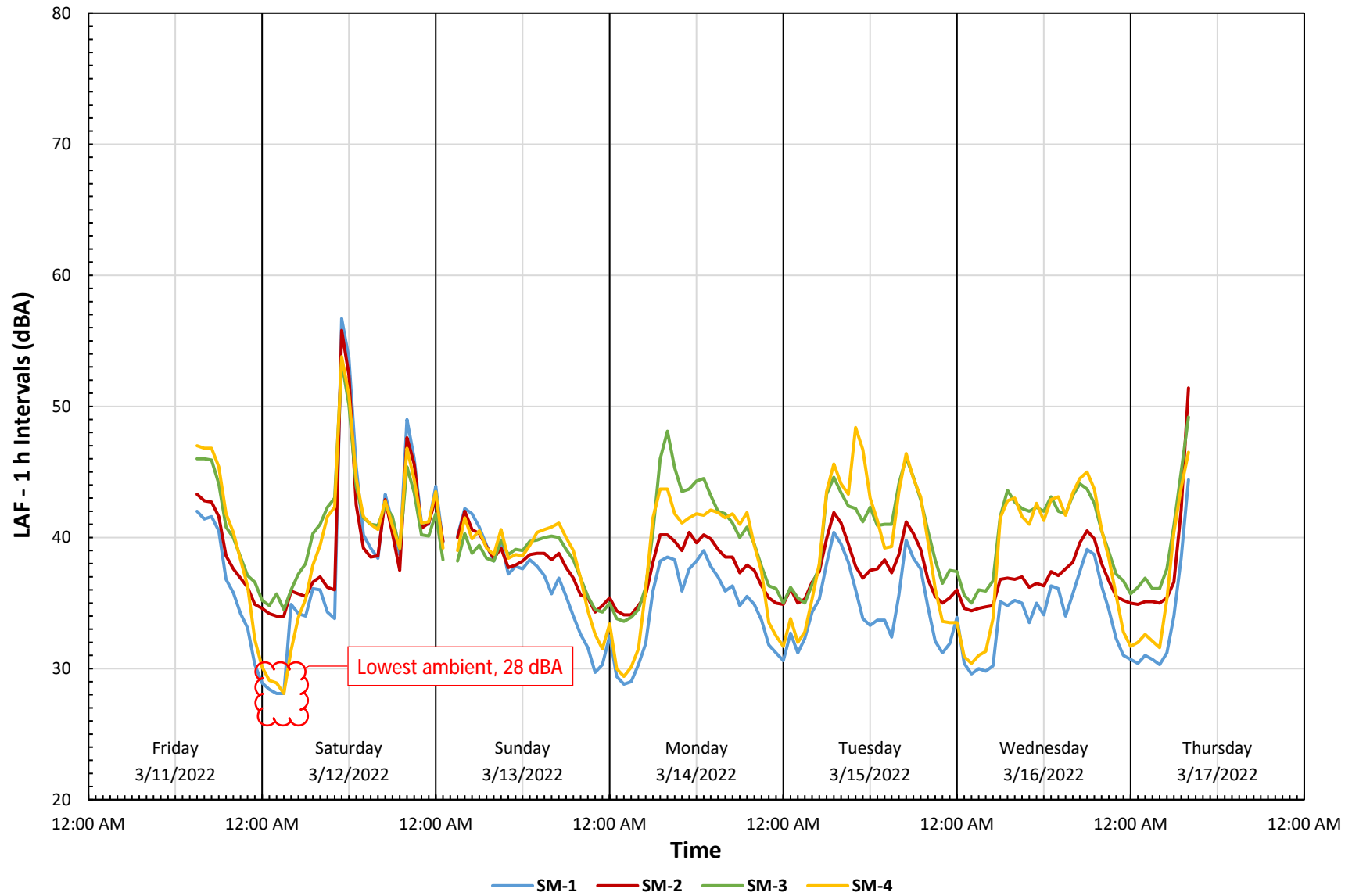


FIGURE 3. Property line measurement locations PL01 - PL14



FIGURE 4a - sound levels measured at PL01

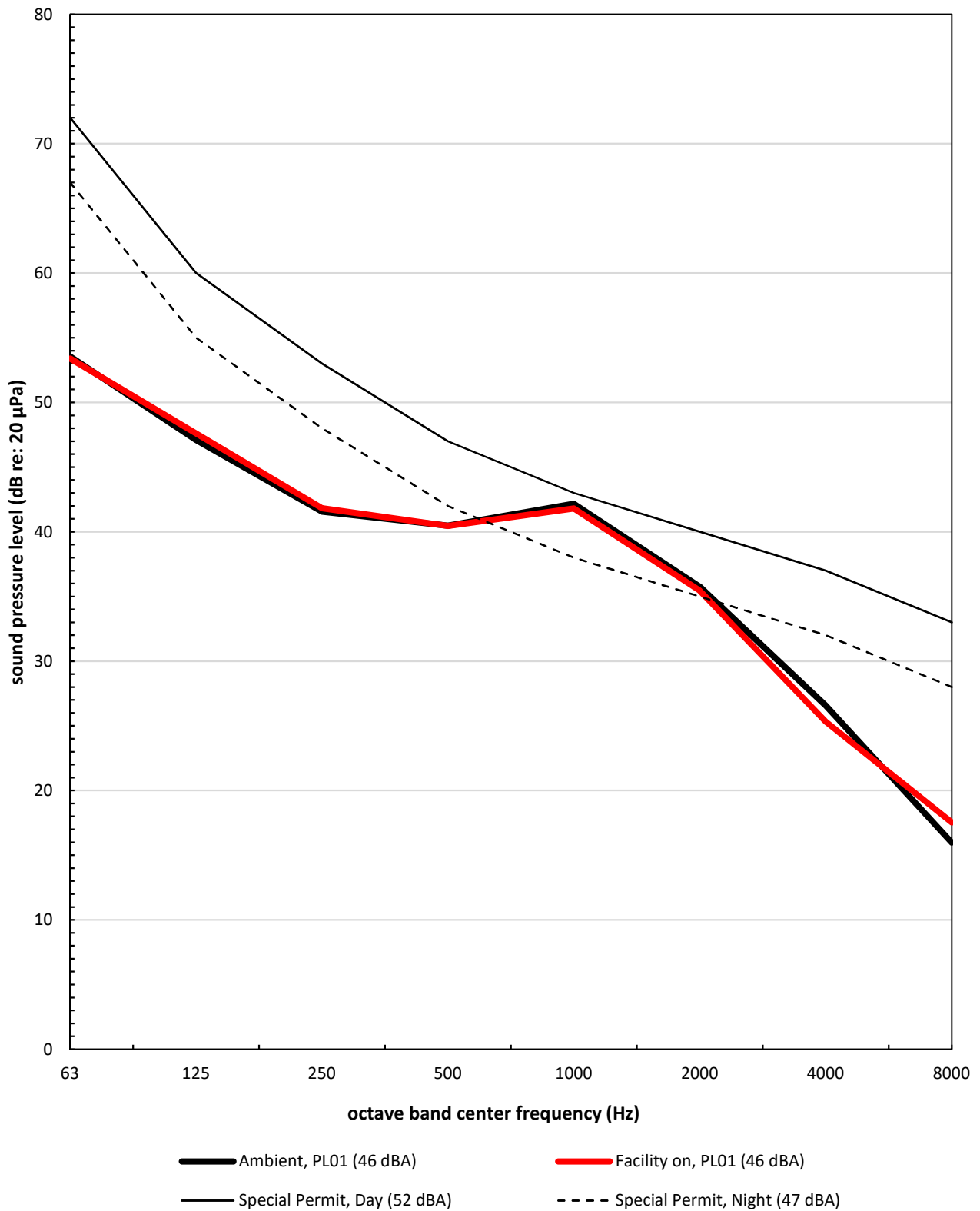


FIGURE 4b - sound levels measured at PL02

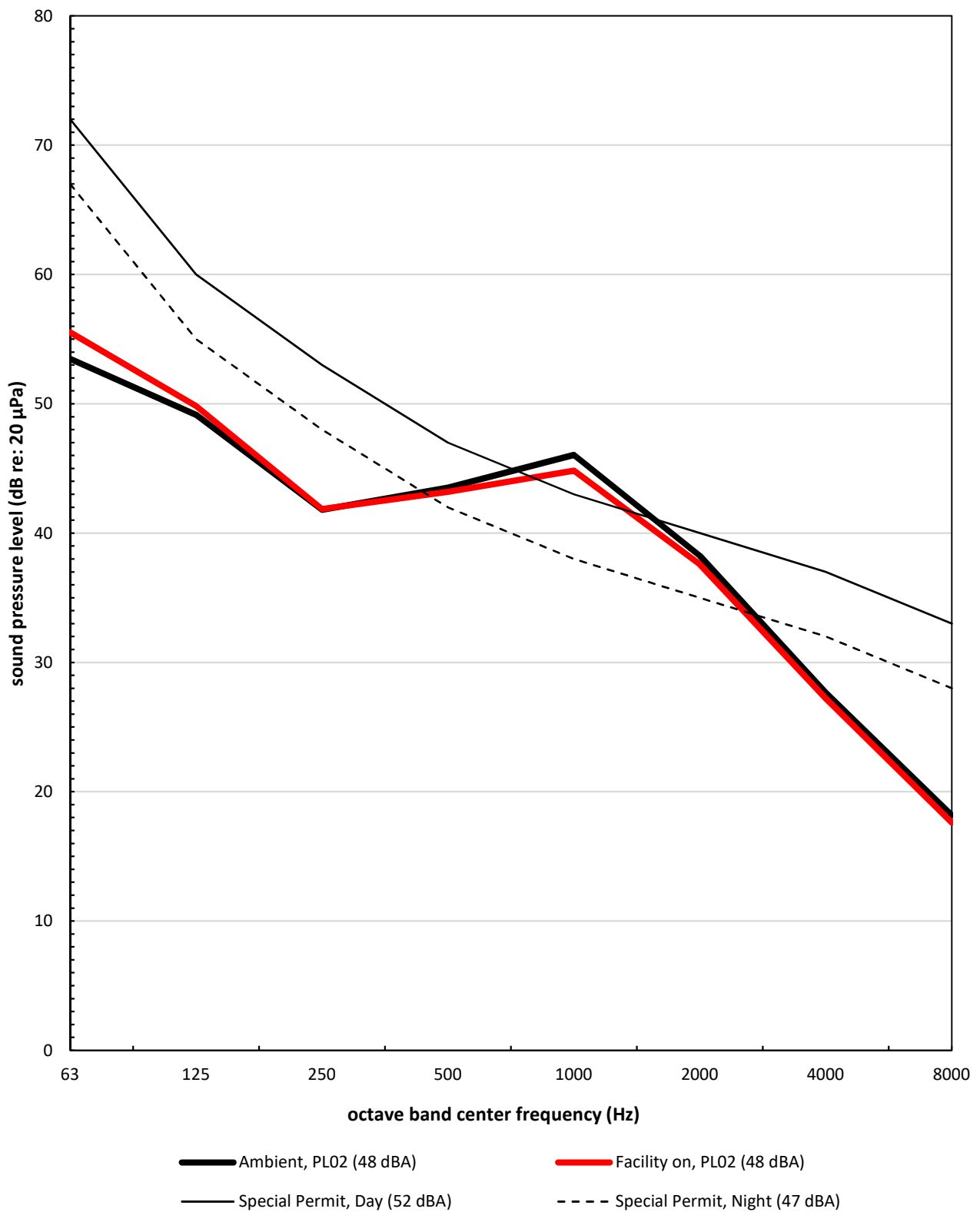


FIGURE 4c - sound levels measured at PL03

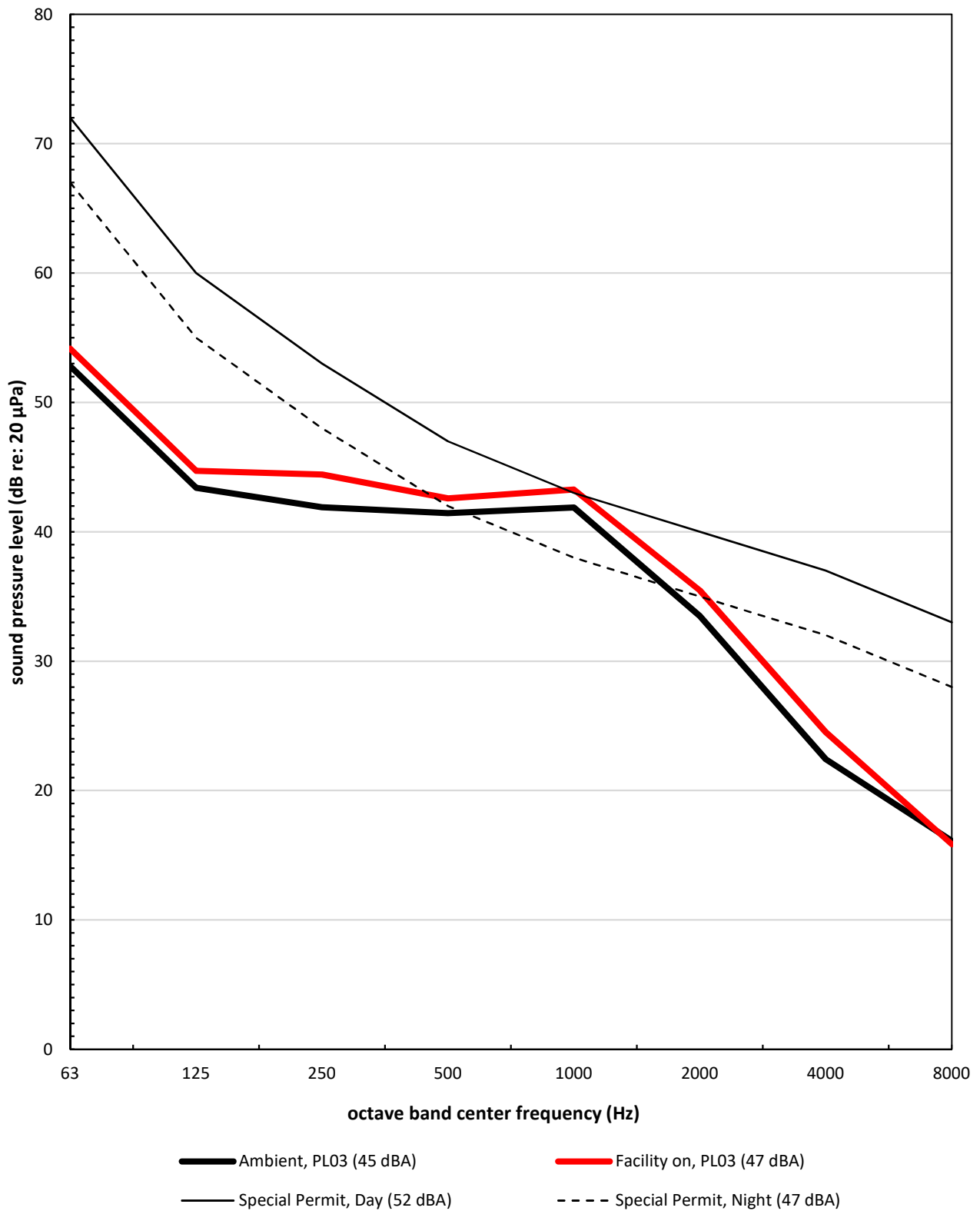


FIGURE 4d - sound levels measured at PL04

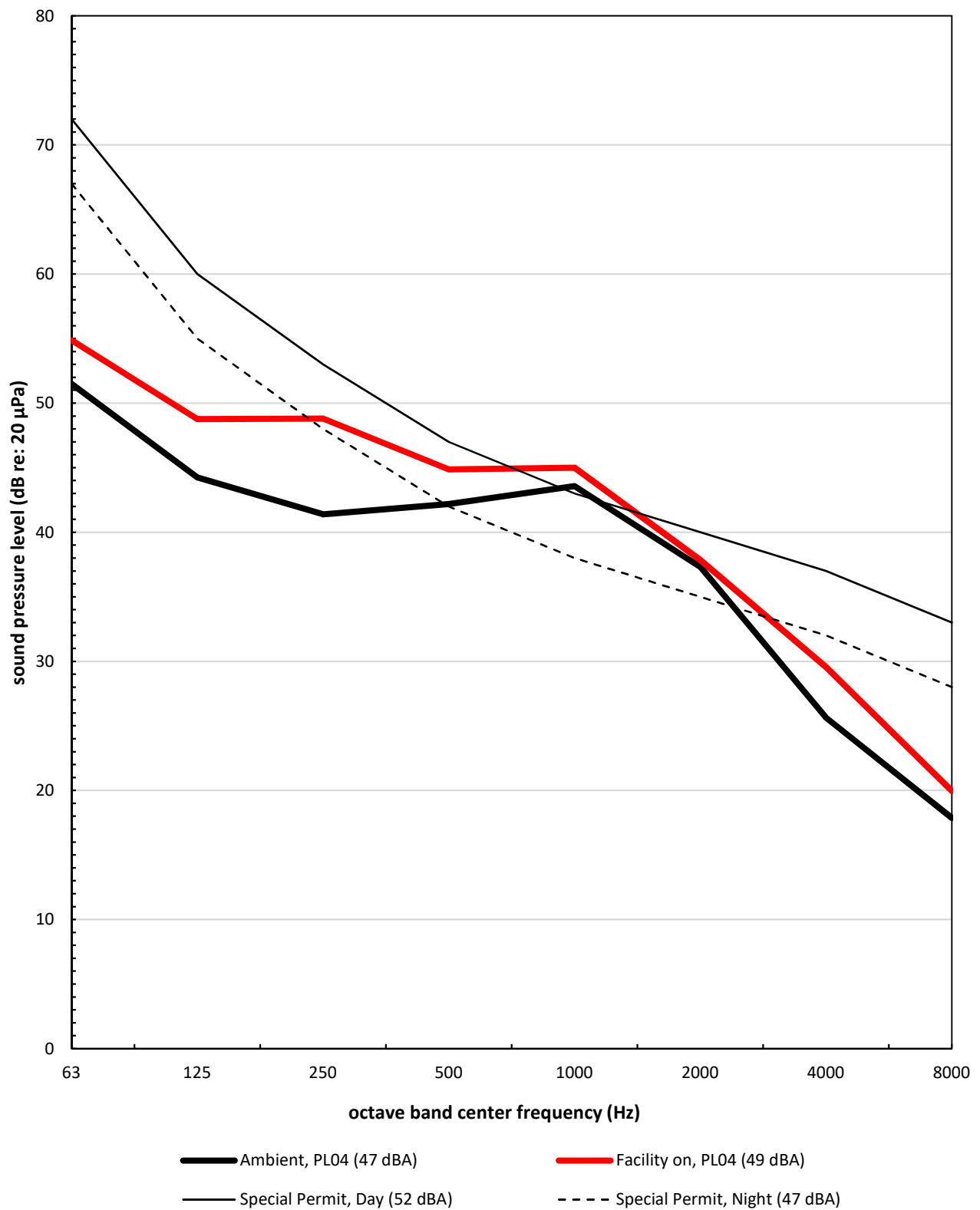


FIGURE 4e - sound levels measured at PL05

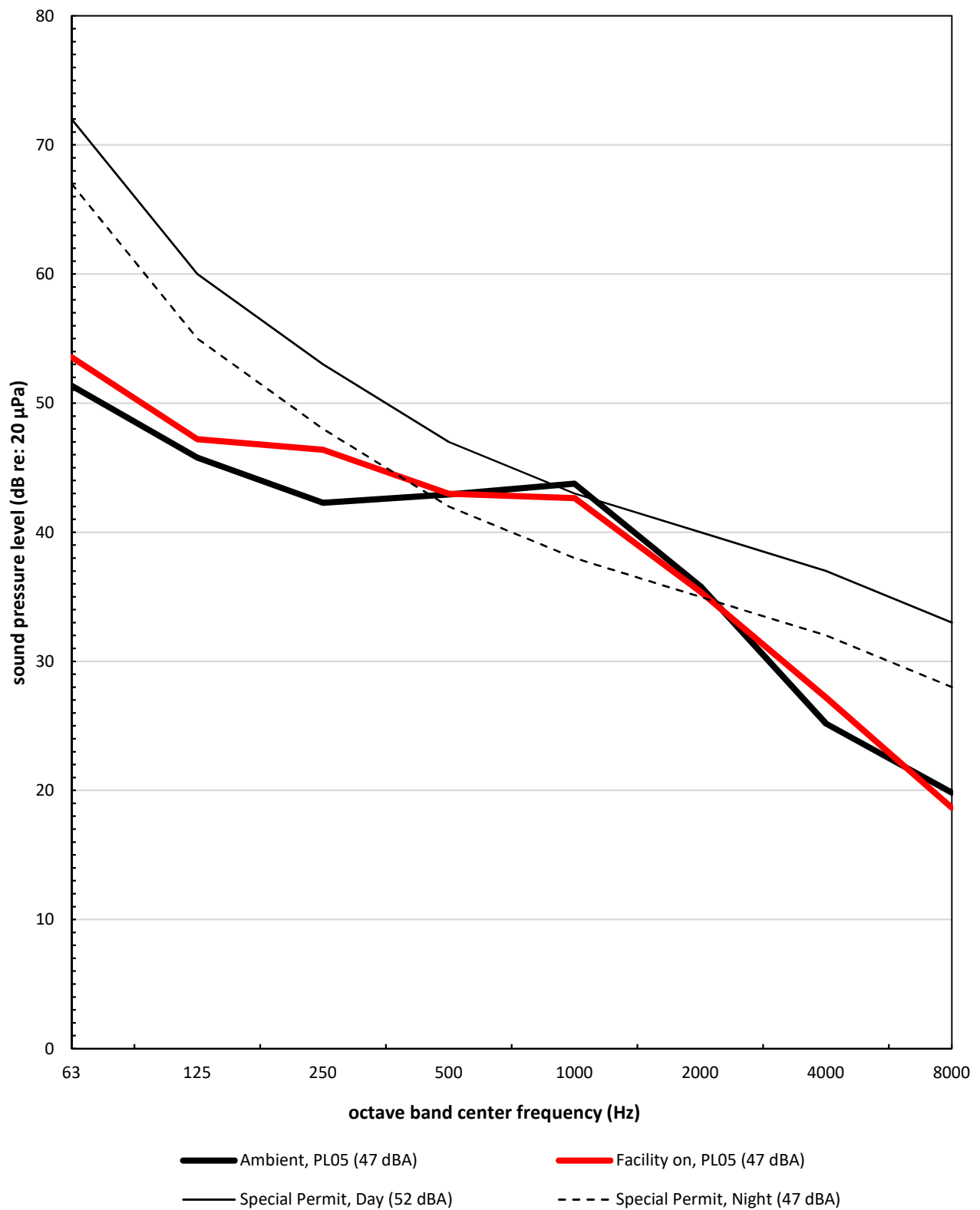


FIGURE 4f - sound levels measured at PL06

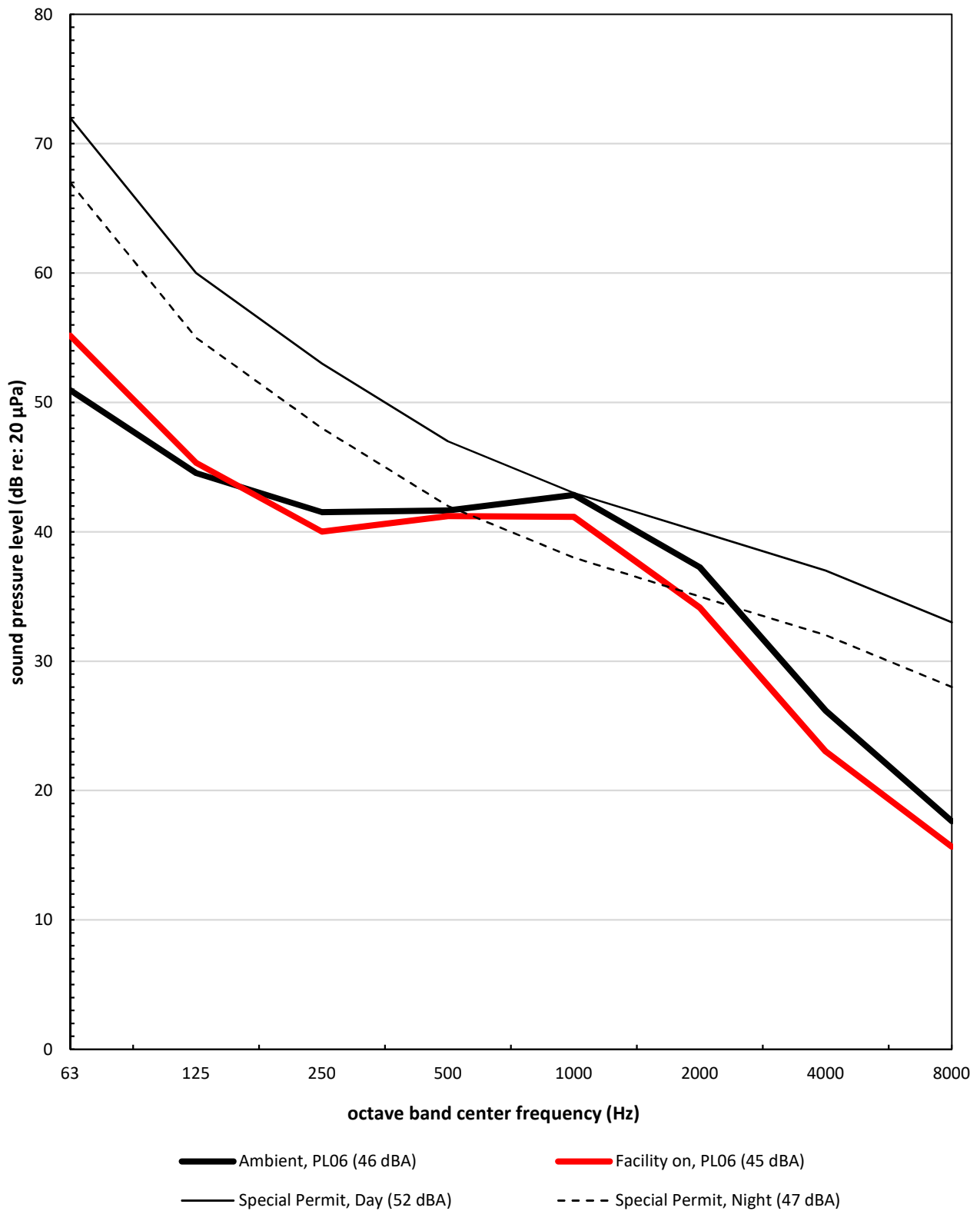


FIGURE 4g - sound levels measured at PL07

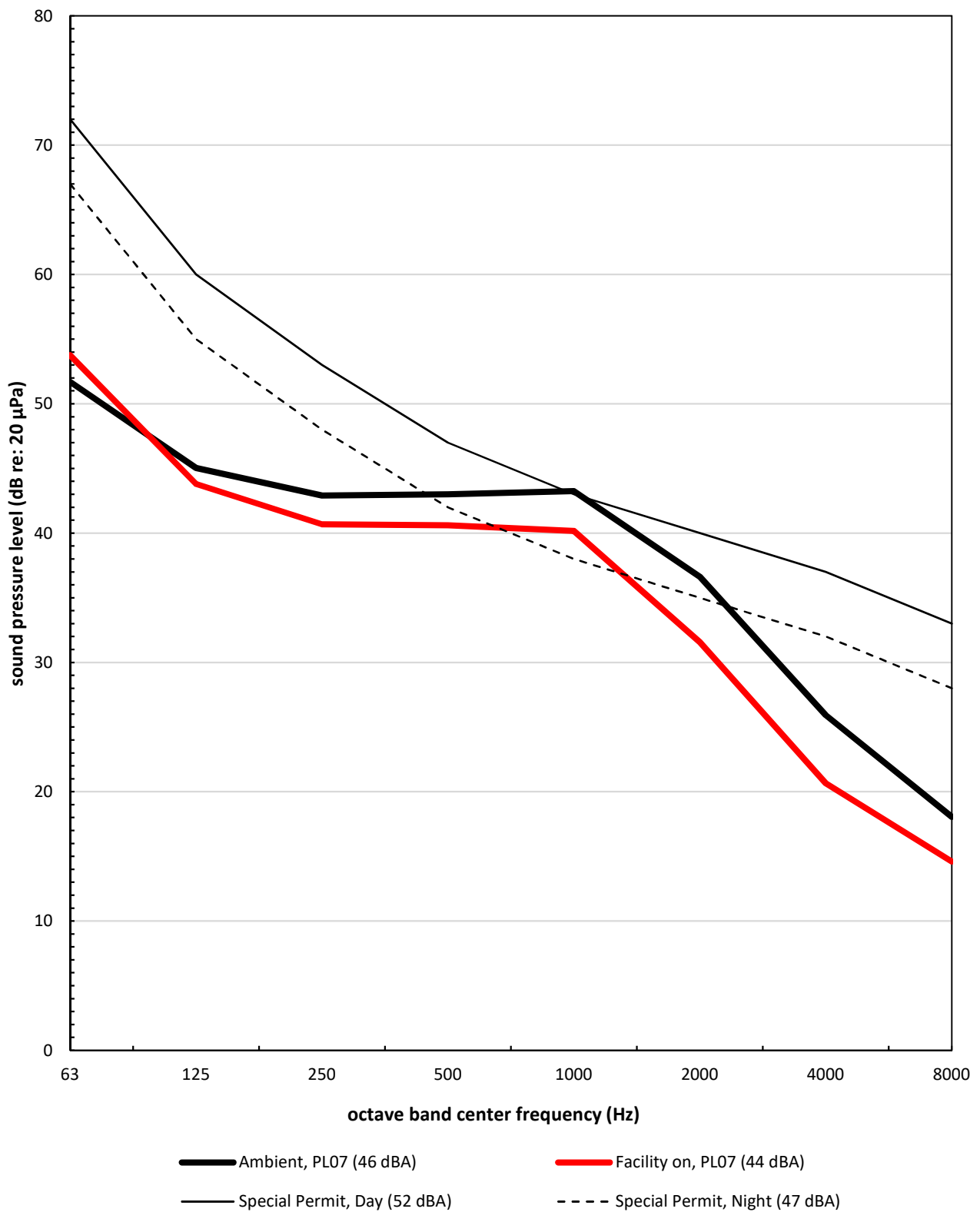


FIGURE 4h - sound levels measured at PL08

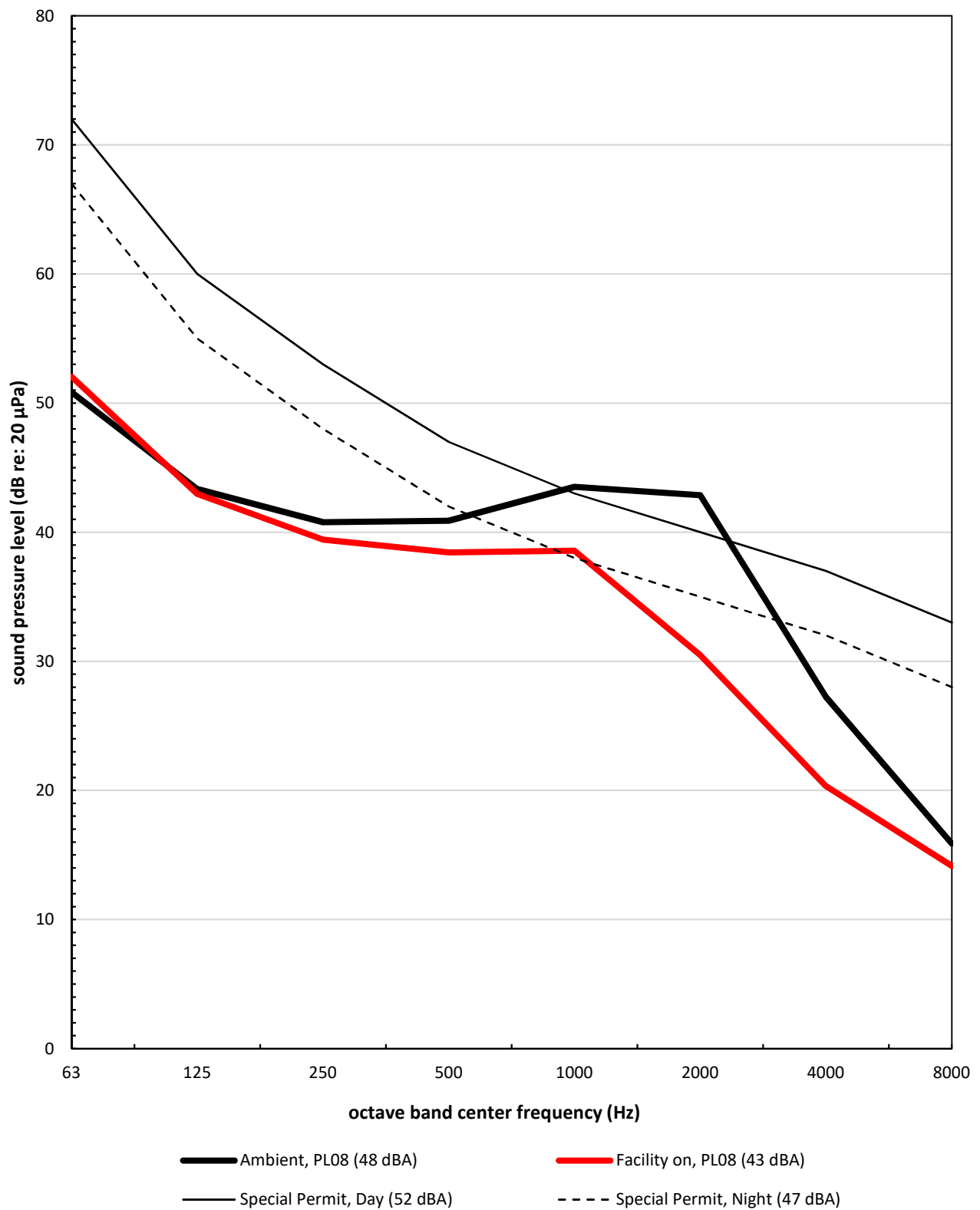


FIGURE 4i - sound levels measured at PL09

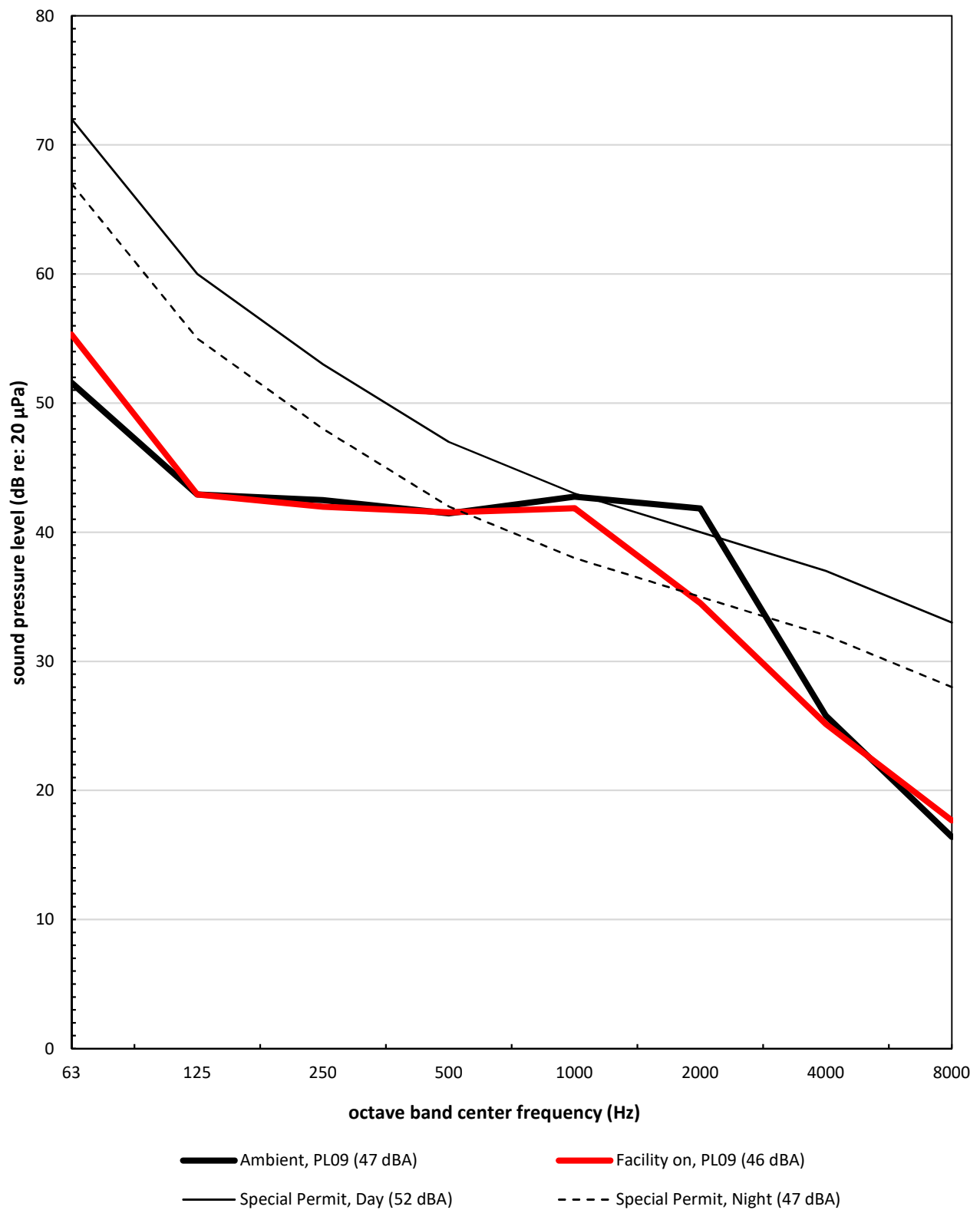


FIGURE 4j - sound levels measured at PL10

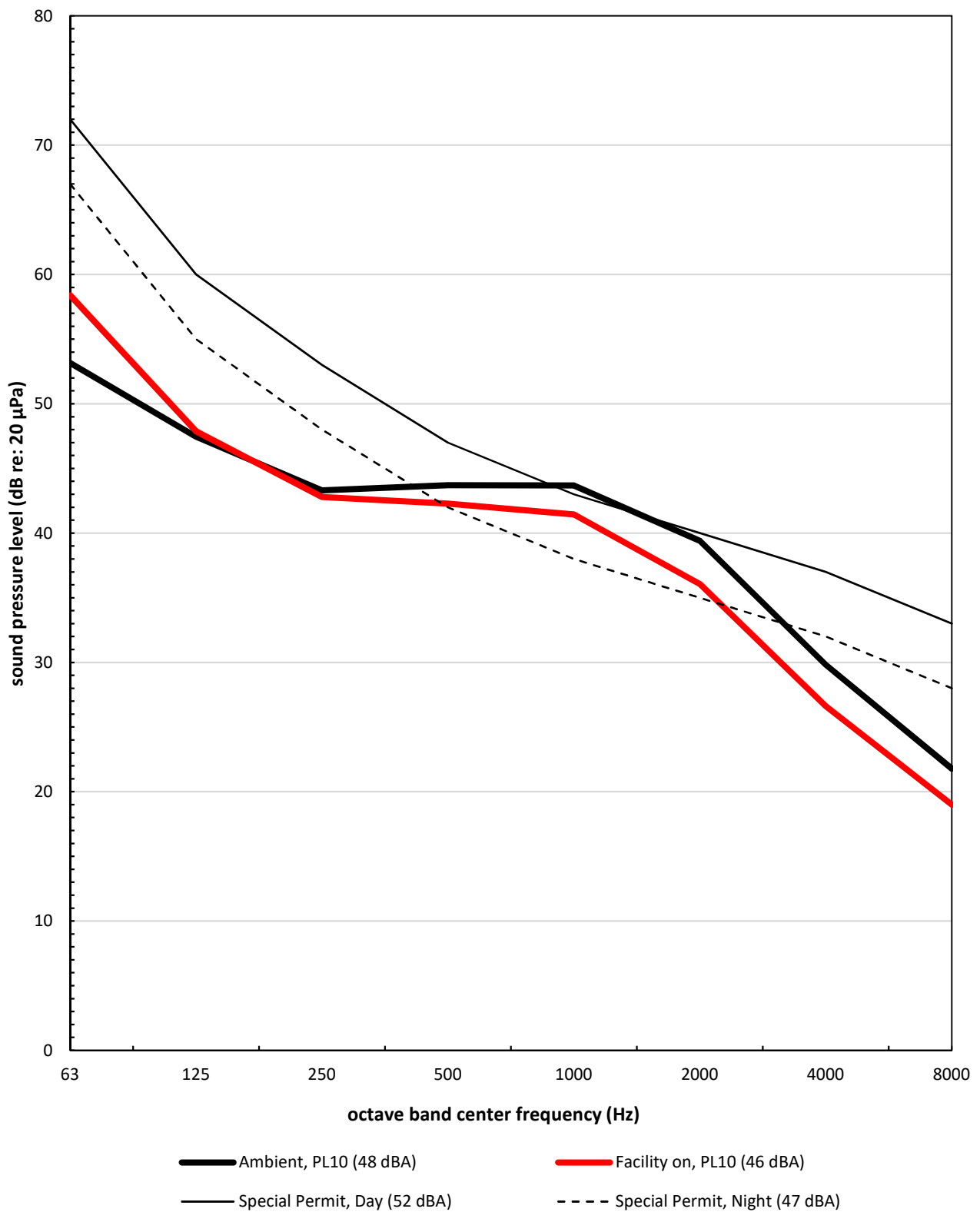


FIGURE 4k - sound levels measured at PL11

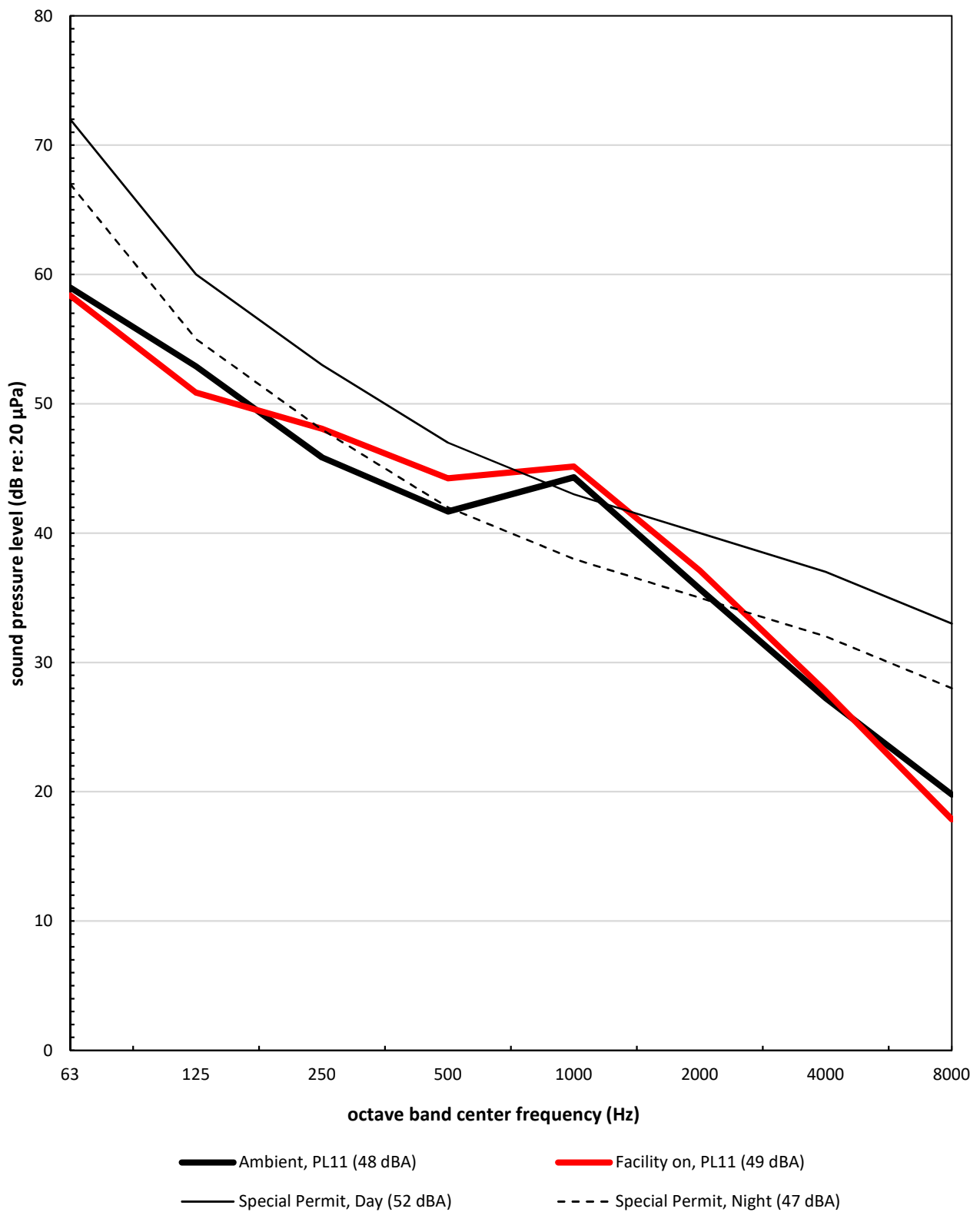


FIGURE 4I - sound levels measured at PL12

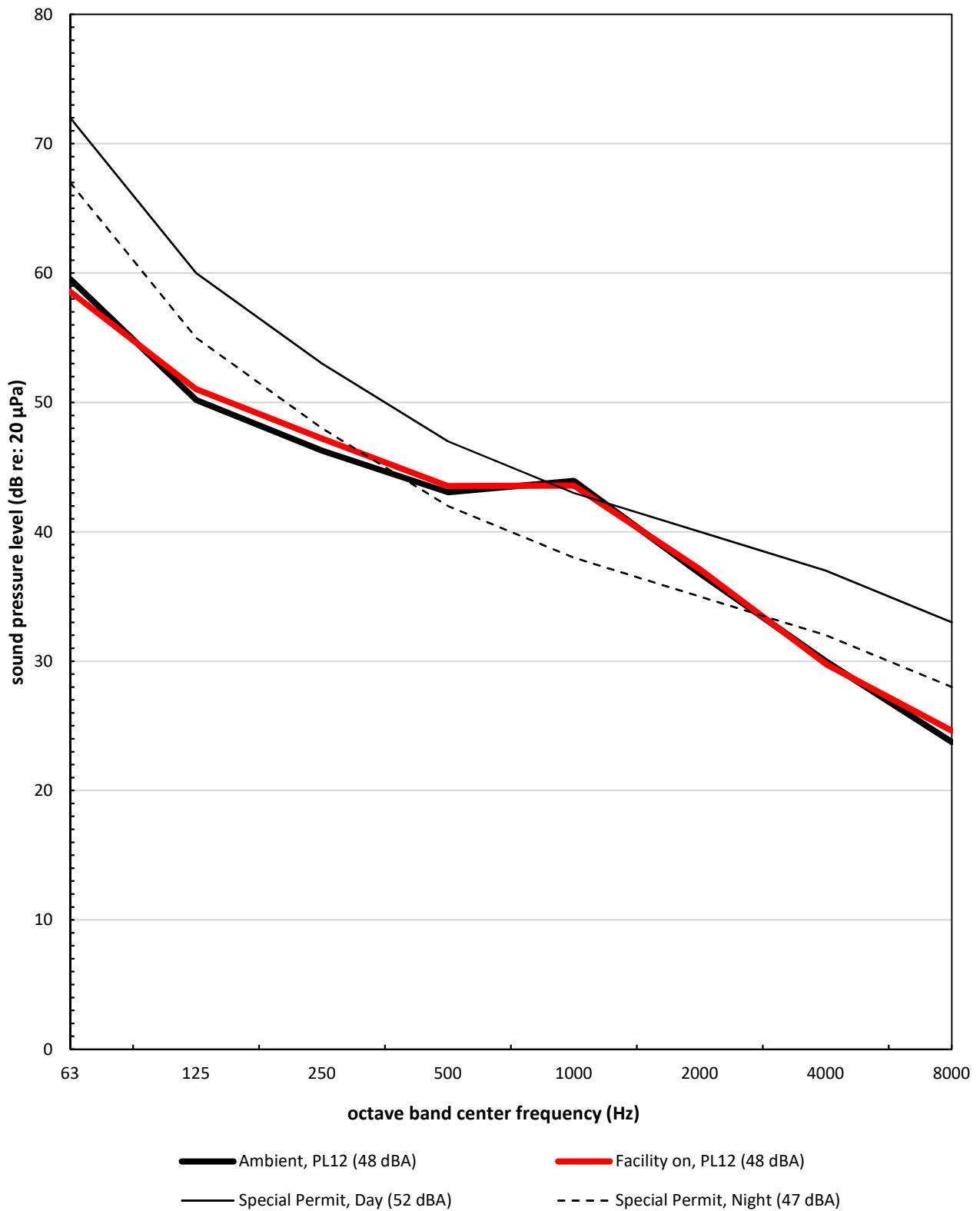


FIGURE 4m - sound levels measured at PL13

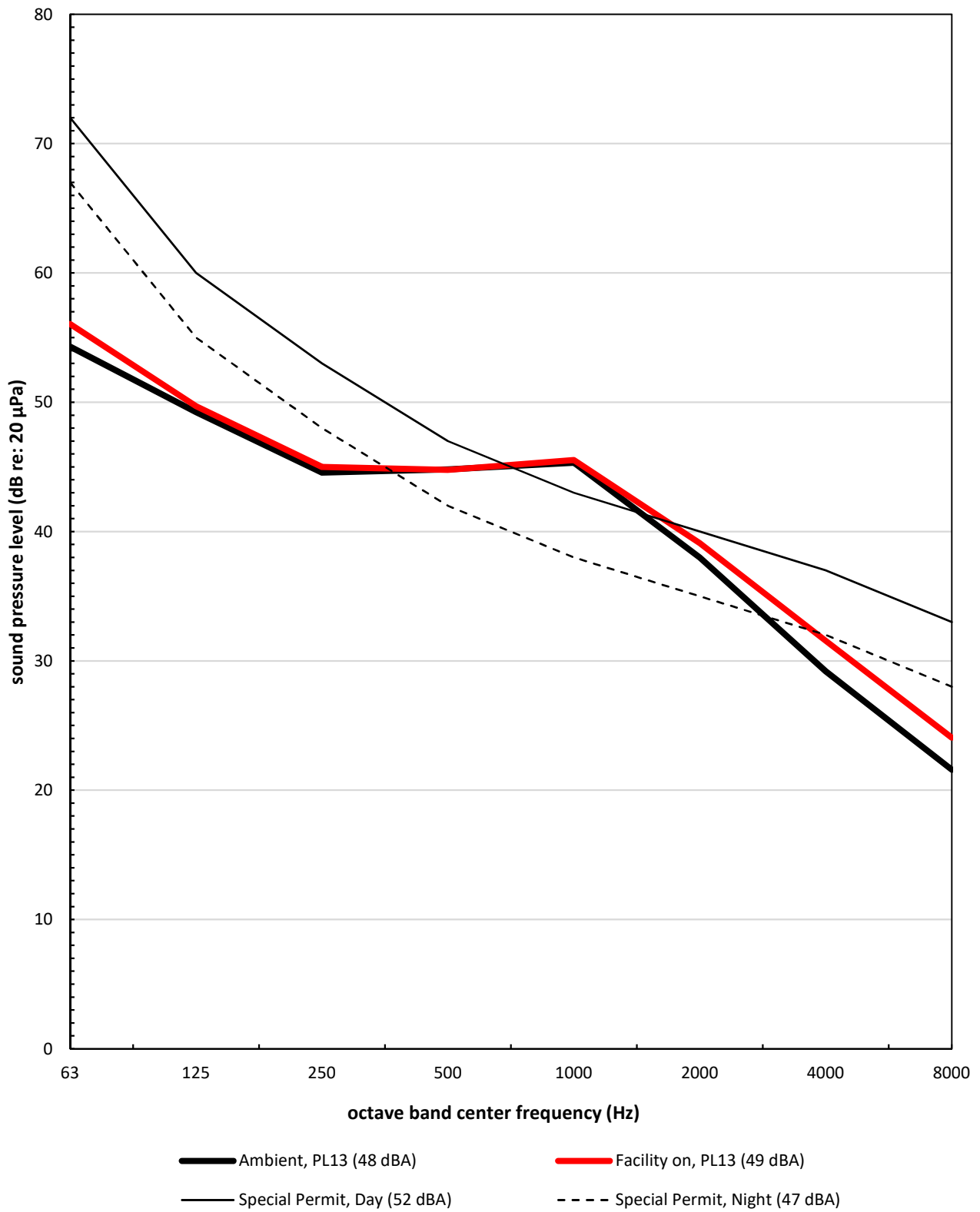


FIGURE 4n - sound levels measured at PL14

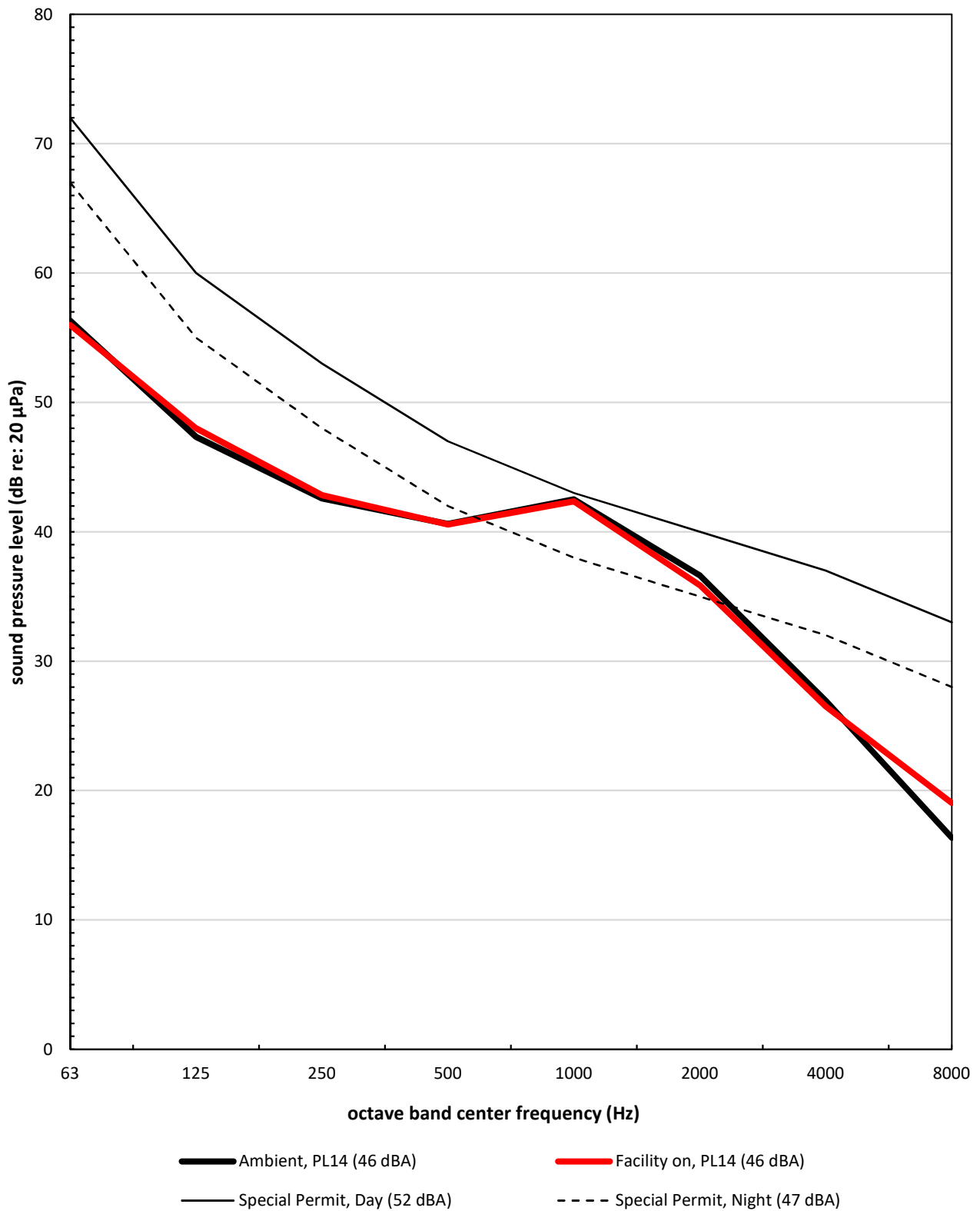


FIGURE 5. Community measurement locations R01' - R07'



FIGURE 6a - sound levels measured at R01'

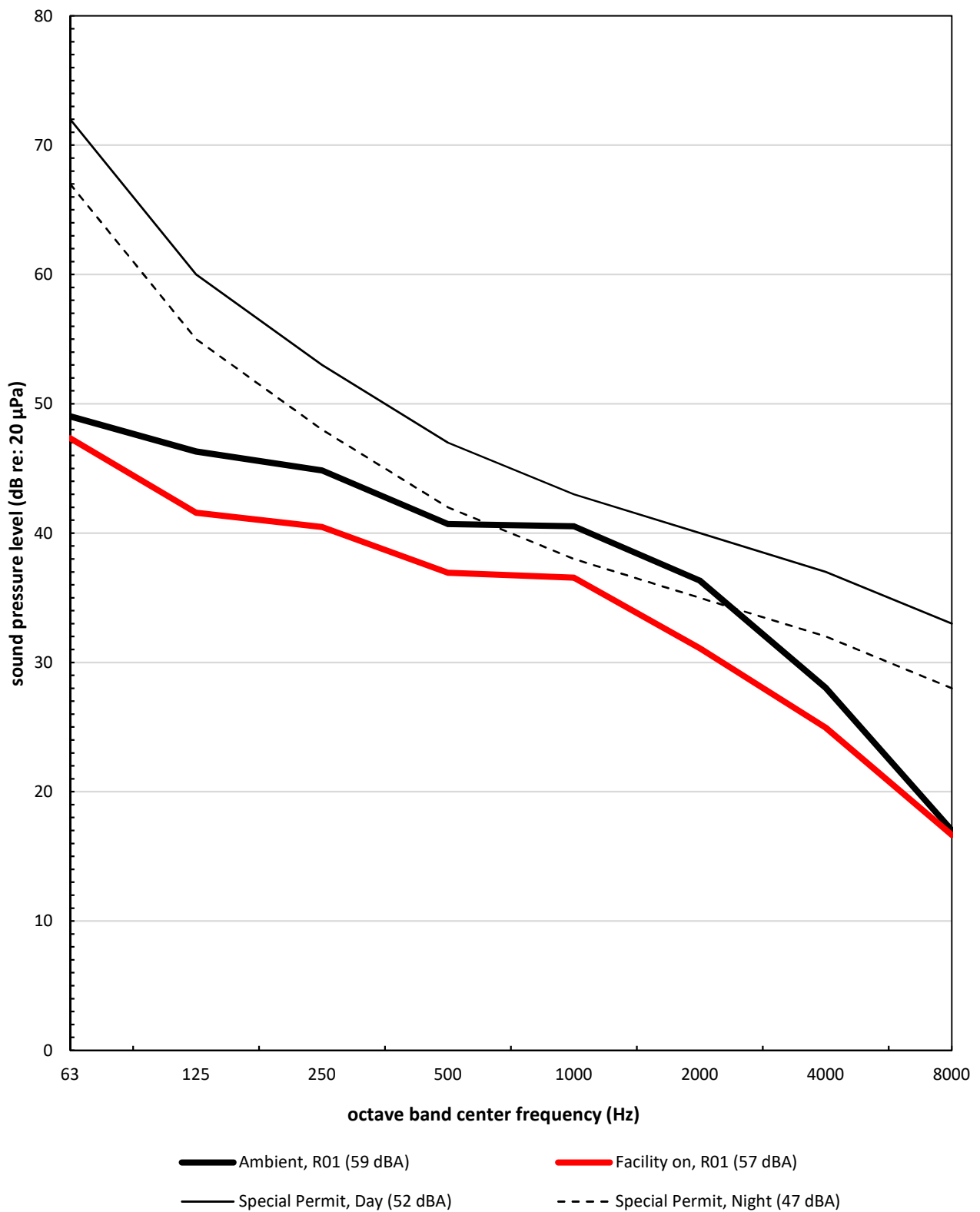


FIGURE 6b - sound levels measured at R02'

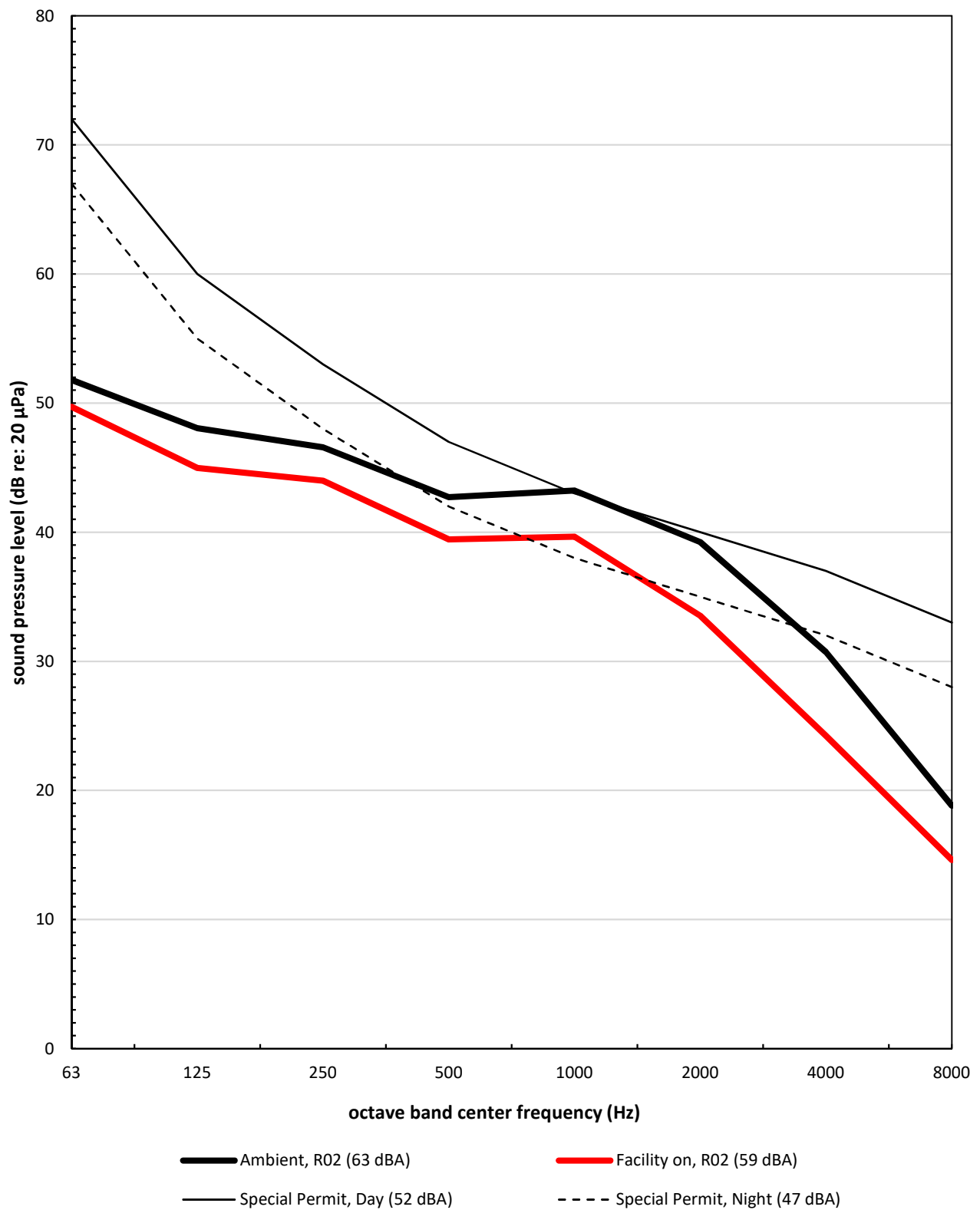


FIGURE 6c - sound levels measured at R03'

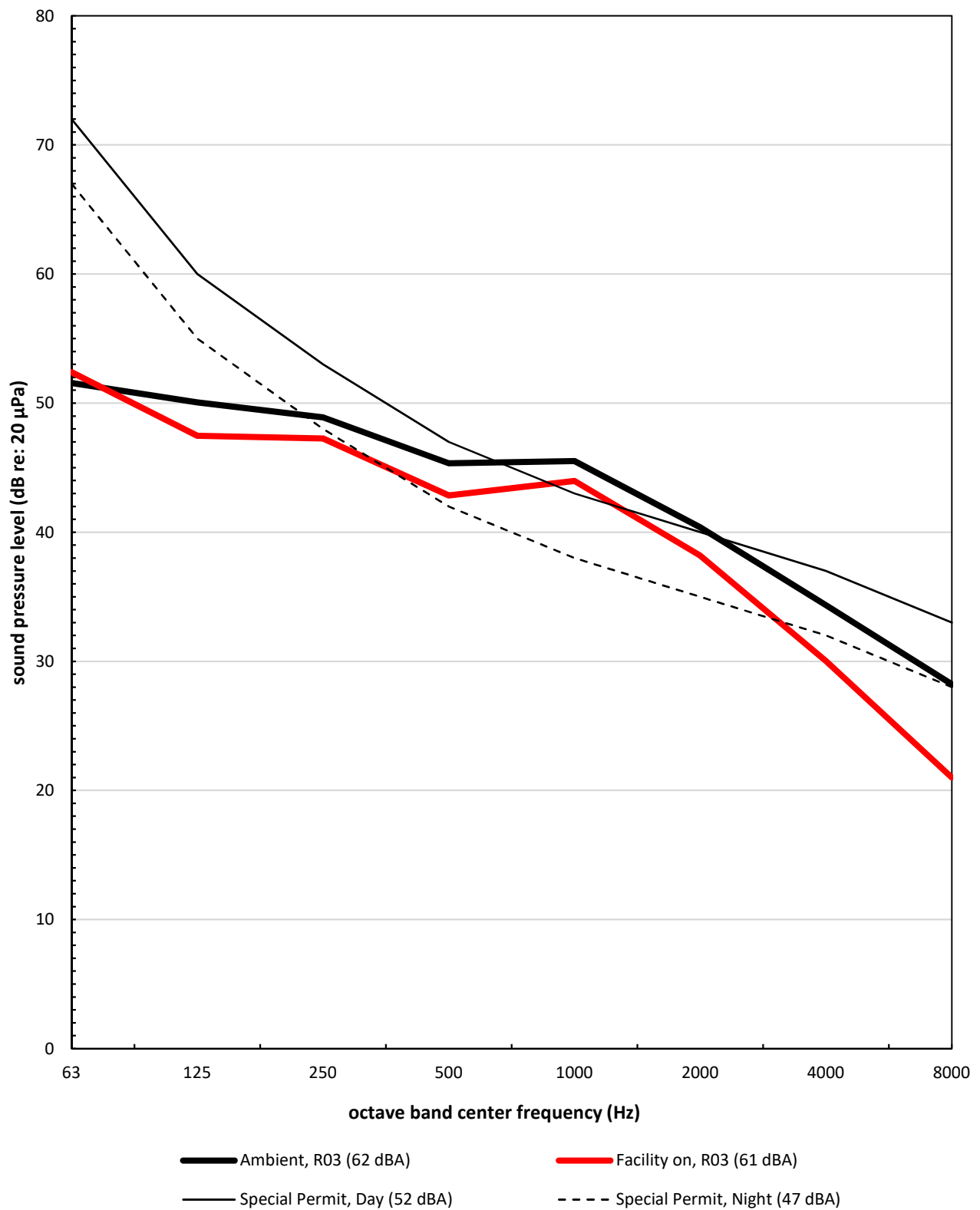


FIGURE 6d - sound levels measured at R04'

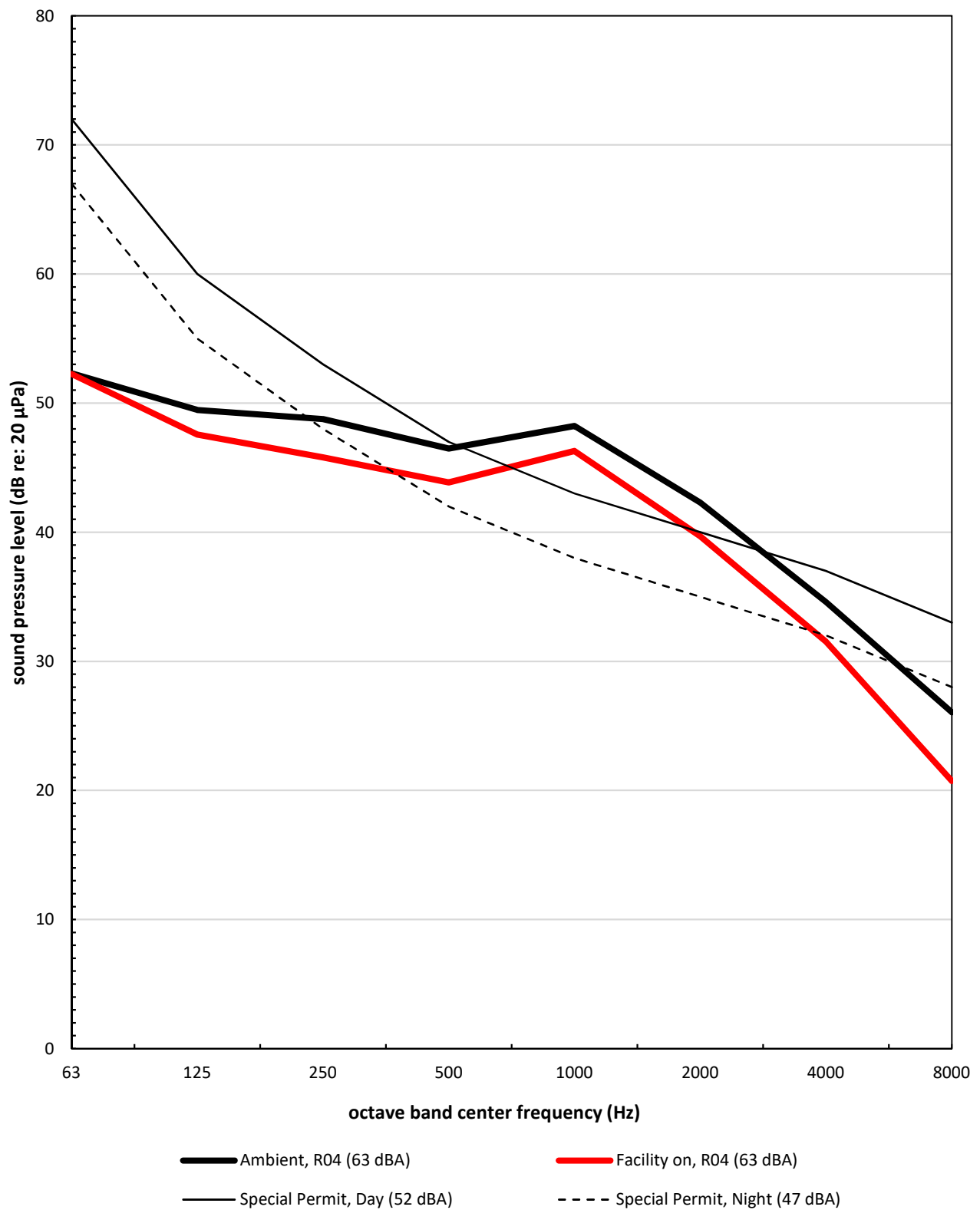


FIGURE 6e - sound levels measured at R05'

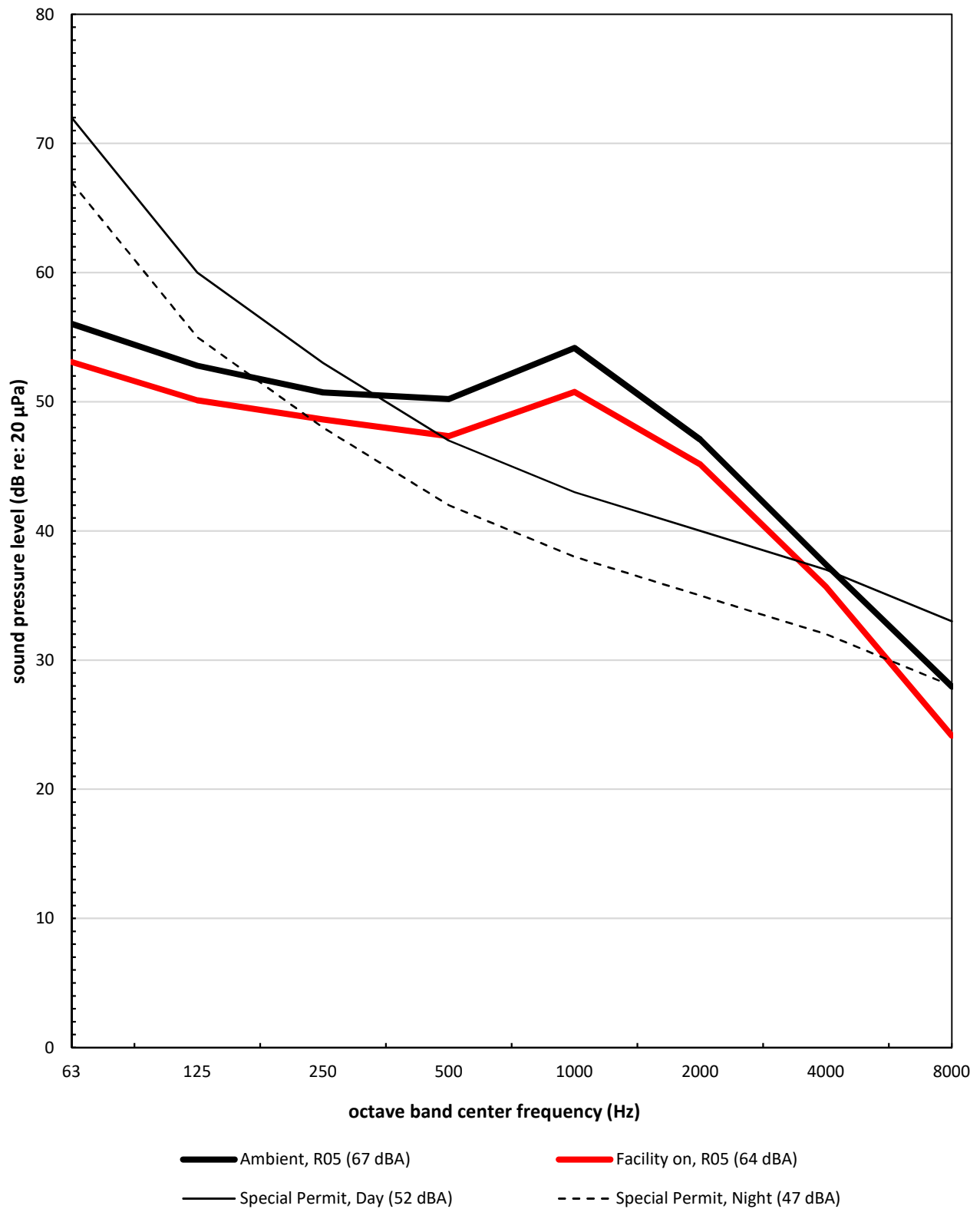


FIGURE 6f - sound levels measured at R06'

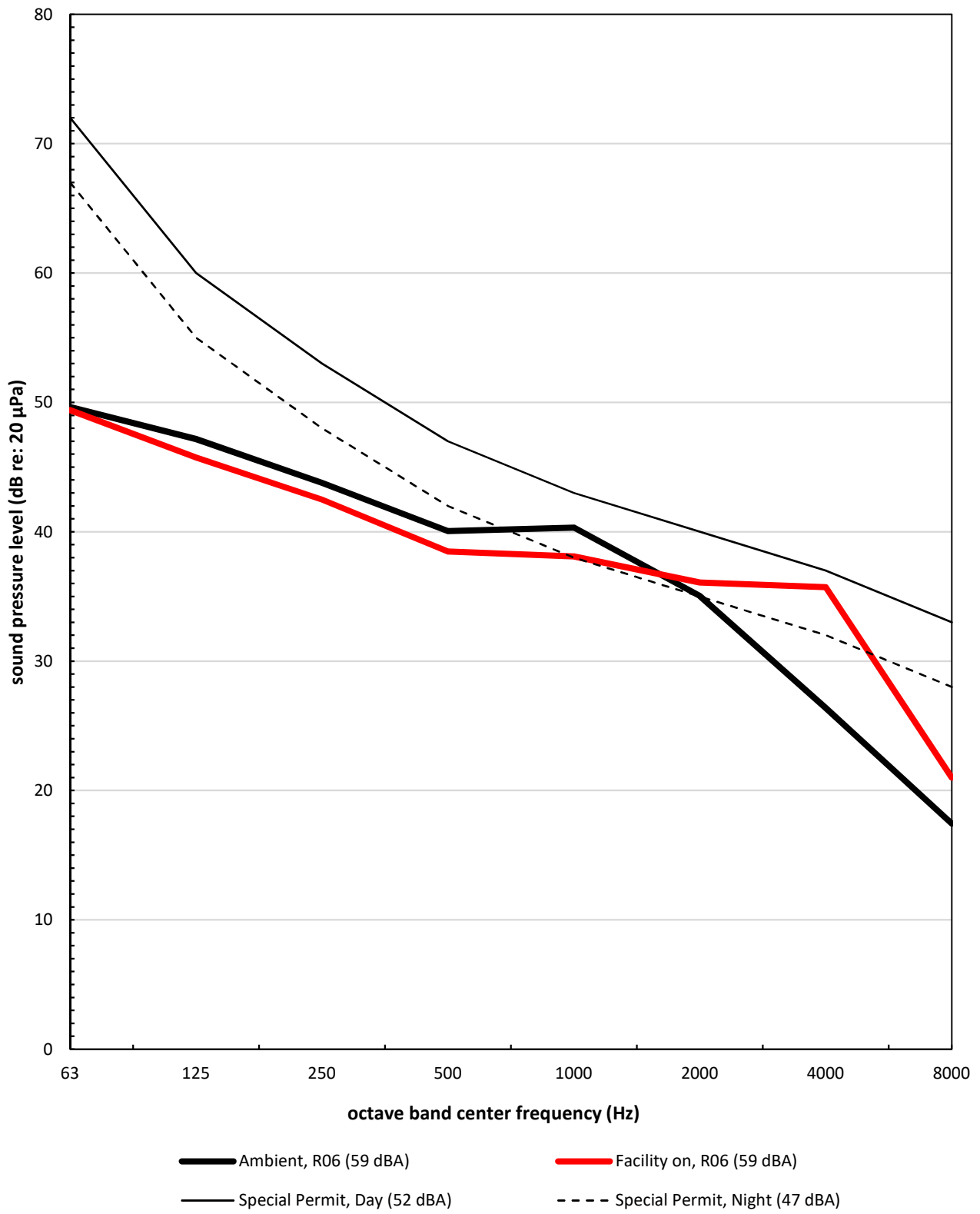


FIGURE 6g - sound levels measured at R07'

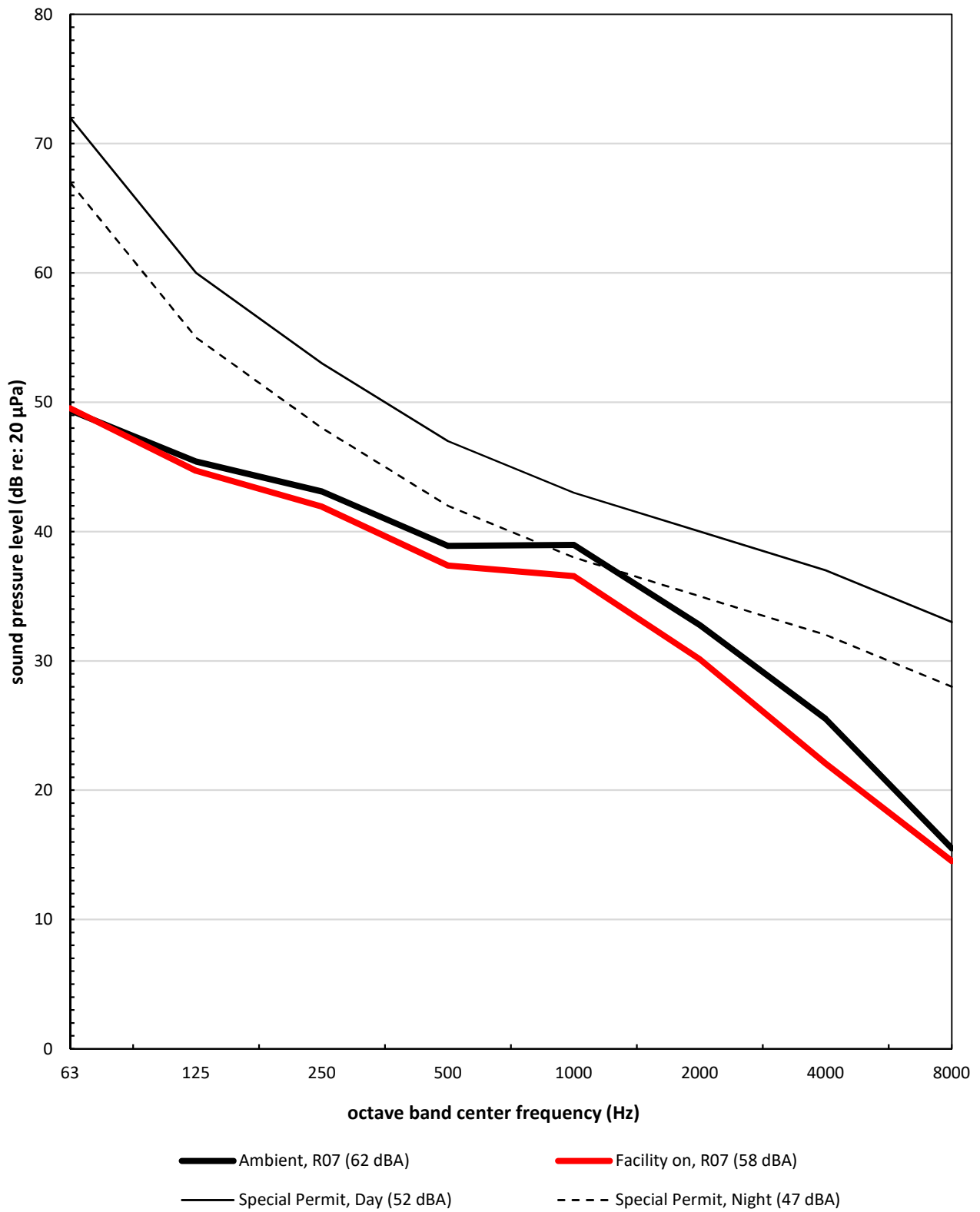
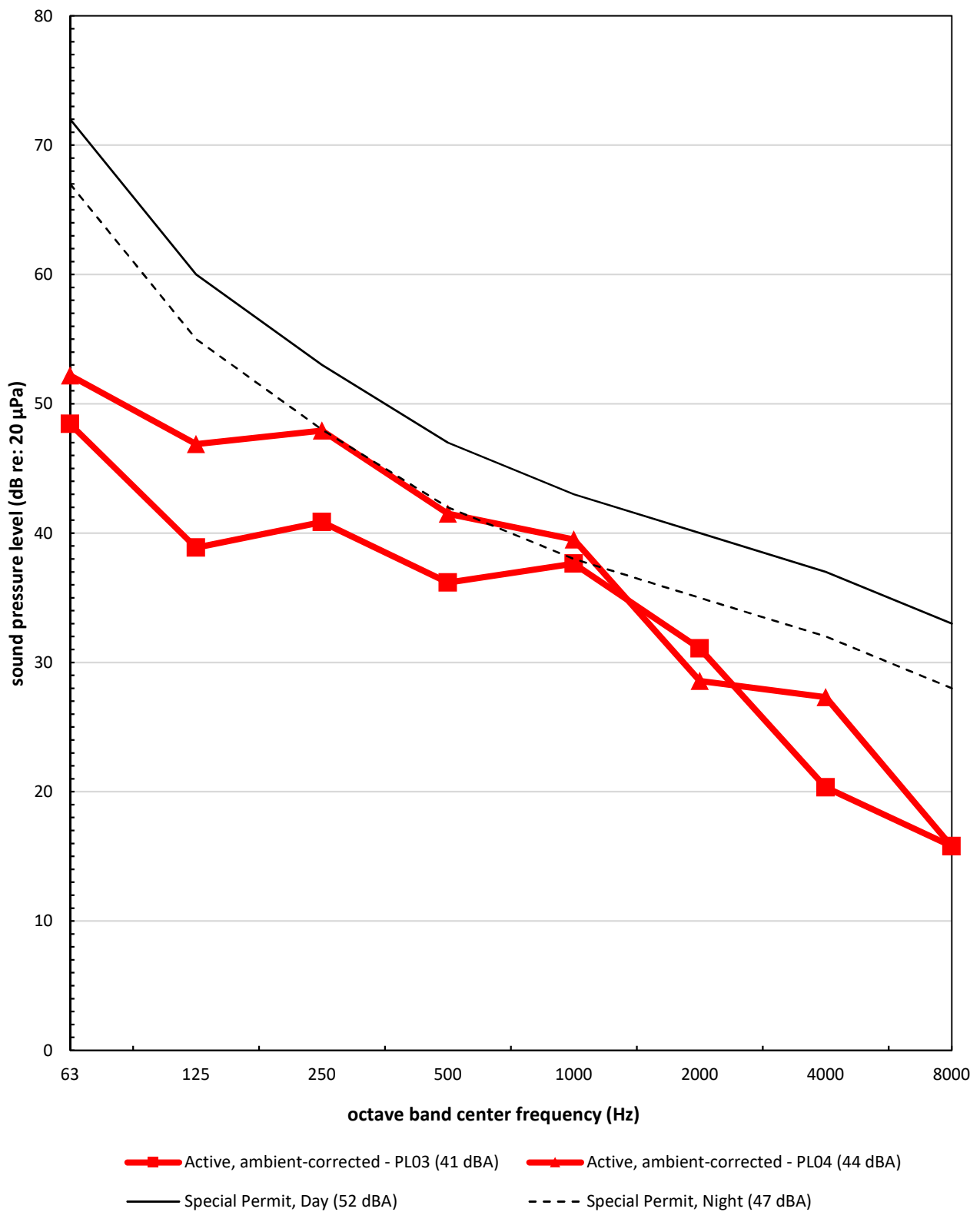


FIGURE 7 - sound levels measured at PL03 and PL04





TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

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Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Thomas Gay, Clerk
Matthew Hayes, P.E.,
Member
Richard Di Iulio, Member

Staff

Susan Affleck-Childs,
Planning and Economic
Development Coordinator

**Adult Recreational Marijuana Special Permit,
Groundwater Protection Special Permit, and
Site Plan Decision**

**NeoOrganics, LLC - 4 Marc Road
APPROVED with Conditions**

Decision Date: January 28, 2020

Name/Address of Applicants:

Neo Organics LLC
365 Boston Post Road, # 184
Sudbury, MA 01776

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Name/Address of Property Owner:

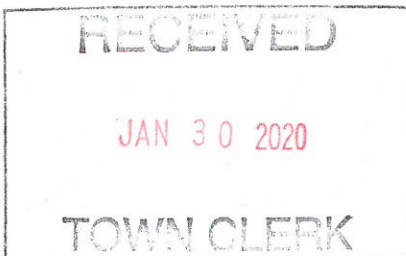
NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road

Assessors' Reference: 32 – 026

Zoning District: East Industrial

Site Plan: Permit Site Plan for 4 Marc Road, Neo Cultivation and
Manufacturing, dated August 6, 2019, last revised
December 13, 2019, prepared by DGT Associates
Surveying and Engineering of Framingham, MA





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Surveying and Engineering of Framingham, MA

I. PROJECT DESCRIPTION - The Applicants seek a Recreational Marijuana Establishment Special Permit pursuant to Section 8.10 of the Medway *Zoning Bylaw*, a Groundwater Protection Special Permit pursuant to Section 5.6.3 of the *Zoning Bylaw*, and site plan approval pursuant to Section 3.5 of the *Zoning Bylaw*, to use the existing 29,718 sq. ft. (more or less) industrial building at 4 Marc Road, (*Medway Assessors' Parcel 32-026* on the north side of Marc Road in the East Industrial zoning district for the cultivation, processing, manufacturing, and packaging of marijuana for adult recreational use by Neo Organics, LLC of Sudbury, MA. The proposed scope of work includes interior renovations to accommodate the new use, construction of a 3,000 sq. ft. outside concrete mechanical pad to house HVAC and odor control equipment, construction of a dumpster pad with associated fencing, installation of stormwater management measures to supplemental those presently on site, clean-up of the existing manmade drainage ditch, and construction of a 17' wide fire lane along the west side of the building. The property includes wetlands resources which are under the jurisdiction of the Medway Conservation Commission. Because a portion of the site is located within the Town's Groundwater Protection District and 24% of the improved site will have impervious surface, a Groundwater Protection special permit is also required.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, including statements of the Applicant and its representatives, comments offered by the public, and comments provided by the Board's consultants and Town staff, the Medway Planning and Economic Development Board, on January 28, 2020, on a motion made by Tom Gay and seconded by Bob Tucker, voted to approve with CONDITIONS and WAIVERS as specified herein a recreational marijuana establishment special permit, a groundwater protection special permit, and a site plan for 4 Marc Road in Medway, MA.

The vote was approved by a vote of five in favor and none opposed.

Planning & Economic Development Board Member	Vote
Richard Di Iulio	Yes
Matthew Hayes	Yes
Thomas A. Gay	Yes
Andy Rodenhiser	Yes
Robert Tucker	Yes

III. PROCEDURAL HISTORY

- A. August 6, 2019 – Special permit application filed with the Board; filed with the Town Clerk on August 7, 2019
- B. August 9, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. August 9, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- D. August 13 and August 20, 2019 - Public hearing notice advertised in *Milford Daily News*.
- E. August 27, 2019 - Public hearing commenced. The public hearing was continued to September 24, October 8, November 12 and 26, 2019 and to January 14, 2020 when the hearing was closed and a decision rendered.

IV. INDEX OF DOCUMENTS

- A. The following documents were provided at the time the applications were filed with the Board:

Site Plan Application

- Application for Minor Site Plan Approval dated August 6, 2019 with Project Description
- *PERMIT SITE PLAN - Neo Cultivation & Manufacturing*, dated August 6, 2019, prepared by DGT Associates of Framingham, MA
- Requests for Waivers from Medway *Site Plan Rules and Regulations*
- Purchase & Sale Agreement dated February 8, 2019, between NEK, LLC (property owner) and Pangea Realty LLC (buyer), pertaining to the sale of the 4 Marc Road property.
- *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 25, 2019, prepared by DGT Associates of Framingham, MA
- Schematic Design (floor plan), Sheet A1.2, 4 Marc Road, by Anderson Porter Design, Cambridge, MA

Marijuana Special Permit Application

- Marijuana Special Permit Application dated August 6, 2019 with Project Description
- Odor Mitigation Plan received August 6, 2019, unattributed
- Noise Mitigation Plan received August 6, 2019, unattributed
- Security Plan received August 6, 2019, unattributed
- Transportation of Marijuana Guidelines received August 6, 2019, unattributed

Groundwater Protection Special Permit

- Groundwater Protection Special Permit Application dated August 8, 2019 with Project Description

- B. During the course of the review, a variety of other materials were submitted to the Board by the Applicant and its representatives and consultants:

- Updated Noise Mitigation Plan dated September 27, 2019 with Noise Mitigation Plan letter from Andy Caballerira of Acentech, Inc. dated September 25, 2019
- Updated Odor Mitigation Plan by Impact Engineering dated September 12, 2019.
- Revised site plans from DGT Engineering Associates dated September 19, 2019, October 24, 2019 and December 13, 2019.
- Plan revision submittal letter from DGT Engineering Associates dated September 19, 2019
- Response letter from DGT Engineering Associates dated September 26, 2019 to Tetra Tech review comments dated August 22, 2019.
- Response letter from DGT Engineering Associates dated October 23, 2019 to Tetra Tech comments dated September 27, 2019
- Revised floor plans from Anderson Porter Design dated September 9, 2019
- Photometric plan by Illuminate dated September 23, 2019
- NeoOrganics security plan, unattributed, received September 19, 2019

- Assignment of interest in the purchase and sale agreement from Pangea, LLC to 4 Marc Road LLC dated March 1, 2019
 - Lease dated May 3, 2019 between Neo Organics, LLC and 4 Marc Road LLC for 4 Marc Road.
 - Additional request for a waiver from *Site Plan Rules and Regulations*, dated September 10, 2019.
 - Proposed sound wall information received November 8, 2019
 - *Land Disturbance Area Plan* dated September 27, 2019, revised October 22, 2019 and December 13, 2019, prepared by DGT.
 - *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road* dated July 25, 2019, revised September 19, 2019, last revised December 13, 2019, prepared by DGT Associates of Framingham, MA.
- C. During the course of the review, a variety of other materials were submitted to the Board by the Board's consultants and Town staff:
- Plan review letters and emails from Gino Carlucci, PGC Associates, dated August 20, 2019, October 3, 2019 and October 31, 2019
 - Plan review letters from Tetra Tech to the Board dated August 22, 2019, September 27, 2019 and October 28, 2019
 - Noise mitigation plan review letters from Ron Dempsey, Noise Control Engineering, dated August 21, 2019, October 3, 2019 and October 23, 2019
 - Odor mitigation plan review letters from Bruce Straughan, Straughan Forensic dated August 21, 2019 and October 2, 2019.
 - Host Community Agreement dated March 4, 2019 between Neo Cultivation MA, LLC and Neo Manufacturing MA, LLC and the Town of Medway.
 - Letter dated August 16, 2019 from Building Commissioner Jack Mee
 - Review letter dated October 7, 2019 from Police Chief Allen Tingley
 - Email memo dated August 12, 2019 from Treasurer/Collector Joanne Russo
 - 2 Marc Road CommCan recreational marijuana special permit decision dated February 26, 2019
 - Email memo dated November 26, 2019 from Deputy Fire Chief Mike Fasolino
 - Email memo dated December 12, 2019 from Fire Chief Jeff Lynch.
 - Plan review letter from Tetra Tech to the Conservation Commission dated December 16, 2019.
 - Revised Conservation Commission Order of Conditions dated January 14, 2020.
 - MA Department of Environmental Protection EP Noise Policy and associated Noise Regulations (310 CMR 7.10).
 - Installation Guide – Atlantic Industries Limited – AIL Tuf Barrier and Silent Protector Sound Walls
- D. Abutter Comments
- Email communication dated October 8, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
 - Email communication dated November 12, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
 - Email communication dated December 4, 2019 (with attachments) from abutter John Lally, 35 Coffee Street

E. Other Documentation

1. Mullins Rule Certification dated September 10, 2019 for Board member Matthew Hayes pertaining to the August 27, 2019 hearing.
2. Mullins Rule Certification dated October 22, 2019 for Board member Robert Tucker pertaining to the October 8, 2019 hearing.
3. Mullins Rule Certification dated October 17, 2019 for Board member Thomas Gay pertaining to the October 8, 2019 hearing.

V. **TESTIMONY** – During the course of the public hearing, the Board heard and received verbal testimony from:

- Gino Carlucci, PGC Associates, the Town’s Consulting Planner – Commentary throughout the public hearing process.
- Steve Bouley, P.E, Tetra Tech – Commentary throughout the public hearing process
- Ron Dempsey and Jeff Komrower of Noise Control Engineering LLC, acoustic sound consultants for the Town.
- Jaime Lewis, Neo Organics
- Andy Carballeria, Acentech Inc., acoustic sound consultant for the Applicant.
- Bert Corey and Joe Losanno, DGT Associates, engineering consultant for the Applicant.
- Resident and abutter John Lally, 35 Coffee Street
- Resident and neighbor Edward Burns, 43 Coffee Street

VI. **FINDINGS**

The Planning and Economic Development Board, at its meeting on January 28, 2020, on a motion made by Bob Tucker and seconded by Tom Gay, voted to approve the following **FINDINGS** regarding the site plan and special permit applications for 4 Marc Road. The motion was approved by a vote of five in favor and none opposed.

GENERAL FINDINGS from PUBLIC HEARING TESTIMONY

(1) **NOISE ISSUES**

- A. Pursuant to Section 7.3.C.2. of the *Zoning Bylaw*, the “Maximum permissible sound pressure levels measured at the property line nearest to the noise source for noise radiated continuously from the noise source between 10 PM and 7 AM shall be as follows.”

Frequency Band (Cycles per Second)	Sound Pressure Level (Decibels 43 0.0002 Dyne/CM2)
2-72	69
75-150	54
150-300	47
300 - 600	41
600 – 1,200	37
1,200 – 2,400	34
2,400 - 4,800	31
4,800 – 10,000	28

“For noise levels between 7 A.M. and 10 P.M., and if the noise is not smooth and continuous, the following corrections shall be added to each of the decibel levels given above:

- Daytime operation only: +5
- Noise source operated at less than 20% of any 1-hour period: +5”

- B. Earlier in 2019, during the Board’s review of the recreational marijuana establishment special permit application for 2 Marc Road, the Board along with the Board’s sound consultant (Noise Control Engineering) and that applicant’s sound consultant (Acentech, Inc.) agreed that the frequency band range form of noise measurement specified in the *Medway Zoning Bylaw* is outdated. The consultants concurred that noise measurements in accordance with the *Zoning Bylaw*’s standards are neither ideal nor typical today. The Board acknowledged that frequency band ranges presently included in the *Zoning Bylaw* do not accurately reflect contemporary sound measurement standards and provide challenges to interpretation and enforcement of the applicable provisions of the *Zoning Bylaw*. The Board was willing to allow a conversion to more modern standards, but only as long as the conversion was more, not less restrictive.

Noise Control Engineering converted the *Zoning Bylaw*’s frequency band noise levels to octave bands for noise measurement purposes. The method used was based on the frequency span of the octave bands and is consistent with the conversion documented in the 1980 EPA document *905-R-80-117 Noise Legislation Trends and Implications*. The table below shows the conversion of the *Bylaw*’s frequency band noise standards to the modern octave band noise standards with the nighttime and daytime adjustments.

Octave Band Center Frequency (Hz)	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Nighttime	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Daytime
63	67	72
125	55	60
250	48	53
500	42	47
1000	38	43
2000	35	40
4000	32	37
8000	28	33

- C. The Applicant’s preliminary noise mitigation plan was submitted to the Board on August 6, 2019 with the special permit application. The Board retained Noise Control Engineering (NCE) of Billerica, MA to review that preliminary noise mitigation plan. NCE provided an email communication dated August 21, 2019 with comments and recommendations of additional information needed.
- D. The Applicant prepared an updated noise mitigation plan which was submitted to the Board on September 27, 2019. The Applicant also retained sound consultant Acentech, Inc. of Cambridge, MA to evaluate the anticipated levels of noise

producing equipment to be installed at the 4 Marc Road facility and provide recommendations for suitable noise control measures. Acentech developed a computer model of the facility's sound using CadnaA, an acoustic modeling software. The noise producing equipment includes a 300 kw generator, transformer, air handling units (AHU), a variety of condensing units, and rooftop exhaust fans. Acentech determined that the proposed noise generating equipment, absent any noise mitigation measures, will not comply with the noise regulations included in Section 7.3.C.2. of the *Zoning Bylaw* at all property lines of 4 Marc Road. To mitigate the excessive noise from certain of the noise producing sources, Acentech recommended placing sound barriers around the condensing and air handling units and to select a generator and enclosure that would meet the *Zoning Bylaw's* sound requirements.

Acentech then calculated the expected noise levels, with the planned noise control measures applied, at 14 receptor locations at the property lines of 4 Marc Road and at 7 receptor residential locations at second story building heights. Acentech found that the estimated sound levels created by the noise generating equipment, with the added noise mitigation measures recommended by Acentech, would be below the Town's noise standards (converted from frequency band to octave band) as described in Item B.

- E. The Board retained Noise Control Engineering, LLC (NCE) to evaluate the Applicant's proposed noise mitigation plan for the 4 Marc Road property. NCE provided an email communication dated October 3, 2019 and personal testimony by NCE personnel was provided during the November 12, 2019 hearing.
- F. The Board is in receipt of written and verbal testimony of abutters and nearby residents in the vicinity of 4 Marc Road expressing serious concerns and objections to the excessive noise emanating from the existing marijuana facility operating at 2 Marc Road. Concern was expressed that similar issues would occur with the 4 Marc Road facility.
- G. The Applicant has represented that the 4 Marc Road facility, as part of its permitting with the Massachusetts Cannabis Control Commission, is required to comply with the MA DEP Noise Policy and associated Noise Regulations (310 CMR 7.10). These regulations state that a source of sound violates the regulation if the source:
 - 1. Increases the broadband sound level by more than 10dB above ambient, or
 - 2. Produces a "pure tone" condition which occurs when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

The MA DEPT Noise Policy and Regulations state that these criteria are measured both at the property line and at the nearest inhabited residence. "Ambient" is defined as the background A-weighted sound level that is exceeded 90% of the time (the L₉₀ metric) measured during equipment operating hours.

(2) **ODOR ISSUES**

- A. Pursuant to Section 7.3.D. of the *Zoning Bylaw*, “In all districts, no emissions of odorous gases or odoriferous matter in such quantities as to be discernible outside the property line shall be permitted. Any industrial process which may involve the creation and/or emission of any odors shall be provided with a secondary safeguard system. No objectionable odor greater than that caused by 0.001201 oz. per thousand cubic feet of hydrogen sulfide or any odor threshold as defined in Table III in Chapter 5 of Air Pollution Abatement Manual (copyright 1951 by manufacturing Chemists Assoc., Inc., Washington, DC) shall be permitted.”
- B. The Applicant’s preliminary odor mitigation plan was submitted to the Board August 6, 2019 with the special permit application. The Board retained Straughan Forensic, LLC of Arvada, CO, to review that preliminary odor mitigation plan. Straughan Forensic provided review letters dated August 21, 2019 with comments and recommendations of additional information needed.
- C. The Applicant retained Impact Engineering Inc. of Castle Rock, CO to prepare an updated odor mitigation plan which was submitted to the Board on September 19, 2019. At the Board’s request, Straughan Forensic, LLC evaluated the Applicant’s updated odor mitigation plan for the 4 Marc Road property and provided a review letter dated October 2, 2019.

- (3) **HOURS OF OPERATION** – The applicant has informed the Board that as a marijuana growing facility, the establishment will operate 24 hours a day/7 days a week. The Applicant anticipates that the facility will be occupied by a maximum of twenty-five employees. Occupancy will be generally limited to the hours of 7 am to 7 pm, Sunday – Saturday.

RECREATIONAL MARIJUANA ESTABLISHMENT SPECIAL PERMIT FINDINGS
(Sub-section 8.10 of the Zoning Bylaw)

- (1) The recreational marijuana cultivation and processing establishment will operate inside the existing building at 4 Marc Road, a permanent, stand-alone building which does not include residential units or doctors’ offices. The site includes driveways, parking areas, utility systems, and stormwater management facilities.
- (2) None of the uses listed in Section 8.10 E. 4. of the *Zoning Bylaw* (public or private school serving students in grades K-12) are located within 500 feet of the site of the proposed facility.
- (3) As conditioned herein and as required by the *Zoning Bylaw*, smoking, burning and consumption of marijuana or marijuana-infused products on the premises is not allowed.
- (4) No drive-through service is proposed. It is not needed as a retail operation is not planned for the site nor does the *Zoning Bylaw* allow for a drive-through facility.
- (5) As conditioned herein, any signage for the facility shall comply with Section 8.10.F and Section 7.2 of the *Zoning Bylaw*.

- (6) As conditioned herein, the Applicant shall provide the contact information for management staff and key holders of the facility to Town officials.
- (7) As conditioned herein, the Board finds that the recreational marijuana establishment will not create a nuisance to abutters or to the surrounding area or create any hazard. Both the Applicant and the Town have contracted with noise and odor consultants. The Applicant has prepared a noise mitigation plan which has been reviewed by the Town's noise consultant. It will be implemented in accordance with Specific Condition D herein. The Applicant has also provided an odor control plan which will be implemented in accordance with Special Condition E herein.

The Board is requiring on-going noise and odor monitoring to ensure compliance with the Town's requirements. See Special Conditions D and E. The Building Commissioner, in consultation with the Health Agent, and the Town's noise and odor consultant(s), will confirm compliance with the noise and odor requirements of the *Zoning Bylaw* after the required noise and odor mitigation measures are installed. As conditioned herein, any non-compliance will be addressed through zoning enforcement.

- (8) The existing building meets the requirements for "openness of premises" since no activities within the building or displays of products are visible from the exterior of the building and the front of the building, which includes the primary entrance to the facility, is fully visible from the site's frontage. All operations are within the restricted building and there is no direct consumer access as no retail sales are allowed pursuant to the *Zoning Bylaw*.
- (9) The special permit authorizes only the following adult recreational marijuana establishment activities: cultivation, manufacturing, processing and packaging of marijuana and marijuana products, and the transport and delivery of such to other recreational marijuana establishments. Retail sales and marijuana social establishments are not allowed pursuant to the *Zoning Bylaw*.
- (10) As conditioned herein, copies of required licenses and permits issued by the Commonwealth will be provided upon approval by the Massachusetts Cannabis Control Commission. The recreational marijuana operation will be operated in strict compliance with Massachusetts Cannabis Control Commission regulations.
- (11) Applicant, NEK, LLC is the record owner of the property as shown on the Medway Assessor's records and the seller on a purchase and sale agreement with Pangea Realty LLC dated February 8, 2019. On March 1, 2019, Pangea Realty LLC assigned its interest in the purchase and sales agreement to 4 Marc Road, LLC which will own the 4 Marc Road property.

The Applicant, Neo Organics, LLC will be a tenant in the subject property and building pursuant to a lease dated May 3, 2019 with 4 Marc Road, LLC. Accordingly, the Applicant has the right to use the site for a registered marijuana establishment.

- (12) Prior to plan endorsement, the Applicant shall provide a sworn statement disclosing the owner's or other similarly situated individuals' interest in the registered marijuana establishment.

- (13) A certified list of all abutter and parties of interest was provided. The Planning and Economic Development office coordinated the production and mailing of the required public hearing notice for the Special Permit and Site Plan applications to the required parties.
- (14) A site plan was submitted and has been revised pursuant to comments from the Board's consultants and the Conservation Commission. A detailed floor plan of the premises showing the functional areas of the facility has also been provided. The facility's security plan including lighting, fencing, gates and alarms was submitted and provided to the Police Chief during the permitting process.
- (15) A copy of the policies and procedures for the transfer, acquisition, or sale of adult recreational marijuana between approved marijuana establishments was provided as part of the special permit application.
- (16) A comprehensive noise mitigation plan prepared by the applicant's noise consultant, Acentech, Inc. was submitted and reviewed by Noise Control Engineering, the Board's noise consultant. The plan was revised, re-submitted, and re-reviewed. The planned noise mitigation measures are expected to enable the facility to meet the Town's noise standards as included in Section 7.3 of the *Zoning Bylaw*. As conditioned herein, any non-compliance will be addressed through zoning enforcement.
- (17) A comprehensive odor mitigation plan prepared by the applicant's odor consultant, Impact Engineering, Inc, was submitted to the Board and reviewed by Straughan Forensic, LLC, the Board's odor consultant. The odor mitigation plan was revised, re-submitted and re-reviewed. As conditioned herein, any non-compliance will be addressed by the Building Commissioner through zoning enforcement.
- (18) The required public hearing and review process for this special permit application has been followed.
- (19) The adult recreational marijuana establishment, as conditioned herein, has been designed to minimize adverse visual or economic impacts on abutters and other parties in interest. No changes in the existing building or site are proposed other than the described site improvements and possible additional measures to address potential noise and odor impacts if such occur in the future.
- (20) As conditioned herein, the proposed facility will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations.
- (21) As conditioned herein, the Applicant has satisfied the conditions and requirements of this Section 8.10 and Section 3.4 of the *Zoning Bylaw*.

SITE PLAN RULES AND REGULATIONS FINDINGS – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development Board shall determine the following:

- (1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?

The site is within an industrial park which is accessed directly from Route 109 so there is no access through minor streets serving residential areas. There is no backing up onto a public way.

- (2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?

The existing building and site are of an industrial style, with the scale and materials similar to other buildings within the industrial park. No exterior building façade renovations are planned.

- (3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned.

The site is heavily wooded at its access driveway from Marc Road. The parking areas are along the driveway and behind the building. There is no outside storage of materials. An outdoor dumpster is included but it will be located at the back of the site and will have an enclosure around it. As the site is already developed, considerable landscaping is already provided. The building is set back approximately 110' from the western boundary line of the subject property.

- (4) Is adequate access to each structure for fire and service equipment provided?

The site plan has been revised pursuant to feedback from the Medway Fire Department to now include construction of a fire lane on the west side of the building. Fire Chief Jeff Lynch, in an email dated December 12, 2019, approved the revised site plan as suitable access to the building will be provided.

- (5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

- a) the volume of cut and fill; *Since this is an existing developed site, the volume of cut and fill is minimal to adapt the site for a new use. The project scope is limited primarily to cleaning out and upgrading an existing drainage system and the installation of a new equipment pad and sound barrier on the west side of the building.*
- b) the number of trees to be removed with particular care taken with mature trees and root systems; *This is an existing developed site so tree removal is minimal to accommodate the construction of an equipment pad and a fire access road.*
- c) the visual prominence of man-made elements not necessary for safety; *The only added man-made visual element to the site is the equipment pad and associated sound barrier. While necessary to project abutters from excessive*

noise, it is not visible from Marc Road and it is screened from the westerly abutter by a slope with existing trees on it.

- d) *the removal of existing stone walls; No existing stone walls are being removed.*
 - e) *the visibility of building sites from existing streets; The current building is located off Marc Road, up a hill and the site includes trees between the road and building such that only the entrance driveway and sign are visible from Marc Road. This is not being changed for the new use.*
 - f) *the impacts on waterways and environmental resource areas; A small portion of the site is within the 100-foot wetlands buffer zone and in the Town's Groundwater Protection District. The only work proposed within this area consists of improvements to the stormwater management system which is upgraded throughout the site to comply with current standards so the impacts on waterways and environmental resource areas is positive. The project has also been reviewed by the Conservation Commission and an Order of Conditions has been issued.*
 - g) *soil pollution and erosion; The submitted plans include an Erosion and Sediment Control Plan, which has been reviewed and approved by the Town's Consulting Engineer. The Conservation Commission has also issued an Order of Conditions.*
 - h) *noise. The possibility of noise impacts on abutters has been the issue of most concern and has generated the most discussion at the public hearings. A comprehensive noise control plan was required and submitted to the Board. The Board's noise engineering consultant reviewed the initial plan and considered supplemental information submitted by abutters. Changes to the initial noise mitigation plan were made, including the addition of significant noise barriers with noise baffling features to contain the noise generated by the exterior mechanical equipment. The plan as approved will have minimal noise impacts and those impacts will be monitored once the building attains its full operating status and any needed adjustments will be required accordingly.*
- (6) Is pedestrian and vehicular safety both on the site and egressing from it maximized?
- There is no significant pedestrian use anticipated since no public access to the building is allowed. Pedestrian safety within the parking lot is standard and is adequate due to minimal vehicular traffic. Sidewalk improvements are planned to modify the existing concrete walkway to provide for handicap accessibility. The existing sight lines at the driveway for exiting traffic will be increased through the clearing of some trees (9" diameter and less) to the east of the driveway and some regarding.*
- (7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

There are no historic features on site.

- (8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

A photometric plan has been submitted that demonstrates that there is no light trespass or glare off site.

- (9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The limit of work is reasonable. It makes use of an already developed site and provides a comprehensive stormwater management system to address the existing facility and proposed site improvements.

GENERAL SPECIAL PERMIT FINDINGS (Sub-section 3.4 of the Zoning Bylaw)

- (1) The proposed site is an appropriate location for the proposed use.

Section 8.10 of the Zoning Bylaw (Recreational Marijuana) and Table 1 – Schedule of Uses specifies that non-retail recreational marijuana establishments are allowed by special permit in the East and West Industrial zoning districts. The subject site at 4 Marc Road is located within the East Industrial zoning district and is therefore an eligible location for the proposed use. Further, the site is not located within 500 feet of any of the uses from which marijuana establishments are prohibited (existing public or private school serving students in grades K-12). The site includes an existing industrial building constructed in 1984; the property has been used for industrial purposes for 35 years.

- (2) Adequate and appropriate facilities will be provided for the operation of the proposed use.

The recreational marijuana cultivation and processing uses will occur within the existing industrial building at 4 Marc Road. Suitable parking is available with access from Marc Road. As documented in the findings under Site Plan Rules and Regulations above, adequate and appropriate facilities have been provided for the operation of the facility. The site's internal driveways and stormwater management system have been reviewed by the Board's Consulting Engineer and found to be adequate.

- (3) The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.

The existing site contains suitable driveways, parking areas and stormwater management systems. Pedestrians are not expected to access the site as no retail marijuana operation is permitted. As conditioned herein, the Applicant is required to meet the Town's noise and odor standards as specified in Section 7.3 of the Zoning Bylaw and provide additional noise and odor mitigation measures if needed in the future.

- (4) The proposed use will not cause undue traffic congestion or conflicts in the immediate area.

The proposed facility is expected to have 25 employees. The available on-site parking exceeds the number of parking spaces required. As the facility will not have a retail operation, non-employee traffic to the site will be minimal. The Industrial Park Road system is adequate to handle the routine employee traffic. Marc Road was recently reconstructed as part of the approval of an adjacent business facility at 2 Marc Road, so the adjacent roadway quality leading to the property is excellent. Furthermore, the site's access is via Marc Road from Industrial Park Road from Main Street/Route 109, a major east-west arterial roadway, so there is no traffic impact on local residential roadways.

- (5) The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site or operational attributes of the proposed use.

Site plan review has addressed each of these potential impacts on adjoining properties. A photometric plan for the lighting has been submitted; it documents that lighting will not spill over onto adjoining properties. The stormwater management plan has been reviewed and approved; stormwater will not result in flooding on adjoining properties. An odor control plan, specific to the property's use as a marijuana cultivation facility, has been submitted by the Applicant and reviewed by a firm specializing in odor mitigation. Any dust generated from the operation of the business shall be contained within the building. Noise has especially been carefully evaluated with the assistance of a noise consultant, and the final noise control plan has been accepted. Also, noise generation will be monitored following full operation of the facility. No vibration is expected to be generated by the operation of the business. Refuse materials will be contained within a locked dumpster area for security purposes. Any other undesirable visual, site or operational attributes of the facility shall either be the same as existing conditions or improved from the previous business operation on the premises.

- (6) The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.

The proposed use is manufacturing and is therefore consistent with the character of the East Industrial Zoning District in which the subject property is located. This application proposes to produce marijuana for adult recreational use within the existing building. The proposed use will not significantly alter the character of the East Industrial zoning district.

The Board heard testimony from residential abutters and neighbors about their concerns regarding adverse noise and odor conditions which may emanate from the proposed facility. These concerns result from their experience of noise and odor issues related to the existing marijuana cultivation and manufacturing operation at the adjacent 2 Marc Road marijuana facility. The Applicant made repeated verbal commitments during the public hearing that they will address neighbor concerns through reasonable noise and odor mitigation measures. Furthermore, as noted

above, the Board paid particular attention to the noise and odor concerns and contracted with outside consultants specializing in noise and odor control to review and provide guidance as to how to minimize such concerns. The final plans include maximum measures to ensure that the impacts are minimal at best. The Applicant will be held to the environmental standards included in Section 7.3 of the Zoning Bylaw. The Cannabis Control Commission requires the Applicant to also meet the MA DEP noise standards. Measures to address other types of potential impacts (lighting, flooding, dust, vibration, refuse materials, etc.) have also been provided. As conditioned herein, the Board finds that reasonable measures will be taken such that this particular industrial use will not adversely affect the surrounding neighborhood.

- (7) The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw.

The Recreational Marijuana section of the Zoning Bylaw (Section 8.10) was adopted by the Town in May 2018 with the specific intent of allowing the establishment of non-retail recreational marijuana establishments at limited locations in Medway. The stated purpose of Section 8.10 is to address possible adverse public health and safety consequences and impacts on the quality of life related to this type of facility by providing for them in appropriate places and under strict conditions. As the proposed facility is located within one of the designated zoning districts, it meets the purpose of the Zoning Bylaw.

- (8) The proposed use is consistent with the goals of the Medway Master Plan.

The existing facility and the expanded use of the facility is in compliance with Goals 1 and 6 of the Economic Development Goals and Objectives section of the Medway Master Plan as follows:

- *Goal 1: Maximize the area's economic resources*
- *Goal 6: Attract new (and retain existing) businesses and increase the industrial/manufacturing base.*

- (9) The proposed use will not be detrimental to the public good.

As a facility in compliance with state and local law, consistent with the goals of the Medway Master Plan, and as thoroughly conditioned herein, the proposed use will not be detrimental to the public good.

GROUNDWATER PROTECTION DISTRICT SPECIAL PERMIT FINDINGS (Sub-Section 7.3 of the Zoning Bylaw) – A portion of the 4 Marc Road site is located within the Town's Groundwater Protection District, therefore a groundwater protection special permit is required.

- (1) Maintenance, repair and enlargement of any existing structure and new construction are permitted uses, subject to certain restrictions, within the Groundwater Protection District. As conditioned, and as noted below, the project will comply with those restrictions.
- (2) As conditioned herein, storage of hazardous materials, as defined in Massachusetts General Laws, c. 21E, is prohibited unless enclosed in a free standing container

within a building. Any accidental spillage will also be contained within the building and any that may enter the municipal sewer system will be treated prior to being discharged to the municipal sewer system.

- (3) As conditioned herein, any commercial fertilizers, as defined in Massachusetts General Law, c. 128, §64, used for the growing of marijuana plants will be stored within containers and kept inside the 4 Marc Road building.
- (4) The facility will handle toxic and hazardous materials. All use of hazardous materials will be contained within the building and as the risk of spillage during deliveries is low, the facility qualifies for a special permit. Operation and maintenance procedures are in place to prevent any accidental outdoor spillage from reaching groundwater.
- (5) Water control devices are prohibited unless they can be shown to prevent adverse impacts on groundwater. The stormwater management plans have been reviewed by the Town's Consulting Engineer to ensure that no adverse impacts will result.
- (6) The facility and associated site improvements will render more than 71,000 square feet of the site impervious. The Town's Consulting Engineer has reviewed the stormwater management plan to ensure that groundwater recharge does not degrade groundwater quality.
- (7) As required by Section 5.6.F. 1. of the *Zoning Bylaw*, the plans have been provided to the Board of Health, Conservation Commission, Water and Sewer Commission, and Department of Public Services for review and consultation to evaluate whether the proposed project will adversely impact the quality or quantity of water available within the Groundwater Protection District, and to determine that disturbance of the soils, topography, drainage, vegetation and other characteristics is minimized.

VII. WAIVERS – At its January 28, 2020 meeting, the Board, on a motion made by Bob Tucker and seconded by Richard Di Iulio, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved by a vote of five in favor and none opposed.

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

Section 204-3 A. 7. - Development Impact Statement. A written Development Impact Statement shall be provided to describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts. At its discretion, the Planning Board, upon written request of the applicant, and based on the Board's preliminary assessment of the scale and type of development proposed, may waive or modify the requirements for submission of any of the elements of the *Development Impact Statement*. The *Development Impact Statement* shall consist of the following four elements: traffic, environmental, community and parking.

The Applicant has requested a waiver from this requirement. The site is already developed and has been used for industrial purposes since 1984. The proposed site improvement work is minimal. Traffic is not expected to increase beyond previous occupants. The preparation of traffic,

environmental, community and parking impact assessments is not expected to reveal any useful information related to the site or the project's impacts. The recreational marijuana facility use is highly regulated by the Massachusetts Cannabis Control Commission and is subject to a special use zoning permit from the Board. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-4 B - Site Context Sheet. A Site Context Sheet including the following items shall be submitted.

- 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted.
- 2) Abutters' names and addresses with assessor's reference.
- 3) Lot lines with dimensions and easement areas.
- 4) Existing topography at two (2) foot intervals from USGS survey maps or actual land survey.
- 5) All easements (*utility, conservation and other*) and rights-of-way.
- 6) Zoning district boundaries including groundwater protection district, wetlands, and flood plain zones.

The Applicant has requested a waiver from this requirement. A separate Site Context Sheet has not been provided as part of the plan set. However, the information specified to be included on a Site Context Sheet is included on other sheets included in the plan set. For the foregoing reason, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 C. 3. Existing Landscape Inventory – An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a “mapped” overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.

The Applicant has requested a waiver from this requirement. The site is large (6.68 acres) and is mostly wooded in nature. The existing building will be reused. Site improvements are minimal and will not result in a large land disturbance area. A 32” pine tree located in the southeast corner of the property is specifically identified to remain and be protected during construction. Locating the all trees with a diameter of one foot or greater at four feet above grade throughout the site would be an unnecessary additional expense and provide no added value to the site design or development. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 D. 7. Proposed Landscape Design – A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter

of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.

The applicant has requested a waiver from this requirement as no new landscaping is proposed for this already developed site. Any marijuana facility is subject to a permit from the Massachusetts Cannabis Control Commission which has strict requirements that prohibit shrubs and trees from being planted in proximity to marijuana establishments in order to promote safety in and around the facility. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 D. 12 – Signage Plan - A *Signage Plan* shall be submitted which includes the design, location, materials, dimensions and lighting for:

- (a) the proposed development and all building identification signage, both freestanding and attached; and
- (b) standards for tenant signs.

The applicant has requested a waiver from this requirement. The applicant intends to reuse the existing monument sign from the prior occupant to display only the property address. No other signage is planned for the building. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board’s approval of this special permit is consistent with the *Zoning Bylaw* and that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered. These conditions are binding on the Applicant.

SPECIFIC CONDITIONS OF APPROVAL

- A. All standard requirements included in Section 8.10 Recreational Marijuana of the *Zoning Bylaw* apply to this special permit. These include but are not limited to:
 - 1. Upon approval and prior to commencing operations on the property to cultivate and process marijuana for adult recreational use, the Applicant shall provide the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board with a copy of the applicable state adult recreational marijuana establishment licenses, permits, and approvals from the Massachusetts Cannabis Control Commission.
 - 2. The Applicant shall provide an annual report of Neo Organics, LLC’s operations to the Board and other Town officials no later than January 31st of each year, including a copy of all current state licenses and demonstrating continued

compliance with the conditions of this special permit. Any change in ownership of Neo Organics, LLC or change in management staff and key holders shall also be reported.

3. This special permit is not transferrable to another party. It shall remain exclusively with the Applicant, Neo Organics, LLC, as the operator of an adult recreational marijuana establishment on the premises.
 4. Smoking, burning and consumption of marijuana or marijuana infused products on the premises is prohibited.
- B. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the *Permit Site Plan for 4 Marc Road, Neo Cultivation and Manufacturing*, dated August 6, 2019, last revised December 13, 2019, prepared by DGT Associates Surveying and Engineering of Framingham, MA shall be further revised to reflect all Conditions and required revisions as specified herein, and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). Upon approval, the Applicant shall provide the revised Plan in its final form to the Board for its endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.
- C. **Other Documentation** - Prior to plan endorsement, the Applicant shall provide a sworn statement the Applicant shall provide a sworn statement disclosing the owner's or other similarly situated individuals' interest in the registered marijuana establishment.
- D. **Noise Management**
1. The Applicant shall install and maintain at all times effective noise reduction equipment for the property to comply with Section 7.3 of the *Zoning Bylaw* as well as the Massachusetts Department of Environmental Protection (MA DEP) noise requirements as established in 310 CMR 7.10. The Applicant will achieve compliance through industry best practices and suitable noise abatement measures. The Applicant shall ensure proper maintenance of all noise abatement equipment to ensure maximum efficiency and effectiveness and ongoing compliance.
 2. Prior to the issuance of an occupancy permit for the 2 Marc Road facility, the Applicant shall provide the Building Commissioner, Health Agent, and Board with a noise study measuring ambient sound levels without the external mechanical equipment in operation, the sound at each of the 4 Marc Road property boundaries during full operating conditions, and the sound at the locations of existing residential receptors and expected future residential receptors. The purpose is to determine if the facility complies with Section 7.3 of the *Zoning Bylaw* as well as the MA DEP noise requirements as established in 310 CMR 7.10. The Board, Building Commissioner or Health Agent may forward the noise study to the Town's noise consultant for peer review and comment, at the Applicant's expense.

- a. Establishment of Ambient Noise Levels – Ambient background levels shall be established without the influence of any noise emanating from the CommCan facility at 2 Marc Road. If background noise levels at 2 Marc Road have been previously established prior to operation of the CommCan facility and are acceptable to the Board, they may be used. If not, new measurements to establish background noise levels will be performed by the Applicant. Any noise sources from 2 Marc Road that may contribute to background noise levels should be turned off during the attended measurements to establish the background noise levels. If unattended monitoring is used, the noise contribution from 2 Marc Road can be established by shutting down the noise sources during a specified time period and calculating the difference in L_{90} levels during on and off times. If it is absolutely not possible to take ambient measurements with the 2 Marc Road facility shutdown, ambient measurements should be taken in an area with similar ambient conditions (i.e. similar distance from major roads or other noise sources) which is far enough from the 2 Marc Road facility so that the 2 Marc Road facility does not significantly influence the measures. If an alternative method for establishing the background levels is proposed, a test plan shall be submitted to the Board for acceptance of the alternative method. The Board may seek guidance from its noise consultant.

Separate background noise levels shall be established for daytime hours (7 am to 10 pm) and nighttime hours (10 pm to 7 am).

Background noise levels can be established either by attended measurements (with the sample time at each measurement location to be not less than 10 minutes) or by unattended measurements for a period of at least 3 days. It will be sufficient to establish the background noise levels at representative locations at the property line.

- b. Measurement of Operational Noise Levels – The operational sounds measurements will consist of attended daytime and nighttime noise measurements at the facility property line and the residential receptors for a period of at least ten minutes. If the equipment is expected to produce higher noise levels at operating conditions other than the full load, those conditions shall be measured as well.

The measurements shall be taken at the same locations as evaluated in the September 27, 2019 Acentech study. These include:

- 14 receptor locations the property lines of 4 Marc Road and
- 7 residential receptor locations at second story building window heights.

- c. All sound measurements shall be conducted by a qualified acoustical consultant (INCE board certification or equivalent experience) in accordance with industry best practices.

- d. Measurement instrumentation shall comply with Class 1 in accordance with IEC 61678, and should be capable of measuring A-weighted and octave-band sound levels. The acoustic descriptor for reporting shall be the L_{90} sound level for background noise levels. If operational data is steady state, the L_{90} metric can also be used for operational data. Otherwise the L_{eq} or higher metric should be used. Sound level meters shall be provided with windscreens and their calibration shall be field-checked before and after the measurements.
 - e. The Board, Building Commissioner or Health Agent may require the Applicant to implement additional noise mitigation measures if the noise study indicates that the facility is non-compliant with Section 7.3 of the *Zoning Bylaw* or the MA DEP Noise Policy.
3. Approximately six months after beginning operations under this Special Permit, the Applicant shall provide a supplemental noise study. These measurements shall be carried out to the same standards and methods as the initial study. The scope and methods of the study shall be the same as in the initial study described above.

The Applicant shall submit that study to the Building Commissioner, Health Agent and Board so as to determine continued compliance with the *Zoning Bylaw* and any conditions set forth herein as to noise. The Building Commissioner, Health Agent or Board may forward the plan to the Town's noise consultant for review and comment, at the Applicant's expense. The Applicant shall be required to implement additional noise mitigation measures if the facility is non-compliant with the *Zoning Bylaw* and the MA DEP Noise Policy.

4. The Applicant shall annually submit a certification by a registered professional mechanical engineer that there are no changes in the installed mechanical equipment which may impact the noise emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
5. The Building Commissioner, in enforcing the conditions contained herein, may require the Applicant to provide additional noise studies by a qualified noise consultant and/or implement additional mitigation measures should legitimate concerns or complaints develop in the future about noise generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.

E. Odor Management

1. The Applicant shall install and maintain at all times effective odor control technology to remove odors from the facility's exhaust system to comply with Section 7.3 of the *Zoning Bylaw*. The Applicant will complete this through industry best practices and suitable building filtration systems including a secondary safeguard system as required by the *Zoning Bylaw*. The Applicant shall maintain all odor migration equipment to ensure maximum efficiency and effectiveness and ongoing compliance.

2. The presented Odor Mitigation Plan dated September 12, 2019 does not include mechanical drawings for the odor management system. At such time as the mechanical drawings are available, they shall be submitted to the Board for review by the Board's odor consultant, at the applicant's expense, to determine if they comply with the Odor Mitigation Plan.
3. The October 2, 2019 review letter of Straughan Forensic, LLC, the Board's odor consultant, identifies a number of issues and information missing from the Odor Mitigation Plan. The Straughan Forensic letter dated October 2, 2019 is attached and made a part of this decision. These items shall be fully addressed and included in the odor plans submitted to the Massachusetts Cannabis Control Commission for approval. The submittal to the Cannabis Control Commission shall indicate that the odor control system must comply with Section 7.3 of the *Zoning Bylaw*.
4. The Applicant shall provide the odor plan approved by the Massachusetts Cannabis Control Commission to the Board.
5. Prior to the issuance of an occupancy permit by the Medway Building Department, the Applicant shall review the approved odor control system as installed with the Building Commissioner and demonstrate that the measures specified in the approved odor control, abatement and mitigation plan including the secondary safeguard system have been implemented. The Applicant shall provide a certification made by a licensed engineer that the odor mitigation measures included in the approved plan have been installed. Additional odor mitigation measures may be required if determined to be necessary by the Building Commissioner.
6. For each of the two successive years following occupancy, the Applicant shall annually submit a certification by a registered professional engineer that there have been no changes in the mechanical equipment that has been installed to control the odor emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
7. The Building Commissioner, in enforcing the conditions herein, may require additional odor investigations and/or odor mitigation measures should legitimate concerns and complaints develop in the future about odor generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.

F. Conditions Pertaining to Groundwater Protection District Special Permit

1. Storage of hazardous materials and other hazardous materials is prohibited unless in a free-standing container within a building. Any hazardous materials that will be used at the facility shall be identified and a list provided to the Board. Any accidental spillage shall also be contained within the building and any that enters the sewer system shall be treated prior to being discharged to the municipal sewer system.

2. Any fertilizers used on landscape material anywhere on the site shall be the slow-release organic granular type, and only the absolute minimum necessary. All storage of fertilizers must be in a free-standing container within a building, have adequate secondary storage capacity or be within a facility designed to prevent the generation and escape of contaminated runoff or leachate. Application of fertilizers on site must be done in a manner to minimize adverse impacts on groundwater.
3. Outdoor storage anywhere on the site shall consist only of non-hazardous materials. Metal materials stored outside shall be under cover of a building or structure to prevent leaching of the metal into the groundwater.
4. There shall be no outdoor storage of pesticides, herbicides, fungicides or insecticides anywhere on the site. Any such products shall be stored inside.
5. Deicing materials shall be limited to calcium chloride or other deicer material approved by the Medway Department of Public Works.
6. Plowed snow for the site shall be stored only in the designated areas shown on the plan or taken off site in times of substantial storms. No snow shall be disposed of in the stormwater detention basin.
7. All vehicles shall be parked/stored on the paved surface to ensure treatment of any leaks of fluids from the vehicles. There shall be no outdoor maintenance or cleaning of vehicles.
8. There shall be no earth removal within six feet of the historical high groundwater level.
9. The Town reserves the right to periodically inspect the site to ensure compliance with these conditions.

G. *Stormwater Management - Post Construction*

1. The Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Board.
2. The stormwater drainage system, water and sewer systems shall be maintained by the Applicant, its successors and assigns, and shall not be dedicated to the Town. It is the intent of the Board and the Applicant that these systems shall not be accepted by the Town.
3. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the *Post Construction and Long-Term Maintenance Plan* included in the *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.

4. The applicant shall submit annual reports of inspections and maintenance of all stormwater management structures included in the site plan to the Board and the Medway Department of Public Works Compliance Officer starting one year after the Certificate of Site Plan Completion is issued.
 5. In the event that the Applicant, its successors and assigns, or its agent fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.
- H. **Utilities** – All electric, telephone, cable TV and other utilities shall be located underground. No overhead utilities are permitted.
- I. **Water Use and Conservation**
1. The development is relying on the Town's public water system and the Town is being held to its Water Management Act Permit with the MA Department of Environmental Protection. The Permittee shall incorporate the following water conservation measures for construction of the development:
 - a. private well water for landscape irrigation
 - b. rain-gauge controlled irrigation systems
 - c. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
 2. The Permittee shall not use Town water for irrigation of the site's lawn and landscaping.
- J. **Signage** – Any changes to the existing sign or proposed new signs shall comply with Section 7.2 of the *Zoning Bylaw*.
- K. The permit holder shall notify the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board in writing within forty-eight hours of the cessation of operation of the marijuana business or the expiration or termination of the license holder's certificates or registration with the Massachusetts Cannabis Control Commission.
- L. There shall be a valid Host Community Agreement with the Town of Medway in effect at all times during the operation of the marijuana establishment.
- M. **Limitations** - This special permit is limited to the operation of a recreational marijuana cultivation and processing establishment at 4 Marc Road. This permit does not authorize operation of a retail outlet for the sale of adult recreational marijuana products, or the operation of a marijuana social establishment, or the operation of a marijuana testing facility on the premises.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to filing the special permit and site plan decision with the Town Clerk, the Applicant shall pay:
1. the balance of any outstanding project review fees owed to the Town for review of the application by the Town's engineering, planning, noise, odor or other consultants;
 2. an advance on fees for the continued review services to be provided by outside noise and odor consultants as approved by the Planning and Economic Development Board;
 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.
- B. **Other Permits** – This special permit does not relieve the Applicant from its responsibility to apply for, obtain, pay for, and comply with all other required federal, state and Town permits, licenses and approvals. The Applicant or agent shall apply for, obtain, pay for, and comply with all other required Town permits.
- C. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of Town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
1. *Construction Time* - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as carpentry, installation of drywall, flooring, electrical and HVAC systems, painting, etc.
 2. *Neighborhood Relations* – The Permittee shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
 3. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
 4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Permittee shall be responsible

for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.

5. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
7. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).
9. *Stormwater Management* – During construction, the Applicant shall maintain the site and installed stormwater management facilities in accordance with the Construction Period Stormwater Operation and Maintenance Plan included in *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.

D. Construction Oversight

1. Pre-Construction Meeting – At least seven days prior to the start of any site preparation or construction, the Applicant shall meet with the Town's Consulting Engineer, the Planning and Economic Development Coordinator, the Medway Department of Public Works, the Medway Conservation Agent (if applicable), the contractors and Applicant's project engineer for a pre-construction meeting. The construction schedule shall be reviewed and the procedures for inspections discussed.
2. Construction Account
 - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-

built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.

- b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Permittee's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Permittee.
3. Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this *Decision*.
 4. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit.
 5. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection.

E. On-Site Field Changes

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this *Decision* and the *Zoning Bylaw* nor conflict with a specific condition of the *Decision*. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Zoning Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or

emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

F. Modification of Plan and/or Decision

1. Proposed modifications, not included on-site field changes, to the *Decision* or endorsed plan shall be subject to review by the Board.
2. This site plan and special permit approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Board for review as site plan modifications.
3. Any work that deviates from the approved site plan or this *Decision* shall be a violation of the *Zoning Bylaw*, unless the Permittee requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Board.
4. The request for a modification to a previously approved site plan shall be subject to the same application and review process including a public hearing. Whenever additional reviews by the Board, its staff or consultants are necessary due to proposed site plan modifications, the Permittee shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the filing and review fees.
5. The Board shall issue a modification decision, file such with the Town Clerk, and provide copies to the Building Commissioner and other Town officials and the Permittee. Any modification approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

G. Compliance with Plan and Decision

1. The Permittee shall construct all improvements in compliance with the approved and endorsed site plan and this *Decision* any modifications thereto.
2. The Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
3. The Conditions of Approval are enforceable under Section 3.1. F. of the *Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

H. Performance Security

1. No occupancy permit shall be granted until the Board has provided a written communication to the Building Commissioner/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Board's satisfaction, to cover the cost of all remaining work.
2. The Permittee shall propose a form of performance security which shall be of a source and in a form acceptable to the Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:
 - a) the date by which the Permittee shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Board
 - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the approved Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
4. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the Permittee fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a 30% contingency.
5. Final release of performance security is contingent on project completion.

I. Project Completion

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. The work shown on the approved site plan shall be completed by the Permittee or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request from the Permittee filed at least thirty (30) days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is

filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.

2. Prior to issuance of a final occupancy permit, the Permittee shall request a ***Certificate of Site Plan Completion*** from the Board. The ***Certificate*** serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The ***Certificate*** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a ***Certificate*** of Site Plan Completion, the Permittee shall:
 - a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The As-Built Plan shall also show all utilities found during the construction process. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
- J. ***Right to Enter Property*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter the property at any time to ensure continued compliance with the terms and conditions of this special permit and the endorsed site plan.
- K. ***Recording*** - Within thirty days of recording the Decision, the Applicant shall provide the Board and the Building Commissioner with a receipt from the Norfolk County Registry of Deeds indicating that the Decision and Plan have been duly recorded, or supply another alternative verification that such recording has occurred.
- L. ***Conflicts*** –If there is a conflict between this Decision and the *Zoning Bylaw*, the *Bylaw* shall apply.

IX. APPEAL – The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth herein. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in G.L. c. 40A §15.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty days after the filing of this decision in the office of the Medway Town Clerk.

In accordance with G.L. c. 40A, §11, no special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record, or is recorded and noted on the owner's certificate of title, bearing the certification of the Town Clerk that twenty days have elapsed after the Decision has been filed in the

office of the Town Clerk and no appeal has been filed within said twenty day period, or that an appeal has been filed. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the Applicant. A copy of the recorded Decision, and notification by the Applicant of the recording, shall be furnished to the Board.

###

APPROVED by the Medway Planning & Economic Development Board: _____

AYE:

NAY:

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

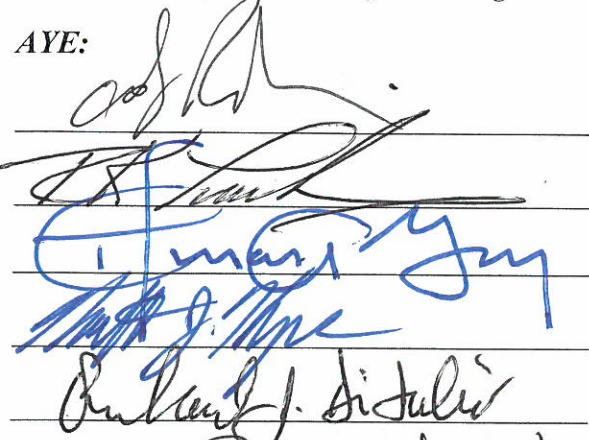
Date

COPIES TO: Michael Boynton, Town Administrator
Stephanie Carlisle, DPW Compliance Officer
Dave D’Amico, DPW Director
Michael Fasolino, Deputy Fire Chief
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Alan Tingley, Police Chief
Jeff Watson, Police Department
Chad Blair, Neo Organics and 4 Marc Road Realty, LLC
Jaime Lewis, Neo Organics
Jordan Naydeuov, NEK, LLC
Bert Corey, DGT Associates
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

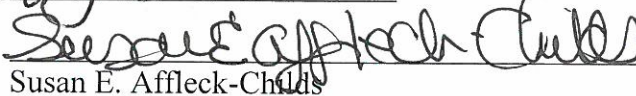
APPROVED by the Medway Planning & Economic Development Board: January 28, 2020

AYE:

NAY:



ATTEST:


Susan E. Affleck-Chellis

Planning & Economic Development Coordinator

January 28, 2020
Date

COPIES TO: Michael Boynton, Town Administrator
Dave D'Amico, DPW Director
Stephanie Carlisle, DPW Compliance Officer
Michael Fasolino, Deputy Fire Chief
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
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Bert Corey, DGT Associates
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

October 2, 2019

Susan Affleck - Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
Email: sachilds@townofmedway.org

Re: NEO Organics – 4 Marc Road Cultivation Facility, Follow-up Review of Odor Mitigation Plan

Dear Ms. Affleck - Childs:

This letter documents the findings from my follow-up review of the resubmitted Odor Mitigation Plan for the cannabis cultivation and processing facility at 4 Marc Road in Medway, Massachusetts. The following documents were reviewed:

- Architectural Floor Plan by Anderson Porter Design, A1.1, 9-09-2019, 1 page
- Permit Site Plan by DGT Associates, C-1 thru C-7, 9-09-2019, 7 pages
- Mech. Systems Ventilation and Odor Mitigation Plan by Impact Engineering, 9-12-2019, 17 pages

I offer the following comments from my review of the documents:

General Comment:

1. The Plan contains narrative descriptions of systems, but no mechanical drawings are available at this time. When the completed mechanical drawings eventually get submitted for permitting, they should be reviewed at that time for compliance with the Odor Mitigation Plan.

Odor Mitigation System design:

2. General: It is stated that "Other than ventilation air, all of the HVAC equipment will recirculate 100% of the supply being distributed to the various applications areas throughout the facility." Since no room air will be exhausted from grow rooms under normal operation, the rooms will not be under negative pressure, and therefore will likely exfiltrate odorous grow room air into the corridors when the doors are opened and possibly through cracks in exterior walls and into the outside air. No information has been provided to indicate that the rooms will be sealed to prevent exfiltration through the room envelope.
3. There is no mention of a control strategy or equipment to mitigate odor that will escape from cultivation and processing rooms when the doors are opened in order for staff to enter or exit the rooms. Will exhaust fans in the Janitor Rooms or other rooms be used to maintain negative pressure in the corridors? If so, these fans will need to run 24/7 and transfer air grilles will need to be installed in the doors or walls to these rooms.
4. In the descriptions for the Drying Room, Post Production/Manufacturing Rooms, and Packaging Rooms, there is no mention of carbon filters like there is for all the other rooms described in this

section or in the Operational Processes section. This seems to imply that no carbon filtering is planned for these three areas, even though the Maintenance Plan section describes carbon filtering for these three areas. This apparent contradiction should be clarified along with a description of how the bi-polar ionization units will be configured, i.e. which air stream will they be placed in, will the exhaust air stream be protected with odor mitigation systems?

Building Exhaust Systems:

5. The list of exhaust systems does not appear to be complete. No exhaust fans are mentioned for the Post Production, Manufacturing, Dishwashing, or Pot Washing Rooms. Will the exhaust air streams from these rooms be protected with odor mitigation systems?

Operational processes:

6. Design criteria for Bi-polar ionization units is not stated. Are these units sized based on a certain number of air changes per hour?

Maintenance plan:

7. In the description for the Flower Rooms and each room that follows after it, the design criteria for the carbon filters is stated to be 15 air-changes per hour, and this is appropriate for flower rooms and each room downstream of it the process. However, this criteria is contradicted in both the Odor Mitigation System Design section and the Operational Processes section, which both state the criteria for these rooms to be 6 air-changes per hour.

If you have any questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Bruce Straughan". The signature is written in a cursive, flowing style.

Bruce Straughan, PE
Straughan Forensic, LLC

TOWN OF MEDWAY MASSACHUSETTS



ZONING BYLAW & MAP

Includes amendments approved by Town Meeting on November 15, 2021

Medway Planning & Economic Development Board

Matthew J. Hayes, P.E., Chair

Robert K. Tucker, Vice-Chair

Richard Di Iulio, Clerk

Jessica Chabot

Thomas Gay, Associate Member

The Medway Zoning Bylaw & Map is available online at
<https://www.townofmedway.org/planning-economic-development-board/pages/zoning-bylaw-and-map>

155 Village Street
Medway, MA 02053
508-533-3291
planningboard@townofmedway.org

Published – December 17, 2021

7.3 ENVIRONMENTAL STANDARDS

- A. **Purpose.** The intent of this section is to provide standards for uses which, by their operation, may generate impacts that are potentially hazardous, harmful to the environment, disturbing, offensive or objectionable.
- B. **Enforcement:** The Zoning Bylaw, § 3.1, Enforcement, Violations, and Penalties authorizes the Building Commissioner, or designee, to interpret and enforce the Bylaw. At the discretion of the Building Commissioner, a technical consultant may be engaged by the Town of Medway to investigate and document violations pursuant to this section.
- C. **Definitions:** For purposes of this section of the Bylaw, the following terms shall be defined as follows:

Air Pollution: The presence in the ambient air space of one or more air contaminants or combinations thereof in such concentrations and of such duration as to: (a) cause a nuisance; (b) be injurious, or be on the basis of current information, potentially injurious to human health or animal life, to vegetation, or to property; or (c) unreasonably interfere with the comfortable enjoyment of life and property or the conduct of business.

Ambient Noise: The sound pressure level at a given location produced by everything else excluding the source of sound being monitored, analyzed, or evaluated. Also referred to as background noise. Ambient noise includes environmental noises from sources such as traffic, aircraft, waves, alarms, animals or noise from existing mechanical devices such as air conditioning, power supplies, or motors that are present prior to introduction of a new intrusive sound source that is being evaluated. The measurement metric to determine ambient noise levels will be the A-weighted L_{90} sound level.

Commercial Zones: Properties located in the Central Business, Village Commercial, Neighborhood Commercial, Oak Grove Village Center, or Oak Grove Business Park zoning districts as shown on the Medway Zoning Map

Continuous Noise: Noise including but not limited to noise generated by machinery that keeps running without interruption including, but not limited to heating or ventilation systems, factory equipment, or engine noise.

(Hz) Hertz: A unit for measuring the number of cycles that occur in a second. In this standard, Hz will be referring to sound waves.

(dB) Decibel: A logarithmic (dimensionless) measure used in describing the amplitude of sound.

(dBA) A-weighted decibel: An expression of the relative loudness of sound in the air as perceived by the human ear.

Detection Threshold: The lowest concentration or intensity of noise, odor, vibration, or other environmental hazard regulated by this bylaw that is noticeable to a reasonable person with normal sensory sensitivities.

Disturbing, offensive or objectionable odors: Those which are at or above the detection threshold of a person with normal olfactory sensitivity.

Industrial Zones: Properties located in the East Industrial, West Industrial, Business/Industrial, or Energy Resource zoning districts as shown on the Medway Zoning Map

L₉₀ Sound Level: The A-weighted sound level that is exceeded ninety percent (90%) of the time during a measurement period.

Noise: Sound of sufficient intensity and/or duration as to cause a condition of air pollution. Noise which complies with subsection D.2 herein shall not be deemed to cause a condition of air pollution.

Noise Level: The frequency weighted sound pressure level as measured with a sound level meter or equivalent device using the A-weighting network. This level is designated dBA.

Octave Band: A frequency band where the highest frequency is twice the lowest frequency.

One-Third Octave Band (TOB): A frequency band where the highest frequency is 1.26 times the lowest frequency.

Odor Plume: The cloud of odor created when odor molecules are released from their source and are expanded through air movement.

Prominent Discrete Tone: The presence of acoustic energy concentrated in a narrow frequency range, including, but not limited to, an audible tone, which produces a one-third octave sound pressure level greater than that of either adjacent one-third octave and which exceeds the arithmetic average of the two adjacent one-third octave band levels by an amount greater than shown in the following table opposite the center of frequency for the one-third octave band containing the concentration of acoustical energy.

1/3 Octave Band Center Frequency (Hz)	dB		1/3 Octave Band Center Frequency (Hz)	dB
100	16		1250	4
125	14		1600	4
160	12		2000	3
200	11		2500	3
250	9		3150	3
315	8		4000	3
400	7		5000	4
500	6		6300	4
630	6		8000	5
800	5		10000	6
1000	4			

Residential Zones: Properties located in the Agricultural-I, Agricultural-II, Village Residential, or Oak Grove Neighborhood zoning districts as shown on the Medway Zoning Map

Sensitive Receptor: An occupied residence or facility whose occupants are more susceptible to the adverse effects of noise and odor including but not limited to hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.

D. **Standards.** The following standards shall apply to all zoning districts.

1. **Smoke, Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution:** All activities involving smoke, fly ash, dust, fumes, vapors, gases, other forms of air pollution, as defined in CMR 310, § 7, Air Pollution Control Regulations, as amended, which can cause damage to human health, to animals or vegetation, or other forms of property, or which cause any excessive soiling at any point are prohibited.
2. **Noise Disturbance:** The Building Commissioner may determine that a noise source is subject to investigation, and if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties.
 - a. **Standards.** No person or persons owning, leasing or controlling the operation of any source or sources of noise shall produce disturbing, offensive or objectionable noises in any zoning district or impact any space where people live, work or assemble in a way that unreasonable interferes with the comfortable enjoyment of life or the use of property.
 - 1) **Continuous Noise.** For the purposes of this bylaw, continuous noise restrictions apply to permanent non-residential uses and home-based businesses where noise is a by-product of business operations (such as from exhaust equipment). Maximum permissible sound pressure levels measured at the property line of the noise source shall not exceed the values specified in the tables below. In addition, maximum permissible sound levels measured at Sensitive Receptors positioned anywhere on a property that is wholly or partially located within two-thousand feet of the property line of the source of continuously radiated noise shall not exceed the values in the tables below. In the calculation of day-evening-night levels (known as L_{den}), Daytime is defined as between the hours of 7:00 a.m. and 7:00 p.m.; Evening is defined as between the hours of 7:00 p.m. and 11:00 p.m.; and Nighttime is defined as between the hours of 11:00 p.m. and 7:00 a.m.¹ These time periods will be used to determine compliance as per the tables below.

Industrial Zoned Property to Industrial Zoned Property

	Daytime 7:00 a.m. – 7:00 p.m. @ Property Line	Evening 7:00 pm – 11:00 pm @ Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ Property Line
Overall Level (dBA)	55	55	55

Industrial or Commercial Zoned Property to Commercial Zoned Property

	Daytime 7:00 a.m. – 7:00 p.m.	Evening 7:00 p.m. – 11:00 p.m.	Nighttime 11:00 p.m. – 7:00 a.m.
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¹ Directive 2002/49/EC of the European Parliament and Council of the European Union, 25-June-2002

	@ Property Line	@ Property Line	@ Property Line
Overall Level (dBA)	50	50	50

Industrial or Commercial Zoned Property to Residential Zoned Property

- The introduction of any potential new noise sources cannot result in an increase in broadband sound pressure levels of more than 2 dB above the existing ambient conditions at the nearest residential property line or any Sensitive Receptor; and
- The introduction of any potential noise sources cannot result in overall noise levels that exceed the following:

	Daytime 7:00 a.m. – 7:00 p.m. @ any Residential Property Line	Evening 7:00 pm – 11:00 pm @ any Residential Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ any Residential Property Line	Evening & Nighttime 7:00 p.m. – 7:00 a.m. @ Sensitive Receptors
Maximum Overall Noise Level (dBA)	47	45	42	32

- 2) **Tonal Requirements** – The presence of prominent discrete tones, as defined in Section 7.3 (c) herein at any industrial, commercial or residential property line shall be considered a violation.
- 3) **Temporary Noise.** For the purposes of this bylaw, non-continuous noise restrictions apply to permanent non-residential installations and home-based businesses where noise is periodically produced. No person shall use or cause the use of any noise-producing equipment or tool (such as for construction, repair, demolition operations or equipment testing such as for emergency generators) between the hours of 7:00 p.m. and 7:00 a.m.
- 4) **Construction Noise.** Work at construction sites and in the operation of construction equipment including start-up and movement of trucks, vehicles, and machines shall commence no earlier than 7:00 a.m. and shall cease no later than 7:00 p.m., Monday through Saturday. No construction shall take place on Sundays, federal holidays or state legal holidays without the advance written approval of the Building Commissioner.

Advisory Note – State regulations authorize municipal police departments, fire departments, and board of health officials to enforce noise standards that are based on certain sections of 310 Code of Massachusetts Regulations (CMR), § 7, Air Pollution Control Regulations. Such regulations are distinct and separate from the Town’s zoning regulations for noise.

- b. **Investigation.** The Building Commissioner may determine that a noise source is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties. If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake a noise study to determine if a non-compliant noise condition exists.

The Building Commissioner may enlist the assistance of other Town personnel for the investigation. At the discretion of the Building Commissioner, a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience may be engaged by the Town to assist in the investigation including measurements and documentation of violations. Depending on the particular site and its noise generators, the noise study may include measurements of:

- Ambient noise (Daytime, Evening, and Nighttime) and
- Operational noise levels (Daytime, Evening, and Nighttime) at the facility property line and at Sensitive Receptors located anywhere on a property that is wholly or partially located within two thousand feet of the facility property line. These operational measurements may include one-third octave band measurements to check for the prominent discrete tone condition as defined in Section 7.3(c).

c. Noise Control, Abatement and Mitigation Plan.

- 1) If the Building Commissioner determines that there is a violation, he or she shall order the owner or operator to come into compliance. The owner and/or operator of the noise producing use shall provide a noise control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience.
- 2) Special permit and site plan applicants for facilities that could potentially introduce noise may be required to conduct a background noise survey over a minimum of a 7-day period to establish noise levels at the nearest residential property lines and at the property line of any Sensitive Receptor located within 2,000 feet of the subject property for conditions at the time of application. The applicant shall make a good faith effort to secure permission from the owners of such noted properties to install the sound monitoring equipment and to provide documentation of such efforts as part of the noise survey report. The sound monitoring is to be conducted by a qualified professional acoustic testing firm, in accordance with the procedures in with the most current versions of American National Standards ANSI S12.18² and ANSI/ASA S3/SC1.100-2014/ANSI/ASA S12.100-2014³. Sound analyzers used for the background noise monitoring should be capable of collecting 10-minute and hourly L₉₀ sound levels. Background noise levels will be determined by monitoring noise levels for at least seven days. For each hour of the day, the hourly L₉₀ levels measured on every day of the monitoring period will be arithmetically averaged to determine a single L₉₀ average for each of the 24 hours of the day. The background noise level for Daytime, Evening and Nighttime periods will then be determined by taking the lowest averaged hourly L₉₀ value found in each of these time periods. The 10-minute L₉₀

² Acoustical Society of America, American National Standard ANSI S12.18-1994 (R2009), "Procedures for Outdoor Measurement of Sound Pressure Level," reaffirmed by ANSI June 15, 2009. Reference is to Method #1: General method for routine measurements.

³ Acoustical Society of America, American National Standard ANSI/ASA S3/SC1.100-2014/ANSI/ASA S12.100-2014. Methods to Define and Measure the Residual Sound in Protected Natural and Quiet Residential Areas
<https://webstore.ansi.org/standards/asa/ansiasas3sc11002014s12>

sound levels will be used to determine if any unusual activity occurred during that hour. If so, that hourly measurement will be discarded and not included in the average calculation.

- 3) If a special permit or site plan approval is required for construction or operation of any facility which could introduce noise sources into the community, once background ambient noise levels are established, an applicant may be required submit a noise control, abatement and mitigation plan during the permitting process to demonstrate that the noise levels as specified above will not be exceeded.
 - 4) A noise control, abatement and mitigation plan shall use established acoustical prediction procedures and should predict noise levels at property lines as well as Sensitive Receptors. The noise control, abatement and mitigation plan shall include the concept of “buy quiet”, which means using the quietest equipment that will meet operational requirements. The practice of using the Best Available Control Technology (BACT) shall also be employed to assure that any equipment being installed is as quiet as possible. The potential existence of prominent discrete tones as defined above shall also be evaluated and addressed.
- d. **Corrective Measures.** Non-residential uses that produce non-compliant noise must install and maintain noise reducing equipment in accordance with the approved noise control plan to meet the requirements of this section. The Building Commissioner may require the provision of reports to document ongoing noise compliance.
- e. **Continued Noise Compliance.** Should it be determined that a facility goes out of compliance and exceeds any allowable noise limit conditions (e.g. due to equipment wear), corrective action will be required to bring the facility back into compliance which could include, but not be limited to, equipment replacement or additional mitigation steps.
3. **Vibration:** No vibration which is discernible to the human sense of feeling for three minutes or more in any hour between 7:00 a.m. and 7:00 p.m. or for thirty seconds or more in any one hour from 7:00 p.m. to 7:00 a.m. shall be permitted. No vibration at any time shall produce an acceleration of more than 0.1g or shall result in any combination of amplitude and frequencies beyond the "safe" range on the most recent edition of Table 7, U.S. Bureau of Mines Bulletin NO. 442 (U.S. Department of the Interior).
4. **Odors:** The Building Commissioner may determine that an odor is disturbing, offensive or objectionable and is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or the imposition of fines and non-criminal penalties.
- a. **Standards** – Disturbing, offensive or objectionable odors as defined in Paragraph C. shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment of life or the use of property. Failure to meet either the Reasonableness Standard or the Measurement Standard listed below shall constitute a violation of this section.
- 1) **Sensorial Reasonableness Standard** –The Building Commissioner, or designee, may determine, using only her or his sense of smell, that an odor is one which is disturbing, offensive or objectionable to a reasonable person with normal olfactory sensitivity.
 - 2) **Measurement Standards** – No disturbing, offensive or objectionable odor greater than that caused by the lowest odor detection thresholds as listed in the most recent edition of the American Industrial Hygiene Association (AIHA) Odor Thresholds for Chemicals with

Established Occupational Health Standards, Reported Odor Thresholds (EG Table 6.3 in 2nd Edition) shall be permitted. Due to the potential of odorant mixtures causing more intense odors than individual odorant compounds in isolation, nothing in this Bylaw shall be interpreted as allowing for any disturbing, offensive or objectionable odors at or above the cited detection thresholds.

b. **Investigation.** The Building Commissioner or designee shall investigate odor complaints until determined to be without merit or resolved to the satisfaction of the Building Commissioner.

- 1) **Assessment Area** – The Building Commissioner or designee shall investigate odor complaints for odors emanating from:
 - a) **Immediate Impact Zone** - Any resident, occupant, or owner of property located within 1,000 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor, as measured from property line to property line.
 - b) **Secondary Impact Zone** - A collection of complaints from five or more residents, occupants, or owners of property located within 2,500 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor as measured from property line to property line.
- 2) The Building Commissioner or designee may investigate possible odor violations upon their own initiative or at the request of Town officials or staff and shall investigate public complaints about an odor of a suspicious or dangerous nature.
- 3) If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake an odor observation to determine if a disturbing, objectionable or offensive odor exists. At the discretion of the Building Commissioner, a technical odor consultant may be engaged by the Town to assist in the investigation including odor observation and documentation of violations. The odor consultant shall be trained in the practices of ASTM (American Society for Testing Materials) - E679 and meet the selection criteria of EN13725 (international olfactometry standard). As a component of such investigation, measurements may be done in the field by using:
 - a) Undiluted odor field observations (i.e. sniffing) or odor sampling to be performed at a frequency, duration, and locations appropriate for the odor source under investigation and the locations of odor complaints that have been received by the Town. The purpose is to detect and assess the presence of recognizable odors linkable to a specific source in ambient air. This may be accomplished by:
 - i. Grid method of analysis - Odor hours for a geographic area of evaluation to establish an odor hour frequency measurement.
 - i. Plume method of analysis – Measurement of extent of the area where an odor plume originating from a specific odor source can be perceived and recognized under specific meteorological and operating conditions.

The following other forms of measurement may be used only as supplemental methods to evaluate persistent problems or higher intensity odors as a way to determine the severity of the situation.

- b) **Field Olfactometry** - A method to quantify odors in ambient air by means of a portable odor detecting and measuring device known as a field olfactometer. A field olfactometer measures odor strength and persistence using a Dilution-to-Threshold (D/T) ratio. The Dilution-to-Threshold ratio is a measure of odor concentration by determining the number of carbon filtered air dilutions needed to make the odorous ambient air non-detectable. The formula for calculating D/T with a field olfactometer is:

$$D/T = \frac{\text{Volume of Carbon Filtered Air}}{\text{Volume of Odorous Air}}$$

- c) **Chemical Analysis** – Instrumental methods of characterizing odor involving the identification and quantification of chemical compounds in an odor sample by means of gas chromatography coupled with mass spectrometry, analysis of hydrocarbon molecules, and analysis of single gases such as ammonia and hydrogen sulfide.
 - d) **Instrumental Odor Monitoring** – Instruments designed to mimic human olfaction in the detection and characterization of simple or complex odors. Also referred to as electronic (E) - noses.
 - e) Any other method or best practice determined to be appropriate by the Building Commissioner.
- c. **Odor Control Plan** – If, based on the investigation, the Building Commissioner determines that there is a violation, the owner and/or operator of the odor-producing use shall be required to provide an odor control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant and specify suitable corrective measures. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a certified environmental engineer, certified environmental professional, or certified industrial hygienist with experience in odor management, abatement and mitigation technologies. The Building Commissioner may also require the plan to include the provision of reports of ongoing odor monitoring and compliance.
 - d. **Corrective Measures** - Non-residential uses that produce non-compliant odors shall be required to install and maintain odor-eliminating equipment in accordance with the approved odor control plan to meet the requirements of this section.

E. Exemptions

- 1) **Farming.** Impacts resulting from agricultural, farm-related, or forestry-related activities as defined by G.L., c 128, Agriculture, § 1A, as amended, and Medway General Bylaws, ARTICLE XXXI, §2 Right to Farm, are exempt from these restrictions when such activities follow generally accepted practices (G.L., c 111, §125A).
- 2) **Residential Uses.** Impacts resulting from residential activities such as but not limited to barbecues, wood stove exhaust, driveway paving, gardening, and house painting are exempt from these restrictions.
- 3) **Repair and infrequent maintenance activities.** Repair and infrequent maintenance activities such as but not limited to those for septic and sewer systems are exempt from these restrictions.

- 4) **Construction.** Impacts resulting from construction, demolition, or repair work that occurs between 7:00 a.m. and 6:00 p.m. on public improvements authorized by a governmental body or agency; utility work and repairs, and other similar work on private property pursuant to an order by a governmental body or agency for health or safety purposes are exempt from these restrictions.
- 5) **Municipal uses.** Municipal uses and other governmental entities are exempt from the provisions of this Section 7.3.

(Section 7.3 was replaced in its entirety 11-15-21)



June 14, 2022

**Medway Planning & Economic Development Board
Meeting**

**Medway Commons – BrightPath Child
Care Center – Minor Site Plan**

- Public Briefing Notice dated May 24, 2022
- Minor Site Plan Application dated May 20, 2022
- Email dated May 3, 2022 from Medway Building Commissioner Jack Mee with a determination that the planned scope of work constitutes a Minor Site Plan
- Project Narrative and Parking Information prepared by Charter Realty
- Site Plan dated May 19, 2022 by Tighe & Bond
- Stormwater memo dated March 19, 2022 from John Lorden, PE, Tighe & Bond
- Abutter notification dated May 25, 2022
- Susy Affleck-Childs' email dated May 31, 2022 to Town staff requesting review and comments
- Traffic Memorandum dated June 3, 2022 from Tighe & Bond
- Tetra Tech review letter dated June 9, 2022

Board Members

Matthew J. Hayes, P.E., Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Sarah Raposa, A.I.C.P., Member
Thomas A. Gay, Associate
Member



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Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

May 24, 2022

RECEIVED TOWN CLERK
MAY 24 '22 PM 2:46

NOTICE OF PUBLIC BRIEFING Charter Realty & Development Corporation Medway Commons, 67 Main Street Minor Site Plan – BrightPath Child Care Center

The Medway Planning and Economic Development Board will commence a public briefing on Tuesday, June 14, 2022 at 9:00 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street to consider the application of Charter Realty and Development Corporation of Greenwich, MA for approval of a minor site plan for BrightPath Child Care Center to be located in Medway Commons at 67 Main Street.

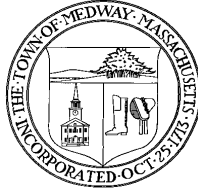
The applicant seeks minor site plan approval to modify a section of the existing parking lot in front of a portion of existing retail and restaurant spaces to accommodate construction of an approximately 14,200 sq. ft. outdoor play area for a new 12,700 sq. ft. childcare facility to be located within existing space at the southwestern end of the shopping center. Planned construction includes removal of pavement from 33 parking spaces, removal of an estimated 440 linear feet of curbing, removal of approximately 80 linear feet of driveway space, and removal of an estimated 2,040 sq. ft. of sidewalk, to be replaced with installation of various play area surface materials, fencing, landscaping, and play space equipment and amenities to be directly accessed from the childcare center.

The subject property (Map 41, Parcel 23) is owned by Hidden Acres Realty Trust of Medway, MA which holds a long-term lease with Charter Medway II, LLC of Greenwich, CT to own and operate Medway Commons which is located on the south side of Main ST (Route 109) in the Central Business zoning district.

The application documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The documents are also posted at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0> Interested persons are invited to review the application documents, attend the public briefing, and express their views at the designated time and place. Written comments may be forwarded to: planningboard@townofmedway.org. Questions should be directed to the Planning and Economic Development office at 508-533-3291.

Pursuant to Chapter 22 of the Acts of 2022, this hearing will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Information for participating in the meeting via Zoom will be included on the agenda for Board's June 14, 2022 meeting which will be posted to the Town's master calendar of events at: <https://www.townofmedway.org/calendar/month/2022-06> and at the Board's web page at: <https://www.townofmedway.org/node/926/agenda/2022>

Matthew J. Hayes, P.E., Chair



Planning & Economic Development Board - Town of Medway, MA
SITE PLAN REVIEW

Application for Minor Site Plan Approval

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the *Medway Zoning Bylaw* and the Board's *Rules and Regulations for the Submission and Review of Site Plans*

The Town's Planning and Engineering Consultants will review the Application and the proposed Site Plan and provide review letters to the Planning and Economic Development Board.

A copy of those review letters will be provided to you in advance of the meeting.

You and/or your duly authorized Agent/Official Representative are expected to attend the Board meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request.

Your absence at hearings may result in a delay in the Board's review of the site plan.

_____, 20____

APPLICANT INFORMATION

Applicant's Name: _____

Mailing Address: _____

Name of Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

☐ Please check here if the Applicant is the equitable owner (*purchaser on a purchase and sales agreement.*)

MINOR SITE PLAN INFORMATION

Development Name: _____

Plan Title: _____

Plan Date: _____

Prepared by:
Name: _____

Firm: _____

Phone #: _____

Email: _____

PROPERTY INFORMATION

Location Address: _____

The land shown on the plan is shown on Medway Assessor's Map # _____ as Parcel # _____

Total Acreage of Land Area: _____

General Description of Property: _____

Medway Zoning District Classification: _____

Current Use of Property: _____

Length of Existing Frontage: _____ On what street? _____

Setbacks for Existing Structure (if applicable)

Front: _____ Side: _____

Back: _____ Side: _____

Scenic Road

Does any portion of this property have frontage on a Medway Scenic Road?

_____ Yes _____ No If yes, please name street: _____

Historic District

Is any portion of this property located within a Medway National Register Historic District?

_____ Yes - Rabbit Hill _____ Yes - Medway Village

Wetlands

Is any portion of the property within a Wetland Resource Area? _____ Yes _____ No

Groundwater Protection

Is any portion of the property within a Groundwater Protection District? _____ Yes _____ No

Flood Plain

Is any portion of the property within a Designated Flood Plain? _____ Yes _____ No

PROPOSED DEVELOPMENT PROJECT INFORMATION

Development Name: _____

Minor Site Plan Review applies to the following. Please check all that apply.

_____ a. New construction or any alteration, reconstruction, renovation, and/or change in use of any multi-family, commercial, industrial, institutional, or municipal building use which is not subject to Major Site Plan Review but which involves one or more of the following:

_____ i. the addition of 1,000 to 2,4999 sq. ft. of gross floor area; or

_____ ii. the addition of ten or more but less than twenty new parking spaces

- _____ b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ten or more but less than twenty new parking spaces
- _____ c. The redesign of the layout/configuration of an existing parking area of twenty to thirty-nine parking spaces
- _____ d. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3 only to the extent allowed by law.
- _____ e. Removal, disturbance, and/or alteration of 10,000 to 19,999 square feet of impervious surface.

SPECIAL PERMIT - Will this project also require a variance or special permit from the *Zoning Board of Appeals*?

_____ Yes _____ No

Explanation: _____

SPECIAL PERMIT – Will this project also require a special permit from the *Planning and Economic Development Board*?

_____ Yes _____ No

Explanation: _____

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: _____

Mailing Address: _____

Primary Contact: _____

Telephone:

Office: _____ Cell: _____

Email address: _____

The owner's title to the land that is the subject matter of this application is derived under deed from: _____ to _____ dated _____ and recorded in Norfolk County Registry of Deeds, Book _____ Page _____ or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

CONSULTANT INFORMATION

ENGINEER: _____

Mailing Address: _____

Primary Contact: _____

Telephone:

Office: _____ Cell: _____

Email address: _____

Registered P.E. License #: _____

SURVEYOR: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____

Office: _____ Cell: _____

Email Address: _____

Registered P.L.S. License #: _____

ARCHITECT: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____

Office: _____ Cell: _____

Email address: _____

Registered Architect License #: _____

LANDSCAPE ARCHITECT/DESIGNER: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____

Office: _____ Cell: _____

Email address: _____

Registered Landscape Architect License #: _____

ATTORNEY: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____

Office: _____ Cell: _____

Email address: _____

DESIGNATED REPRESENTATIVE INFORMATION

Name: _____

Address: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

SIGNATURES

The undersigned, being the Applicant for approval of a Minor Site Plan Project, herewith submits this application and Site Plan to the Medway Planning and Economic Development Board for review and approval. I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property and proposed development under consideration.

If applicable, I hereby authorize _____ to serve as my Designated Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.

In submitting this application, I authorize the Board, its consultants and agents, Town staff, and members of the Design Review Committee to access the site during the plan review process.

I understand that pursuant to MGL 53G, the Medway Planning and Economic Development Board may retain outside professional consultants to review this application and that I am responsible for the costs associated with such reviews.

I understand that the Planning and Economic Development Board, its agents, staff, consultants, and other Town staff and committees may request additional information which I am responsible for providing to assist them in reviewing the proposed development.



Signature of Property Owner

Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Agent/Official Representative

Date

MINOR SITE PLAN FEES

Application/Filing Fee

\$350 plus \$.25/sq. ft. of gross floor area

(Gross floor area includes the existing building and proposed addition if any, and/or any proposed new building)

Advance on Plan Review Fee

\$500 deposit.

Submit 2 separate checks each made payable to: Town of Medway

MINOR SITE PLAN **APPLICATION CHECKLIST**

- _____ Minor Site Plan Application (2 signed originals – one for Town Clerk and one for Planning and Economic Development Board)
- _____ Three (3) full size (24" x 36") copies of the Site Plan prepared in accordance with Sections 204-4 and 204-5 of the *Medway Site Plan Rules and Regulations* – one for the Town Clerk and two for the Planning and Economic Development Board.
- _____ One (1) ledger size (11" x 17") copy of the Site Plan for the Planning and Economic Development Board
- _____ Electronic version of the Site Plan and ALL associated application documents. Provide disk or flash drive or email.
- _____ Certified Abutters List and labels from the Medway Assessor's office – for 300 feet around the subject property
- _____ One (1) copy of a *Project Description* as described in Section 204 - 3, 6) of the *Medway Site Plan Rules and Regulations*. This description should also include a narrative on how the proposed project meets the requirements of the *Medway Zoning Bylaw* for parking (Section 7.1.1) and outdoor lighting (Section 7.1.2)
- _____ Request for Waivers from the *Medway Site Plan Rules and Regulations*. Use Form Q.
- _____ Two (2) copies of a *Stormwater Drainage Evaluation*
- _____ Two (2) copies of a traffic study, depending on the size and scope of the proposed development project.
- _____ One (1) copy of all relevant approvals received to date from other Town boards/committees/departments
- _____ Proof of present or pending ownership of all land within the proposed development site.
- _____ Minor Site Plan Filing Fee – Payable to Town of Medway
- _____ Advance of Plan Review Fee – Payable to Town of Medway

From: [Jack Mee](#)
To: [Karen Johnson](#); [Susan Affleck-Childs](#); [Barbara Saint Andre](#)
Cc: [John Lorden](#)
Subject: RE: Medway Commons
Date: Tuesday, May 3, 2022 3:58:02 PM
Attachments: [image001.png](#)

[CAUTION - External Sender]

Karen,

I have reviewed your proposed plan and have determined that this will require a Minor Site Plan from the Planning and Economic Development Board. You can find these criteria in section 3.5 of the Medway Zoning Bylaw. You should also review section 10 of this same bylaw "Central Business District Development Standards.

Regards,
Jack Mee
Building Commissioner
Town of Medway
(508) 533-3253

From: Karen Johnson <karen@charterrealty.com>
Sent: Tuesday, May 3, 2022 2:01 PM
To: Jack Mee <jmee@townofmedway.org>; Susan Affleck-Childs <sachilds@townofmedway.org>; Barbara Saint Andre <bsaintandre@townofmedway.org>
Cc: John Lorden <JLorden@TigheBond.com>
Subject: Medway Commons

Please see attached letter requesting a determination on the permitting requirements for a site plan modification related to the construction of a play area.

I have spoken with Susy and Barbara and they suggested a summary letter of the proposal along with our concept plan and parking table.

Thanks

Karen

Karen Johnson, AICP
Charter Realty & Development Corp.
1666 Massachusetts Avenue, Suite 6A
Lexington, MA 02420
617 431-1091
karen@charterrealty.com

Charter Realty & Development Corp.
309 Greenwich Avenue
Greenwich, CT 06830
203.689.7000
www.charterrealty.com



Charter Medway II, LLC
c/o Charter Realty & Development Corp.
309 Greenwich Avenue
Greenwich, CT 06830

May 2, 2022

Jack Mee, Building Commissioner
Town of Medway
155 Village Street
Medway, MA 02053

RE: Request for Determination

Dear Mr. Mee:

We are excited about a potential new tenant for Medway Commons and am writing to confirm the permitting process with you. I reviewed our proposal with Susy Affleck-Childs on Friday, and she suggested I request a formal determination from you. The proposed use is for a day care/educational use which pursuant to MGL Section 40A-3, is exempt from any special permit as a child care facility, and referenced as such under Section 5.3.C. of the Town of Medway Zoning Regulations and in the Use Table for the CB Zoning District. Modifications to the parking lot in front of the space are required in order to accommodate an outdoor play area. See attached Concept Plan Medway Commons, dated May 2, 2022 prepared by Tighe & Bond which illustrates the limits of the play area. This requires the removal of 33 parking spaces however, the parking required per zoning is met (see parking table included).

We are in the process of finalizing the application materials and appreciate a determination at your earliest convenience.

Please call me if you have any questions at (617) 431 1091.

Sincerely,

CHARTER REALTY & DEVELOPMENT CORP.

A handwritten signature in blue ink, appearing to read "Karen Johnson", is written over the printed name.

Karen Johnson, AICP

Copy To: Susy Affleck-Childs
Barbara Saint Andre

Project Narrative BrightPath Child Care Center

Medway Commons

Charter Realty & Development Corp.

Medway Commons is an existing grocery-anchored shopping center with existing buildings, site infrastructure and mature landscaping constructed 18 years ago. This center has been meticulously maintained however, as retail trends have evolved, the tenant mix here must also evolve. There are several vacancies and even through our best efforts, have remained vacant for years. The opportunity to place BrightPath Child Care Center in much of this vacant space is essential for the next phase for Medway Commons. BrightPath will be a valued tenant bringing young families to Medway Commons and serving a critical community need for high quality child care. This use will not only provide a valuable service to Medway, it will also be essential to reinvigorating the center by increasing the frequency of trips. Post pandemic retailing is challenging at best and providing a mix of retail, service and community supported uses such as a child care facility is exactly the formula for success.

1) current and proposed uses –

Medway Commons is an existing grocery anchored shopping center with a variety of retail, restaurant and service uses. The BrightPath Child Care Center (“BrightPath”) will be located in space formerly occupied by Medway Yoga as well as other occupied and vacant spaces totaling 12,700 square feet. The child care center is state of the art and will offer a balance of child-led programming and an award-winning curriculum to suit the essential cognitive, social, and physical needs of children.

2) description of proposed site improvements including paving, stormwater management, landscaping, sidewalks, refuse storage and disposal facilities, site amenities, fencing, lighting, water and sewer service, open space, etc.

A portion of the existing parking area will be removed to accommodate an outdoor play space designed for the specific needs of toddlers and pre-school children. Fencing will be provided to section and contain these play areas.

3) description of proposed building construction, renovation, façade improvements, and/or demolition including the size of the proposed building(s) or additions;

Building size will not change. Will be installing some additional windows in the façade and relocating doors to satisfy needs of the use.

4) projected water and sewer demand

Average monthly demand in comparable center - 120 ccf

5) expected number of employees and/or occupants;

184 licenses student spaces - 35 staff

6) proposed hours of operation;

Expected 6 am- 6 pm M-F --- may change slightly due to customer demand

7) existing and proposed means of vehicular and pedestrian access and egress;

All students will be walked into main entrance of building by parent/guardian. Due to 2 hour drop-off and pick-up windows, do not expect more than 10-12 parent cars in lot at any time

8) number of parking spaces required and how this number was determined;

50 - 15 drop-off, 35 staff - experience with 25+ other centers

9) calculation of proposed lot coverage and impervious surface;

No change for existing center as pavement is being removed and replaced with artificial turf and wood chips with a compacted gravel base however this is considered more permeable than pavement.

10) timetable for project completion;

4 months from construction start

11) proposed on and off-site mitigation measures;

This is a proposal to re-tenant existing spaces within an existing shopping center that operated for the last 18 years without any issues. There are no proposed mitigation measures.

12) list of other required local, state and federal permits and the status of each;

Town Building and health permits and State licensure for the use. Final inspection follows CO

13) any other information the Applicant believes will assist the Board in reviewing and understanding the site plan application.

The proposed use is exempt pursuant to MGL 40a Section 3, however the use may also be considered educational/instructional facility, commercial which is a permitted use in the CB District.

Consistency with applicable provisions of Section 10

Below are relevant sections applying only to changes proposed as part of the activity proposes under Minor Site Plan Review.

D. Parking Requirements.

2. *Applicability. The parking requirements in Section 7.1.1 shall apply to the Central Business District with the following adjustments:*

- a. *Off-Street Parking Requirements. In the Central Business District (CB) the minimum number of off-street parking spaces required by use on Table 3 in Section 7.1.1.D. shall be interpreted to be both the minimum and the maximum amount of parking spaces required. A reduction of parking may be allowed by special permit under Section 7.1.1.J. Additional off-street parking spaces shall require a waiver from the PEDB and the applicant shall demonstrate sufficiently that additional parking is necessary.*

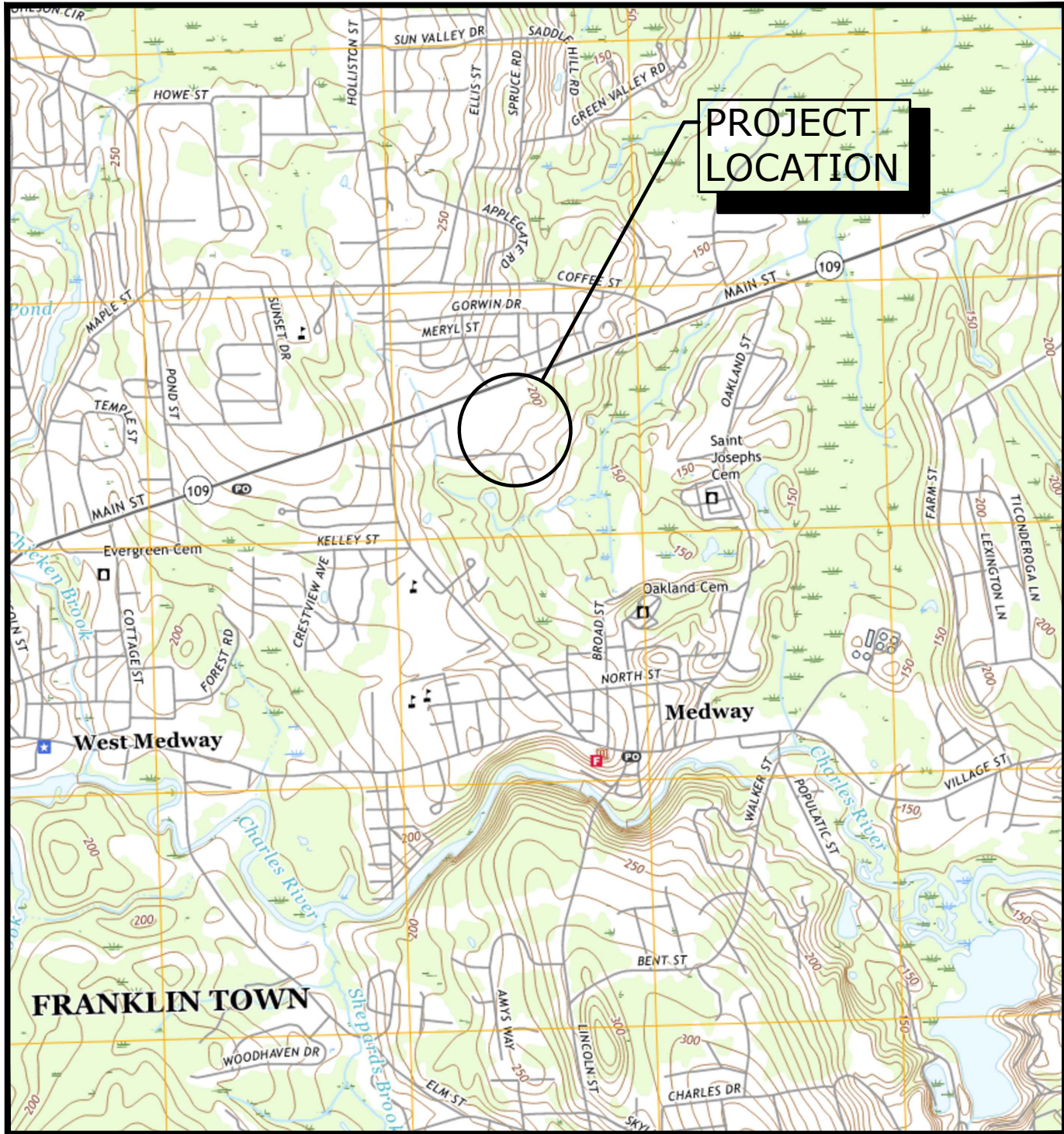
THE PROPOSED PLAN PROVIDES FOR TOTAL LOSS OF 33 PARKING SPACES AND 527 SPACES ARE PROVIDED; 517 PARKING SPACES ARE REQUIRED BY ZONING. AS NOTED IN THE PROJECT DESCRIPTION, THE SUBJECT PARCEL IS PART OF MEDWAY COMMONS, AN EXISTING SHOPPING CENTER WHICH IS SUBJECT TO A RECIPROCAL EASEMENT AGREEMENT ("REA") AMONG THE VARIOUS PARCELS. THE REA STIPULATES THAT A CERTAIN PARKING RATIO MUST BE MAINTAINED PER THE ORIGINAL CONCEPT PLAN. WE ARE ABLE TO MAINTAIN THIS RATIO WITH THE PROPOSED PARKING COUNT HOWEVER WE CANNOT FURTHER REDUCE PARKING.

Medway Commons Required Parking by Tenant

Tenant	Area		Medway Parking		Employees
	gfa	seats	gsf	seat	
			1/300 sf	1/3 seats	
Retail A					
Shaw's	71,548		238		35.0
Retail B/C	27,750				
Utility Room	100				
Education/day care	12,700		42		10.0
Pizza	1,600	25		8.3	2.0
California Nails	1,500	13	5		5.0
Loyal Companion	5,850		20		4.0
Liquor World	6,000		20		3.0
Retail D	5,000				
Orange Theory	3,400		11		2.0
Starbuck's	1,500	25		8.3	2.0
Utility room	100				
Retail E	3,716				
Proposed Restaurant	2,216	25		8.3	6.0
Cost Cutters	1,500	6	5		5.0
Retail F					
CVS	13,123		44		8.0
			385	25.0	82.0
Total	121,137		492		
Allowable					
Total Parking per SBX modification			560		
Parking Provided per Child Care plan			527		
Reduction of 33 spaces					

MEDWAY COMMONS
67C MAIN STREET MEDWAY, MASSACHUSETTS
BRIGHTPATH CHILD CARE CENTER
PERMIT DRAWINGS
MAY 19, 2022

LIST OF DRAWINGS	
SHEET NO.	SHEET TITLE
	COVER
C-100	OVERALL SITE PLAN
C-101	DEMOLITION PLAN
C-102	SITE PLAN
C-103	GRADING, DRAINAGE, & EROSION CONTROL PLAN
C-104	LANDSCAPE PLAN
C-501	EROSION CONTROL NOTES & DETAILS
C-502	DETAILS
A.701	EXTERIOR ELEVATIONS: EXISTING
A.702	EXTERIOR ELEVATIONS: PROPOSED



LOCATION MAP
SCALE: 1" = 2000'

PREPARED BY:
Tighe&Bond
Engineers | Environmental Specialists
177 Corporate Drive
Portsmouth, NH 03801
(603) 433-8818



PREPARED FOR:
Charter Realty & Development
1666 Massachusetts Ave - Suite 6A
Lexington, Massachusetts 02420

PREPARED WITH:
Helicon Design Group, Inc.
Architects
76 Summer Street, Suite 510
Boston, MA 02110



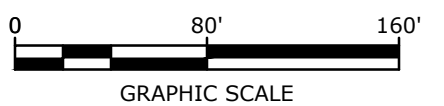
Medway Commons
67C Main Street
Medway,
Massachusetts

Charter Realty &
Development Corp.

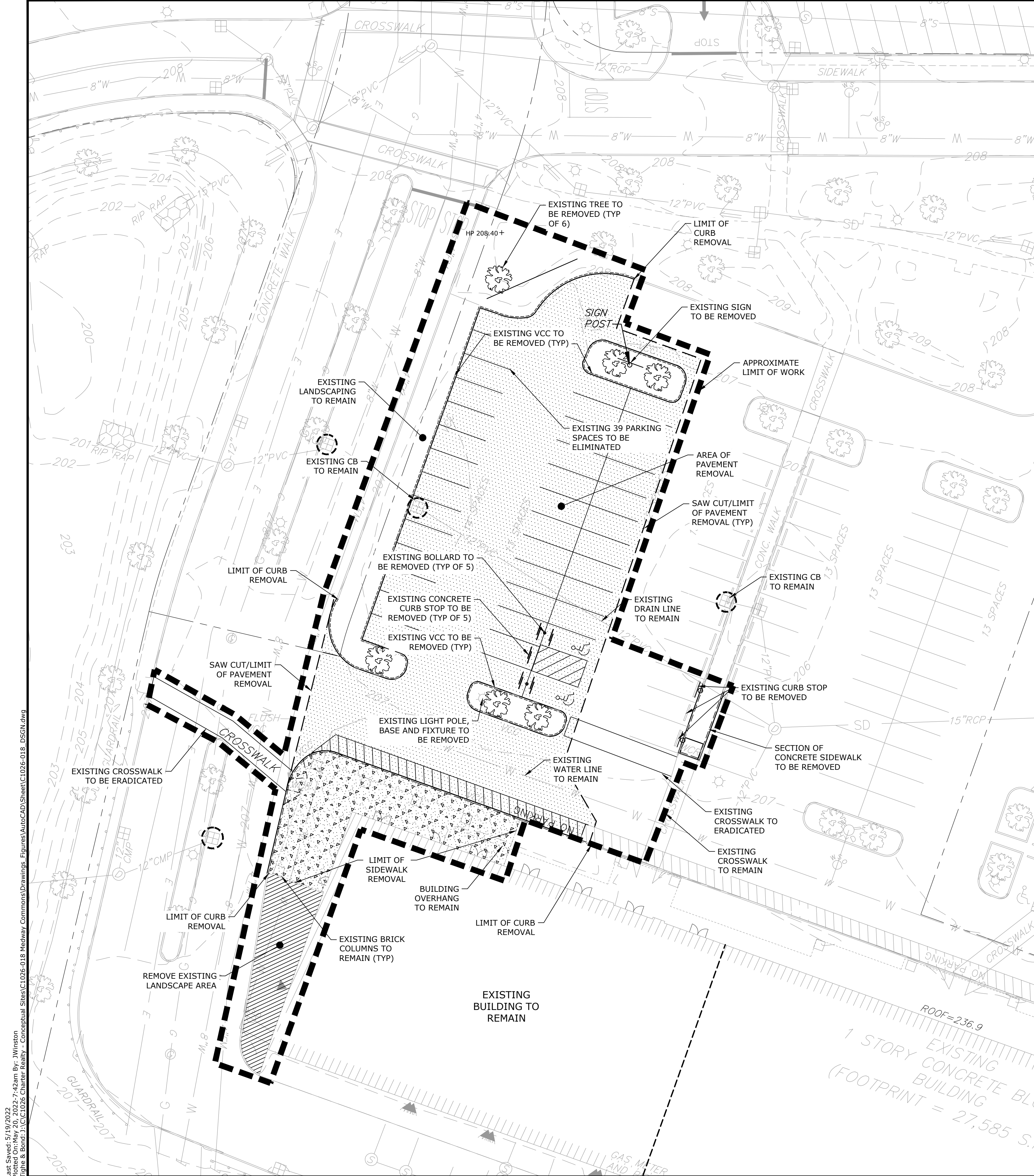
MARK	DATE	DESCRIPTION
PROJECT NO:	C1026-018	
DATE:	May 19, 2022	
FILE:	C1026-018_DSGN.DWG	
DRAWN BY:	JRW	
CHECKED:	JPL	
APPROVED:	BLM	

SCALE: AS SHOWN

C-100



Last Saved: 5/20/2022
Plotted On: May 20, 2022 9:13am By: JWinston
Title & Map: J:\C1026 Charter Realty - Conceptual Sites\C1026-018 Medway Commons Drawings_Figures\AutoCAD\Sheet\C1026-018_DSGN.dwg



DEMOLITION NOTES:

1. THE LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE AND THE LOCATIONS ARE NOT GUARANTEED BY THE OWNER OR THE ENGINEER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL UTILITIES, ANTICIPATE CONFLICTS, REPAIR EXISTING UTILITIES AND RELOCATE EXISTING UTILITIES REQUIRED TO COMPLETE THE WORK.
2. THE CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES. CALL DIG SAFE AT LEAST 72 HOURS PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION ACTIVITIES.
3. ALL MATERIALS SCHEDULED TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL DISPOSE OF ALL MATERIALS OFF-SITE IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS, ORDINANCES AND CODES.
4. COORDINATE REMOVAL, RELOCATION, DISPOSAL OR SALVAGE OF UTILITIES WITH THE OWNER AND APPROPRIATE UTILITY COMPANY.
5. ANY EXISTING WORK OR PROPERTY DAMAGED OR DISRUPTED BY CONSTRUCTION/ DEMOLITION ACTIVITIES SHALL BE REPLACED OR REPAIRED TO MATCH ORIGINAL EXISTING CONDITIONS BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
6. SAW CUT AND REMOVE PAVEMENT ONE (1) FOOT OFF PROPOSED EDGE OF PAVEMENT OR EXISTING CURB LINE IN ALL AREAS WHERE PAVEMENT TO BE REMOVED ABUTS EXISTING PAVEMENT OR CONCRETE TO REMAIN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE THEMSELVES WITH THE CONDITIONS OF ALL OF THE PERMIT APPROVALS.
8. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ADDITIONAL PERMITS, NOTICES AND FEES NECESSARY TO COMPLETE THE WORK AND ARRANGE FOR AND PAY FOR NECESSARY INSPECTIONS AND APPROVALS FROM THE AUTHORITIES HAVING JURISDICTION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DEMOLITION AND OFF-SITE DISPOSAL OF MATERIALS REQUIRED TO COMPLETE THE WORK, EXCEPT FOR WORK NOTED TO BE COMPLETED BY OTHERS.
10. PAVEMENT REMOVAL LIMITS ARE SHOWN FOR CONTRACTOR'S CONVENIENCE. ADDITIONAL PAVEMENT REMOVAL MAY BE REQUIRED DEPENDING ON THE CONTRACTOR'S OPERATION. CONTRACTOR TO VERIFY FULL LIMITS OF PAVEMENT REMOVAL PRIOR TO BID.
11. THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EXISTING STRUCTURES, CONCRETE PADS, UTILITIES AND PAVEMENT WITHIN THE WORK LIMITS SHOWN UNLESS SPECIFICALLY IDENTIFIED TO REMAIN. ITEMS TO BE REMOVED INCLUDE BUT ARE NOT LIMITED TO: CONCRETE, PAVEMENT, CURBS, LIGHTING, MANHOLES, CATCH BASINS, UNDER GROUND PIPING, POLES, STAIRS, SIGNS, FENCES, RAMPS, WALLS, TREES AND LANDSCAPING.
12. REMOVE TREES AND BRUSH AS REQUIRED FOR COMPLETION OF WORK. CONTRACTOR SHALL GRUB AND REMOVE ALL STUMPS WITHIN LIMITS OF WORK AND DISPOSE OF OFF SITE IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS.
13. CONTRACTOR SHALL PROTECT ALL PROPERTY MONUMENTATION THROUGHOUT DEMOLITION AND CONSTRUCTION OPERATIONS. SHOULD ANY MONUMENTATION BE DISTURBED BY THE CONTRACTOR, THE CONTRACTOR SHALL EMPLOY A MASSACHUSETTS LICENSED SURVEYOR TO REPLACE DISTURBED MONUMENTS.
14. PROVIDE INLET PROTECTION BARRIERS AT ALL CATCH BASINS/CURB INLETS WITHIN CONSTRUCTION LIMITS AS WELL AS CATCH BASINS/CURB INLETS THAT RECEIVE RUNOFF FROM CONSTRUCTION ACTIVITIES. INLET PROTECTION BARRIERS SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT. INLET PROTECTION BARRIERS SHALL BE "HIGH FLOW SILT SACK" BY ACF ENVIRONMENTAL OR EQUAL. INSPECT BARRIERS WEEKLY AND AFTER EACH RAIN EVENT OF 0.25 INCHES OR GREATER. CONTRACTOR SHALL COMPLETE A MAINTENANCE INSPECTION REPORT AFTER EACH INSPECTION. SEDIMENT DEPOSITS SHALL BE REMOVED AFTER EACH STORM EVENT OR MORE OFTEN IF THE FABRIC BECOMES CLOGGED OR SEDIMENT HAS ACCUMULATED TO 1/3 THE DESIGN DEPTH OF THE BARRIER.
15. THE CONTRACTOR SHALL PHASE DEMOLITION AND CONSTRUCTION AS REQUIRED TO PROVIDE CONTINUOUS SERVICE TO EXISTING BUSINESSES AND HOMES THROUGHOUT THE CONSTRUCTION PERIOD. EXISTING BUSINESS AND HOME SERVICES INCLUDE, BUT ARE NOT LIMITED TO ELECTRICAL, COMMUNICATION, FIRE PROTECTION, DOMESTIC WATER AND SEWER SERVICES. TEMPORARY SERVICES, IF REQUIRED, SHALL COMPLY WITH ALL FEDERAL, STATE, LOCAL AND UTILITY COMPANY STANDARDS. CONTRACTOR SHALL PROVIDE DETAILED CONSTRUCTION SCHEDULE TO OWNER PRIOR TO ANY DEMOLITION/CONSTRUCTION ACTIVITIES AND SHALL COORDINATE TEMPORARY SERVICES TO ABUTTERS WITH THE UTILITY COMPANY AND AFFECTED ABUTTER.
16. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY CLEARING OR DEMOLITION ACTIVITIES.
17. THE CONTRACTOR SHALL PAY ALL COSTS NECESSARY FOR TEMPORARY PARTITIONING, BARRICADING, FENCING, SECURITY AND SAFETY DEVICES REQUIRED FOR THE MAINTENANCE OF A CLEAN AND SAFE CONSTRUCTION SITE.

REFERENCE PLANS:

1. "SITE AS-BUILT PLAN MAIN AND HOLLISTON STREETS IN MEDWAY MA" PREPARED BY DAYLOR CONSULTING FROUP INC., DATED JULY 14, 2004.

LEGEND

TYP	TYPICAL
	LIMIT OF WORK
	PROPOSED SAW CUT LINE
	EXISTING PAVEMENT REMOVAL
	EXISTING CONCRETE TO BE REMOVED
	EXISTING LANDSCAPE AREA TO BE REMOVED



**BrightPath
Child Care
Center**

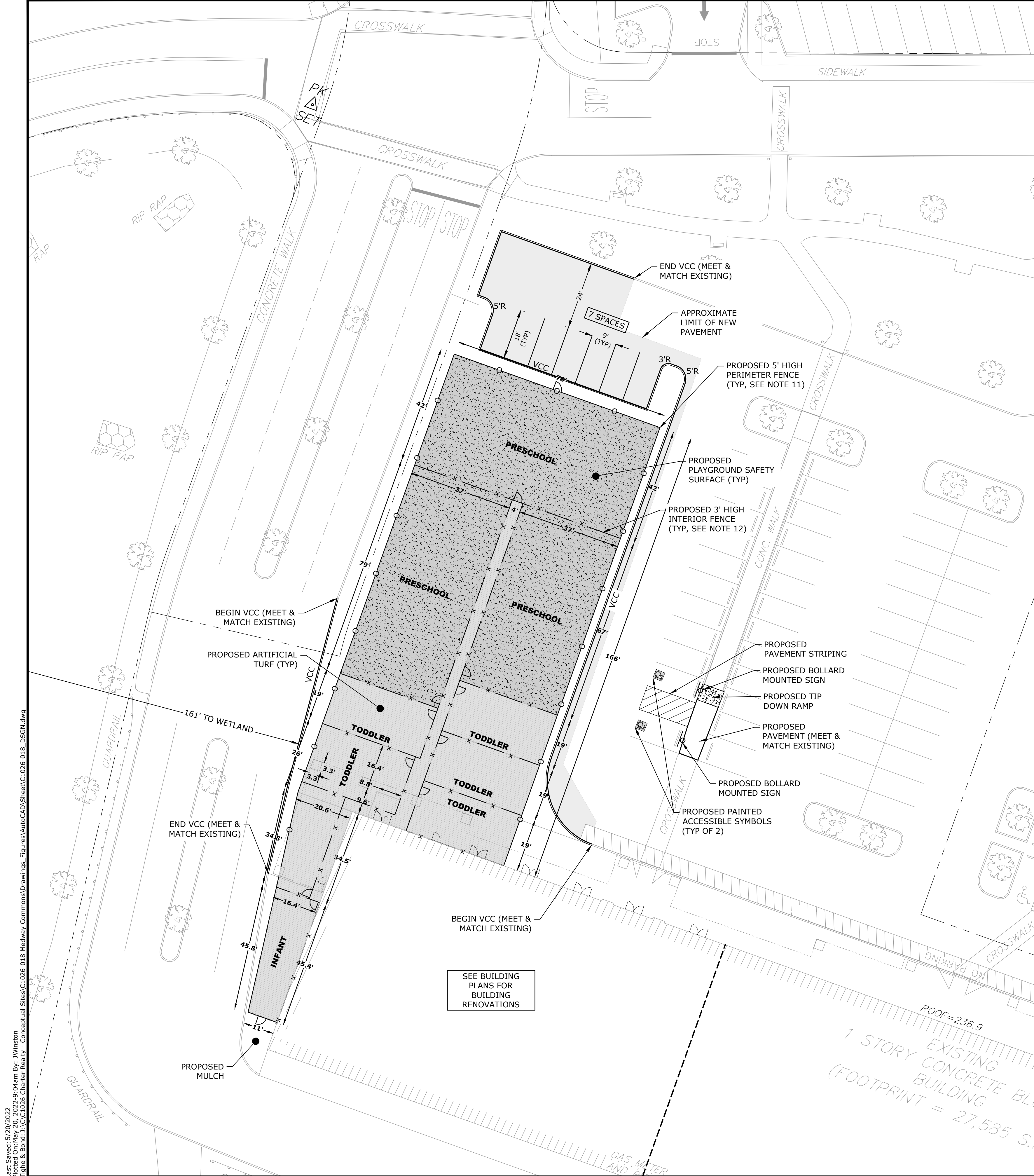
Medway Commons
67C Main Street
Medway,
Massachusetts

Charter Realty &
Development Corp.

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PROJECT NO:	C1026-018	
DATE:	May 19, 2022	
FILE:	C1026-018_DSGN.DWG	
DRAWN BY:	JRW	
CHECKED:	JPL	
APPROVED:	BLM	

DEMOLITION PLAN

SCALE: AS SHOWN



SITE NOTES:

- STRIPE PARKING AREAS AS SHOWN, INCLUDING PARKING SPACES, AND ADA SYMBOLS. PAINT SHALL BE FAST DRYING AND SHALL MEET THE REQUIREMENTS OF AASHTO M249. ALL TRAFFIC PAINT SHALL MEET THE REQUIREMENTS OF AASHTO M248 TYPE "F".
- ALL PAVEMENT MARKINGS AND SIGNS TO CONFORM TO "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", "STANDARD ALPHABETS FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS", AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS, LATEST EDITIONS.
- SEE DETAILS FOR PARKING STALL MARKINGS, ADA SYMBOLS, SIGNS AND SIGN POSTS.
- THE CONTRACTOR SHALL EMPLOY A MASSACHUSETTS LICENSED LAND SURVEYOR TO DETERMINE ALL LINES AND GRADES.
- CLEAN AND COAT VERTICAL FACE OF EXISTING PAVEMENT AT SAW CUT LINE WITH RS-1 EMULSION IMMEDIATELY PRIOR TO PLACING NEW BITUMINOUS CONCRETE.
- ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE FEDERAL, STATE, AND LOCAL CODES & SPECIFICATIONS.
- CONTRACTOR TO SUBMIT AS-BUILT PLANS IN DIGITAL FORMAT (.DWG AND .PDF FILES) ON DISK TO THE OWNER AND ENGINEER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED BY A NEW HAMPSHIRE LICENSED LAND SURVEYOR.
- ALL WORK SHALL CONFORM TO THE TOWN OF MEDWAY DEPARTMENT OF PUBLIC WORKS, STANDARD SPECIFICATIONS AND WITH THE STATE OF MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, "STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES", CURRENT EDITION.
- COORDINATE ALL WORK ADJACENT TO BUILDING WITH BUILDING CONTRACTOR.
- ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- PERIMETER FENCING SHALL BE ECHELON PLUS ORNAMENTAL ALUMINUM TUBULAR FENCE; STYLE = MAJESTIC; PANEL = 3-RAIL; COLOR = BLACK; HEIGHT = 5 FEET. PERIMETER FENCING LOCATIONS SHALL BE FIXED.
- INTERIOR FENCING SHALL BE JAMIESON FENCE SUPPLY VINYL CHAIN-LINK FABRIC - EXTRUDED; ITEM NO = 304036-BKKK; COLOR = BLACK; HEIGHT = 3 FEET. INTERIOR FENCING LOCATIONS MAY MOVE SLIGHTLY BASED ON SITE CONDITIONS AND TO FACILITATE FINAL PLAYGROUND ELEMENT PLACEMENT.

LEGEND

5'R	RADIUS
TYP	TYPICAL
VCC	VERTICAL CONCRETE CURB
	ACCESSIBLE PAVEMENT MARKING
	PROPOSED SIGN
	PROPOSED EDGE OF PAVEMENT/CURB
	PROPOSED PERIMETER FENCE (ORNAMENTAL ALUMINUM)
	PROPOSED INTERIOR FENCE (CHAIN-LINK)
	PROPOSED PLAYGROUND SAFETY SURFACE
	PROPOSED ARTIFICIAL TURF
	PROPOSED CONCRETE
	PROPOSED PAINTED ISLAND
	PROPOSED PAVEMENT

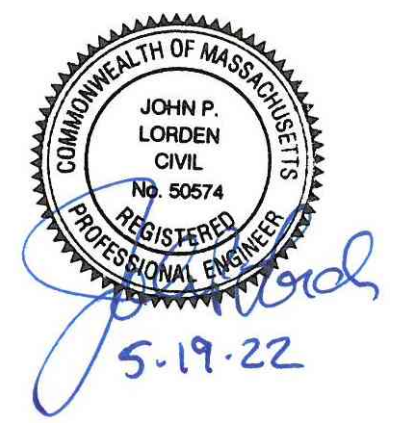
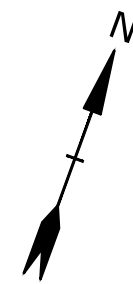
0 20' 40'

GRAPHIC SCALE

0 20' 40'

GRAPHIC SCALE

Last Saved: 5/20/2022
Plotted On: May 20, 2022 9:04am By: JWinston
Tighe & Bond 211 C:\C1026-018 Medway Commons\Drawings Figures\AutoCAD\Sheet\C1026-018_DSGN.dwg



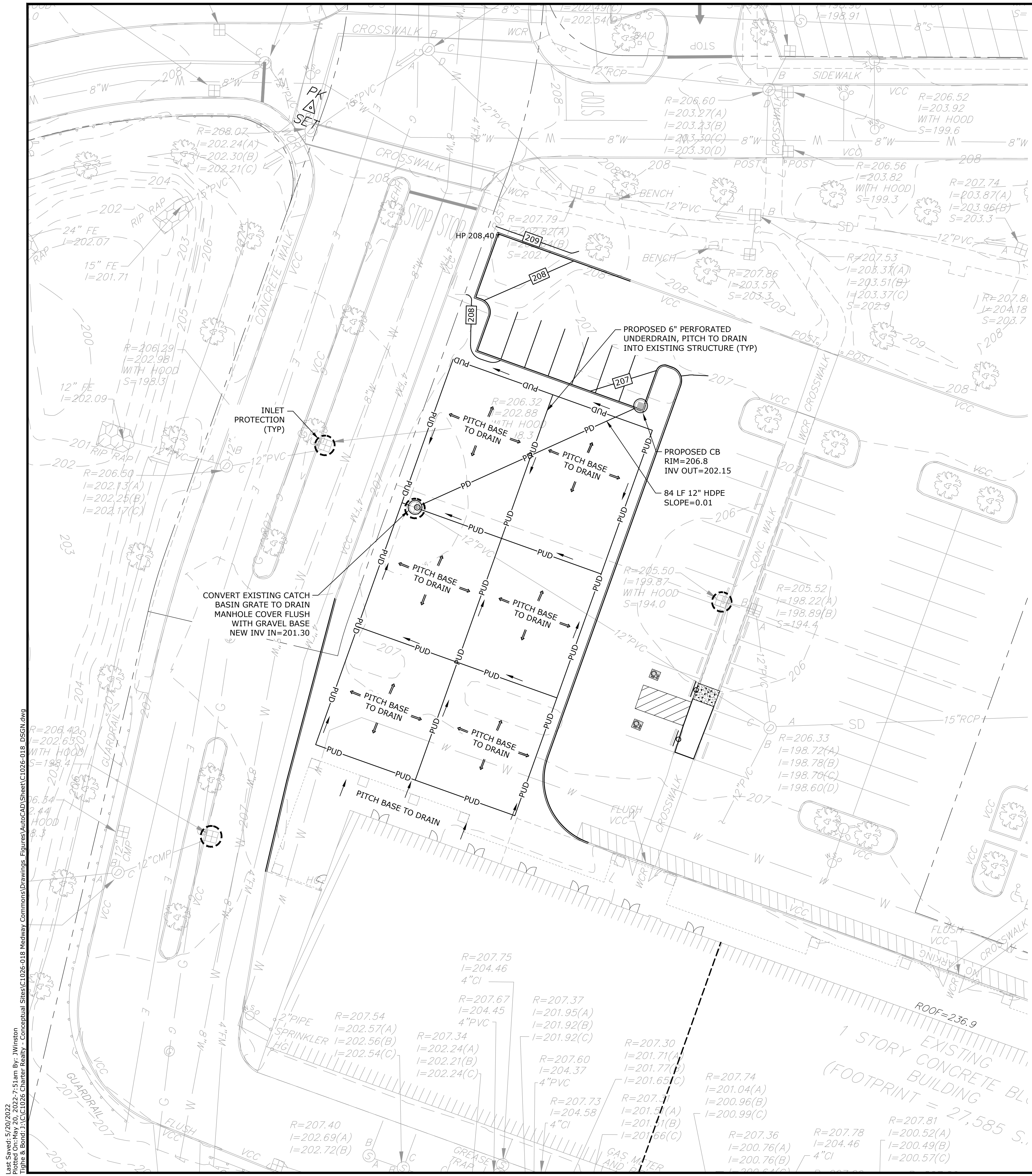
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SITE PLAN

SCALE: AS SHOWN



GRADING AND DRAINAGE NOTES:

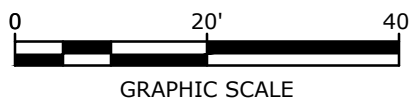
1. COMPACTION REQUIREMENTS:
BELOW PAVED OR CONCRETE AREAS 95%
TRENCH BEDDING MATERIAL AND SAND BLANKET BACKFILL 95%
BELOW LOAM AND SEED AREAS 90%
* ALL PERCENTAGES OF COMPACTION SHALL BE OF THE MAXIMUM DRY DENSITY AT THE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM D-1557, METHOD C FIELD DENSITY TESTS SHALL BE MADE IN ACCORDANCE WITH ASTM D-1556 OR ASTM-2922.
2. CONTRACTOR SHALL THOROUGHLY CLEAN ALL CATCH BASINS AND DRAIN LINES, WITHIN THE LIMIT OF WORK, OF SEDIMENT IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.
3. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
4. ALL STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, LATEST EDITION.
5. ALL WORK SHALL CONFORM TO THE TOWN OF MEDWAY DEPARTMENT OF PUBLIC WORKS, STANDARD SPECIFICATIONS AND WITH THE STATE OF MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, "STANDARD SPECIFICATIONS OF HIGHWAYS AND BRIDGES CONSTRUCTION", CURRENT EDITION.

EROSION CONTROL NOTES:

1. INSTALL EROSION CONTROL BARRIERS AS SHOWN AS FIRST ORDER OF WORK.
2. SEE GENERAL EROSION CONTROL NOTES ON "EROSION CONTROL NOTES & DETAILS SHEET".
3. PROVIDE INLET PROTECTION AROUND ALL EXISTING AND PROPOSED CATCH BASIN INLETS WITHIN THE WORK LIMITS AS WELL AS CATCH BASINS/CURB INLETS THAT RECEIVE RUNOFF FROM CONSTRUCTION ACTIVITIES. MAINTAIN FOR THE DURATION OF THE PROJECT.
4. INSPECT INLET PROTECTION AND PERIMETER EROSION CONTROL MEASURES DAILY AND AFTER EACH RAIN STORM OF 0.25 INCH OR GREATER. REPAIR/MODIFY PROTECTION AS NECESSARY TO MAXIMIZE EFFICIENCY OF FILTER. REPLACE ALL FILTERS WHEN SEDIMENT IS 1/3 THE FILTER HEIGHT.
5. PRIOR TO ANY WORK OR SOIL DISTURBANCE COMMENCING ON THE SUBJECT PROPERTY, INCLUDING MOVING OF EARTH, THE APPLICANT SHALL INSTALL ALL EROSION AND SILTATION MITIGATION AND CONTROL MEASURES AS REQUIRED BY STATE AND LOCAL PERMITS AND APPROVALS.
6. CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DUST AND WIND EROSION THROUGHOUT THE CONSTRUCTION PERIOD. DUST CONTROL MEASURES SHALL INCLUDE, BUT ARE NOT LIMITED TO, SPRINKLING WATER ON UNSTABLE SOILS SUBJECT TO ARID CONDITIONS.
7. THE CONTRACTOR SHALL REMOVE AND PROPERLY DISPOSE OF ALL TEMPORARY EROSION CONTROL DEVICES UPON COMPLETION OF CONSTRUCTION.
8. ALL CATCH BASIN SUMPS AND PIPING SHALL BE THOROUGHLY CLEANED TO REMOVE ALL SEDIMENT AND DEBRIS AFTER THE PROJECT HAS BEEN COMPLETED.
9. TEMPORARY SOIL STOCKPILE SHALL BE SURROUNDED WITH PERIMETER CONTROLS AND SHALL BE STABILIZED BY TEMPORARY EROSION CONTROL SEEDING.
10. SAFETY FENCING SHALL BE PROVIDED AROUND STOCKPILES OVER 10 FT.

LEGEND

- | | |
|------------|-----------------------|
| HP 208.40+ | HIGH POINT ELEVATION |
| CB | CATCH BASIN |
| INV | INVERT |
| => | GRADE PITCH DIRECTION |
| → | DRAIN DIRECTION |
| ⊙ | INLET PROTECTION |
| ⊙ | PROPOSED CATCH BASIN |
| —PUD— | PROPOSED UNDERDRAIN |
| —PD— | PROPOSED DRAIN LINE |
| 207 | PROPOSED CONTOUR |



Tighe&Bond



**BrightPath
Child Care
Center**
Medway Commons
67C Main Street
Medway,
Massachusetts

Charter Realty &
Development Corp.

MARK	DATE	DESCRIPTION
PROJECT NO:	C1026-018	
DATE:	May 19, 2022	
FILE:	C1026-018_DSGN.DWG	
DRAWN BY:	JRW	
CHECKED:	JPL	
APPROVED:	BLM	

GRADING, DRAINAGE, AND
EROSION CONTROL PLAN

SCALE: AS SHOWN

C-103



Medway Commons
67C Main Street
Medway,
Massachusetts

Charter Realty &
Development Corp.

LANDSCAPE PLAN

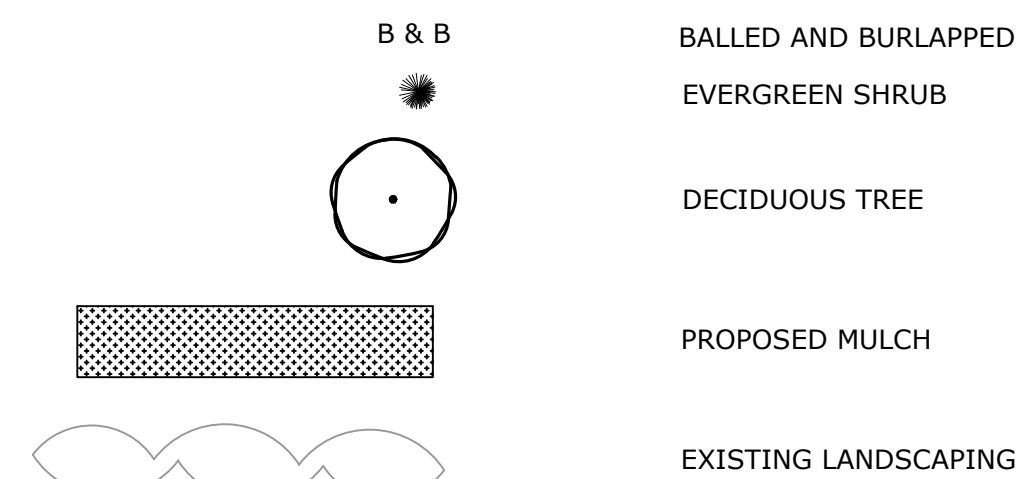
SCALE: AS SHOWN

C-104



1. THE CONTRACTOR SHALL FURNISH AND PLANT ALL PLANTS IN QUANTITIES AS SHOWN ON THIS PLAN. NO SUBSTITUTIONS WILL BE PERMITTED UNLESS APPROVED BY OWNER. ALL PLANTS SHALL BE NURSERY GROWN.
2. ALL PLANTS SHALL BE NURSERY GROWN AND PLANTS AND WORKMANSHIP SHALL CONFORM TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS, INCLUDING BUT NOT LIMITED TO SIZE, HEALTH, SHAPE, ETC., AND SHALL BE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO ARRIVAL ON-SITE AND AFTER PLANTING.
3. PLANT STOCK SHALL BE GROWN WITHIN THE HARDINESS ZONES 4 THRU 7 ESTABLISHED BY THE PLANT HARDINESS ZONE MAP, MISCELLANEOUS PUBLICATIONS NO. 814, AGRICULTURAL RESEARCH SERVICE, UNITED STATES DEPARTMENT AGRICULTURE, LATEST REVISION.
4. PLANT MATERIAL SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS TO THE ORIGINAL PLANTING GRADE PRIOR TO DIGGING.
5. THE NUMBER OF EACH INDIVIDUAL PLANT TYPE AND SIZE PROVIDED IN THE PLANT LIST OR ON THE PLAN IS FOR THE CONTRACTOR'S CONVENIENCE ONLY. IF A DISCREPANCY EXISTS BETWEEN THE NUMBER OF PLANTS ON THE LABEL AND THE NUMBER OF SYMBOLS SHOWN ON THE DRAWINGS, THE GREATER NUMBER SHALL APPLY.
6. NO SUBSTITUTION OF PLANT MATERIALS WILL BE ALLOWED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE OWNER'S REPRESENTATIVE.
7. THE CONTRACTOR SHALL LOCATE, VERIFY AND MARK ALL EXISTING AND NEWLY INSTALLED UNDERGROUND UTILITIES PRIOR TO ANY LAWN WORK OR PLANTING. ANY CONFLICTS WHICH MIGHT OCCUR BETWEEN PLANTING AND UTILITIES SHALL IMMEDIATELY BE REPORTED TO THE OWNER SO THAT ALTERNATE PLANTING LOCATIONS CAN BE DETERMINED.
8. ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED, SHALL RECEIVE 6" OF LOAM AND SEED. NO FILL SHALL BE PLACED IN ANY WETLAND AREA.
9. THREE INCHES (3") OF BARK MULCH IS TO BE USED AROUND THE TREE AND SHRUB PLANTING AS SPECIFIED IN THE DETAILS. WHERE BARK MULCH IS TO BE USED IN A CURBED ISLAND THE BARK MULCH SHALL MEET THE TOP INSIDE EDGE OF THE CURB. ALL OTHER AREAS SHALL RECEIVE 6" INCHES OF LOAM AND SEED.
10. LANDSCAPING SHALL BE LOCATED WITHIN 150 FT OF EXTERIOR HOSE ATTACHMENT OR SHALL BE PROVIDED WITH AN IRRIGATION SYSTEM.
11. SEE PLANTING DETAILS AND SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
12. TREE STAKES SHALL REMAIN IN PLACE FOR NO LESS THAN 6 MONTHS AND NO MORE THAN 1 YEAR.
13. PLANTING SHALL BE COMPLETED FROM APRIL 15TH THROUGH OCTOBER 1ST. NO PLANTING DURING JULY AND AUGUST UNLESS SPECIAL PROVISIONS ARE MADE FOR DROUGHT.
14. PARKING AREA PLANTED ISLANDS TO HAVE MINIMUM OF 1'-0" TOPSOIL PLACED TO WITHIN 3 INCHES OF THE TOP OF CURB ELEVATION. REMOVE ALL CONSTRUCTION DEBRIS BEFORE PLACING TOPSOIL.
15. TREES SHALL BE PRUNED IN ACCORDANCE WITH THE LATEST EDITION OF ANSI A300 'TREES, SHRUBS AND OTHER WOOD PLANT MAINTENANCE STANDARD PRACTICES'.
16. ALL PLANTS SHALL BE WATERED THOROUGHLY TWICE DURING THE FIRST 24 HOUR PERIOD AFTER PLANTING. ALL PLANTS SHALL BE WATERED WEEKLY, OR MORE OFTEN, IF NECESSARY DURING THE FIRST GROWING SEASON. LANDSCAPE CONTRACTOR SHALL COORDINATE WATERING SCHEDULE WITH OWNER DURING THE ONE (1) YEAR GUARANTEE PERIOD.
17. EXISTING TREES AND SHRUBS SHOWN ON THE PLAN ARE TO REMAIN UNDISTURBED. ALL EXISTING TREES AND SHRUBS SHOWN TO REMAIN ARE TO BE PROTECTED WITH A 4-FOOT SNOW FENCE PLACED AT THE DRIP LINE OF THE BRANCHES OR AT 8 FEET MINIMUM FROM THE TREE TRUNK. ANY EXISTING TREE OR SHRUB SHOWN TO REMAIN, WHICH IS REMOVED DURING CONSTRUCTION, SHALL BE REPLACED BY A TREE OF COMPARABLE SIZE AND SPECIES TREE OR SHRUB.
18. THE CONTRACTOR SHALL GUARANTEE ALL PLANTINGS TO BE IN GOOD HEALTHY, FLOURISHING AND ACCEPTABLE CONDITION FOR A PERIOD OF ONE (1) YEAR BEGINNING AT THE DATE OF ACCEPTANCE OF SUBSTANTIAL COMPLETION. ALL GRASSES, TREES AND SHRUBS THAT, IN THE OPINION OF THE LANDSCAPE ARCHITECT, SHOW LESS THAN 80% HEALTHY GROWTH AT THE END OF ONE YEAR PERIOD SHALL BE REPLACED BY THE CONTRACTOR.
19. UPON EXPIRATION OF THE CONTRACTOR'S ONE YEAR GUARANTEE PERIOD, THE OWNER SHALL BE RESPONSIBLE FOR LANDSCAPE MAINTENANCE INCLUDING WATERING DURING PERIODS OF DROUGHT.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PLANTING AND LAWNS AGAINST DAMAGE FROM ONGOING CONSTRUCTION. THIS PROTECTION SHALL BEGIN AT THE TIME THE PLANT IS INSTALLED AND CONTINUE UNTIL THE FORMAL ACCEPTANCE OF ALL THE PLANTINGS.
21. PRE-PURCHASE PLANT MATERIAL AND ARRANGE FOR DELIVERY TO MEET PROJECT SCHEDULE AS REQUIRED IT MAY BE NECESSARY TO PRE-DIG CERTAIN SPECIES WELL IN ADVANCE OF ACTUAL PLANTING DATES.

LEGEND



0 20' 40'

GRAPHIC SCALE

Last Saved: 5/20/2022
 Plotted On: May 20, 2022 - 8:19am By: JWinston
 Title & Bond: 1:\C\1026 Charter Realty - Conventional Sites\C1026-018 Medway Commons Drawings - Figures\AutoCAD\Sheet\C1026-018 DSGN.dwg

PROJECT NAME:	MEDWAY COMMONS
PROJECT ADDRESS:	67C MAIN STREET MEDWAY, MASSACHUSETTS
PROJECT MAP / LOT:	MAP 41 / LOT 23
PROJECT LATITUDE:	42.15161 N
PROJECT LONGITUDE:	-71.40572 W

THE PROJECT CONSISTS OF THE REDEVELOPMENT OF AN EXISTING PARKING AREA TO AN ENCLOSED PLAY AREA FOR A CHILD CARE CENTER.

THE TOTAL AREA TO BE DISTURBED IS APPROXIMATELY 0.65 ACRES.

1. ALL EROSION CONTROL MEASURES AND PRACTICES SHALL CONFORM TO THE MOST CURRENT MASSACHUSETTS STORMWATER STANDARDS PREPARED BY THE MADEP.
2. PRIOR TO ANY WORK OR SOIL DISTURBANCE, CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR EROSION CONTROL MEASURES AS REQUIRED IN THE PROJECT MANUAL.
3. CONTRACTOR SHALL INSTALL TEMPORARY EROSION CONTROL BARRIERS, INCLUDING HAY BALES, SILT FENCES, MULCH BERMS, SILT SACKS AND SILT SOCKS AS SHOWN IN THESE DRAWINGS AS THE FIRST ORDER OF WORK.
4. SILT SACK INLET PROTECTION SHALL BE INSTALLED IN ALL EXISTING AND PROPOSED CATCH BASIN INLETS WITHIN THE WORK LIMITS AND BE MAINTAINED FOR THE DURATION OF THE PROJECT.
5. PERIMETER CONTROLS INCLUDING SILT FENCES, MULCH BERM, SILT SOCK, AND/OR HAY BALE BARRIERS SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT UNTIL NON-PAVED AREAS HAVE BEEN STABILIZED.
6. THE CONTRACTOR SHALL REMOVE AND PROPERLY DISPOSE OF ALL TEMPORARY EROSION CONTROL DEVICES UPON COMPLETION OF CONSTRUCTION.
7. ALL DISTURBED AREAS NOT OTHERWISE BEING TREATED SHALL RECEIVE 6" LOAM, SEED AND FERTILIZER.
8. INSPECT ALL INLET PROTECTION AND PERIMETER CONTROLS WEEKLY AND AFTER EACH RAIN STORM OF 0.25 INCH OR GREATER. REPAIR/MODIFY PROTECTION AS NECESSARY TO MAXIMIZE EFFICIENCY OF FILTER. REPLACE ALL FILTERS WHEN SEDIMENT IS 1/3 THE FILTER HEIGHT.

1. AN AREA SHALL BE CONSIDERED STABLE WHEN ONE OF THE FOLLOWING HAS OCCURRED:
 - A. BASE COURSE GRAVELS HAVE BEEN INSTALLED IN AREAS TO BE PAVED;
 - B. A MINIMUM OF 85% VEGETATED GROWTH HAS BEEN ESTABLISHED;
 - C. A MINIMUM OF 3" OF NON-EROSIVE MATERIAL SUCH AS STONE OR RIPRAP HAS BEEN INSTALLED;
 - D. EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED.;
 - E. IN AREAS TO BE PAVED, "STABLE" MEANS THAT BASE COURSE GRAVELS MEETING THE REQUIREMENTS OF MASSDOT STANDARD FOR ROAD AND BRIDGE CONSTRUCTION, 2016, HAVE BEEN INSTALLED.
2. WINTER STABILIZATION PRACTICES:
 - A. ALL PROPOSED VEGETATED AREAS THAT DO NOT EXHIBIT A MINIMUM OF 85 PERCENT VEGETATIVE GROWTH BY OCTOBER 15, OR WHICH ARE DISTURBED AFTER OCTOBER 15, SHALL BE STABILIZED BY SEEDING AND INSTALLING EROSION CONTROL BLANKETS ON SLOPES GREATER THAN 3:1, AND SEEDING AND PLACING 3 TO 4 TONS OF MULCH PER ACRE, SECURED WITH ANCHORED NETTING, ELSEWHERE. THE INSTALLATION OF EROSION CONTROL BLANKETS OR MULCH AND NETTING SHALL NOT OCCUR OVER ACCUMULATED SNOW OR ON FROZEN GROUND AND SHALL BE COMPLETED IN ADVANCE OF THAW OR SPRING MELT EVENTS;
 - B. ALL DITCHES OR SWALES WHICH DO NOT EXHIBIT A MINIMUM OF 85 PERCENT VEGETATIVE GROWTH BY OCTOBER 15, OR WHICH ARE DISTURBED AFTER OCTOBER 15, SHALL BE STABILIZED TEMPORARILY WITH STONE OR EROSION CONTROL BLANKETS APPROPRIATE FOR THE DESIGN FLOW CONDITIONS;
 - C. AFTER OCTOBER 15, INCOMPLETE ROAD OR PARKING SURFACES, WHERE WORK HAS STOPPED FOR THE WINTER SEASON, SHALL BE PROTECTED WITH A MINIMUM OF 3 INCHES OF CRUSHED GRAVEL PER MASSDOT, OR IF CONSTRUCTION IS TO CONTINUE THROUGH THE WINTER SEASON BE CLEARED OF ANY ACCUMULATED SNOW AFTER EACH STORM EVENT;
3. STABILIZATION SHALL BE INITIATED ON ALL LOAM STOCKPILES, AND DISTURBED AREAS, WHERE CONSTRUCTION ACTIVITY SHALL NOT OCCUR FOR MORE THAN TWENTY-ONE (21) CALENDAR DAYS BY THE FOURTEENTH (14TH) DAY AFTER CONSTRUCTION ACTIVITY HAS PERMANENTLY OR TEMPORARILY CEASED IN THAT AREA. STABILIZATION MEASURES TO BE USED INCLUDE:
 - A. TEMPORARY SEEDING;
 - B. MULCHING.
4. ALL AREAS SHALL BE STABILIZED WITHIN 45 DAYS OF INITIAL DISTURBANCE.
5. WHEN CONSTRUCTION ACTIVITY PERMANENTLY OR TEMPORARILY CEASES WITHIN 100 FEET OF NEARBY SURFACE WATER OR DELINEATED WETLANDS, THE AREA SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OR PRIOR TO A RAIN EVENT. ONCE CONSTRUCTION ACTIVITY CEASES PERMANENTLY IN AN THESE AREAS, SILT FENCES, MULCH BERMS, HAY BALE BARRIERS AND ANY EARTH/DIKES SHALL BE REMOVED ONCE PERMANENT MEASURES ARE ESTABLISHED.
6. DURING CONSTRUCTION, RUNOFF WILL BE DIVERTED AROUND THE SITE WITH EARTH DIKES, PIPING OR STABILIZED CHANNELS WHERE POSSIBLE. SHEET RUNOFF FROM THE SITE WILL BE FILTERED THROUGH SILT FENCES, MULCH BERMS, HAY BALE BARRIERS, OR SILT SOCKS. ALL STORM DRAIN BASIN INLETS SHALL BE PROVIDED WITH FLARED END SECTIONS AND TRASH RACKS. THE SITE SHALL BE STABILIZED FOR THE WINTER BY OCTOBER 15.

1. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DUST THROUGHOUT THE CONSTRUCTION PERIOD.
2. DUST CONTROL METHODS SHALL INCLUDE, BUT BE NOT LIMITED TO SPRINKLING WATER ON EXPOSED AREAS, COVERING LOADED DUMP TRUCKS LEAVING THE SITE, AND TEMPORARY MULCHING.
3. DUST CONTROL MEASURES SHALL BE UTILIZED SO AS TO PREVENT THE MIGRATION OF DUST FROM THE SITE TO ADJUTING AREAS.

1. LOCATE STOCKPILES A MINIMUM OF 50 FEET AWAY FROM CATCH BASINS, SWALES, AND CULVERTS.
2. ALL STOCKPILES SHOULD BE SURROUNDED WITH TEMPORARY EROSION CONTROL MEASURES PRIOR TO THE ONSET OF PRECIPITATION.
3. PERIMETER BARRIERS SHOULD BE MAINTAINED AT ALL TIMES, AND ADJUSTED AS NEEDED TO ACCOMMODATE THE DELIVERY AND REMOVAL OF MATERIALS FROM THE STOCKPILE. THE INTEGRITY OF THE BARRIER SHOULD BE INSPECTED AT THE END OF EACH WORKING DAY.
4. PROTECT ALL STOCKPILES FROM STORMWATER RUN-OFF USING TEMPORARY EROSION CONTROL MEASURES SUCH AS BERMS, SILT SOCK, OR OTHER APPROVED PRACTICE TO PREVENT MIGRATION OF MATERIAL BEYOND THE IMMEDIATE CONFINES OF THE STOCKPILES.

1. TEMPORARY GRASS COVER:
 - A. SEEDBED PREPARATION:
 - a. APPLY FERTILIZER AT THE RATE OF 600 POUNDS PER ACRE OF 10-10-10. APPLY LIMESTONE (EQUIVALENT TO 50 PERCENT CALCIUM PLUS MAGNESIUM OXIDE) AT A RATE OF THREE (3) TONS PER ACRE;
 - B. SEEDING:
 - a. UTILIZE ANNUAL RYE GRASS AT A RATE OF 40 LBS/ACRE;
 - b. WHERE THE SOIL HAS BEEN COMPACTED BY CONSTRUCTION OPERATIONS, LOOSEN SOIL TO A DEPTH OF TWO (2) INCHES BEFORE APPLYING FERTILIZER, LIME AND SEED;
 - c. APPLY SEED UNIFORMLY BY HAND, CYCLONE SEEDER, OR HYDROSEEDER (SLURRY INCLUDING SEED AND FERTILIZER). HYDROSEEDINGS, WHICH INCLUDE MULCH, MAY BE LEFT ON SOIL SURFACE. SEEDING RATES MUST BE INCREASED 10% WHEN HYDROSEEDING;

- C. MAINTENANCE:
- a. TEMPORARY SEEDING SHALL BE PERIODICALLY INSPECTED. AT A MINIMUM, 95% OF THE SOIL SURFACE SHOULD BE COVERED BY VEGETATION. IF ANY EVIDENCE OF EROSION OR SEDIMENTATION IS APPARENT, REPAIRS SHALL BE MADE AND OTHER TEMPORARY MEASURES USED IN THE INTERIM (MULCH, FILTER BARRIERS, CHECK DAMS, ETC.).
2. PERMANENT MEASURES AND PLANTINGS:
- A. LIMESTONE SHALL BE THOROUGHLY INCORPORATED INTO THE LOAM LAYER AT A RATE OF THREE (3) TONS PER ACRE IN ORDER TO PROVIDE A PH VALUE OF 5.5 TO 6.5;
- B. FERTILIZER SHALL BE SPREAD ON THE TOP LAYER OF LOAM AND WORKED INTO THE SURFACE. FERTILIZER APPLICATION RATE SHALL BE 800 POUNDS PER ACRE OF 10-20-20 FERTILIZER;
- C. SOIL CONDITIONERS AND FERTILIZER SHALL BE APPLIED AT THE RECOMMENDED RATES AND SHALL BE THOROUGHLY WORKED INTO THE LOAM. LOAM SHALL BE RAKED UNTIL THE SURFACE IS FINELY PULVERIZED, SMOOTH AND EVEN, AND THEN COMPACTED TO AN EVEN SURFACE CONFORMING TO THE REQUIRED LINES AND GRADES WITH APPROVED ROLLERS WEIGHING BETWEEN 4-1/2 POUNDS AND 5-1/2 POUNDS PER INCH OF WIDTH;
- D. SEED SHALL BE SOWN AT THE RATE SHOWN BELOW. SOWING SHALL BE DONE ON A CALM, DRY DAY, PREFERABLY BY MACHINE, BUT IF BY HAND, ONLY BY EXPERIENCED WORKMEN. IMMEDIATELY BEFORE SEEDING, THE SOIL SHALL BE LIGHTLY RAKED. ONE HALF THE SEED SHALL BE SOWN IN ONE DIRECTION AND THE OTHER HALF AT RIGHT ANGLES TO THE ORIGINAL DIRECTION. IT SHALL BE LIGHTLY RAKED INTO THE SOIL TO A DEPTH NOT OVER 1/4 INCH AND ROLLED WITH A HAND ROLLER WEIGHING NOT OVER 100 POUNDS PER LINEAR FOOT OF WIDTH;
- E. HAY MULCH SHALL BE APPLIED IMMEDIATELY AFTER SEEDING AS INDICATED ABOVE;
- F. THE SURFACE SHALL BE WATERED AND KEPT MOIST WITH A FINE SPRAY AS REQUIRED, WITHOUT WASHING AWAY THE SOIL, UNTIL THE GRASS IS WELL ESTABLISHED. ANY AREAS WHICH ARE NOT SATISFACTORILY COVERED WITH GRASS SHALL BE RESEEDED, AND ALL NOXIOUS WEEDS REMOVED;
- G. THE CONTRACTOR SHALL PROTECT AND MAINTAIN THE SEEDED AREAS UNTIL ACCEPTED;
- H. A GRASS SEED MIXTURE CONTAINING THE FOLLOWING SEED REQUIREMENTS SHALL BE APPLIED AT THE INDICATED RATE:
- | SEED MIX | APPLICATION RATE |
|---------------------|------------------|
| CREeping RED FESCUE | 66 LBS/ACRE |
| KENTUCKY BLUE | 36 LBS/ACRE |
| PERENNIAL RYE | 6 LBS/ACRE |
| RETOP | 6 LBS/ACRE |

IN NO CASE SHALL THE WEED CONTENT EXCEED ONE (1) PERCENT BY WEIGHT. ALL SEED SHALL COMPLY WITH STATE AND FEDERAL SEED LAWS. SEEDING SHALL BE DONE NO LATER THAN SEPTEMBER 15. IN NO CASE SHALL SEEDING TAKE PLACE OVER SNOW.

3. DORMANT SEEDING (SEPTEMBER 15 TO FIRST SNOWFALL):

A. FOLLOW PERMANENT MEASURES SLOPE, LIME, FERTILIZER AND GRADING REQUIREMENTS. APPLY SEED MIXTURE AT TWICE THE INDICATED RATE. APPLY MULCH AS INDICATED FOR PERMANENT MEASURES.

1. WASTE MATERIAL:
 - A. ALL WASTE MATERIALS SHALL BE COLLECTED AND STORED IN SECURELY LIDDED RECEPTACLES. ALL TRASH AND CONSTRUCTION DEBRIS FROM THE SITE SHALL BE DEPOSITED IN A DUMPSITE;
 - B. NO CONSTRUCTION WASTE MATERIALS SHALL BE BURIED ON SITE;
 - C. ALL PERSONNEL SHALL BE INSTRUCTED REGARDING THE CORRECT PROCEDURE FOR WASTE DISPOSAL BY THE SUPERINTENDENT.
2. HAZARDOUS WASTE:
 - A. ALL HAZARDOUS WASTE MATERIALS SHALL BE DISPOSED OF IN THE MANNER SPECIFIED BY LOCAL OR STATE REGULATION OR BY THE MANUFACTURER;
 - B. SITE PERSONNEL SHALL BE INSTRUCTED IN THESE PRACTICES BY THE SUPERINTENDENT.
3. SANITARY WASTE:
 - A. ALL SANITARY WASTE SHALL BE COLLECTED FROM THE PORTABLE UNITS A MINIMUM OF ONCE PER WEEK BY A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR.

CONTRACTOR SHALL BE FAMILIAR WITH SPILL PREVENTION MEASURES REQUIRED BY LOCAL, STATE AND FEDERAL AGENCIES. AT A MINIMUM, CONTRACTOR SHALL FOLLOW THE BEST MANAGEMENT SPILL PREVENTION PRACTICES OUTLINED BELOW.

2. THE FOLLOWING ARE THE MATERIAL MANAGEMENT PRACTICES THAT SHALL BE USED TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURE OF MATERIALS AND SUBSTANCES DURING CONSTRUCTION TO STORMWATER RUNOFF:

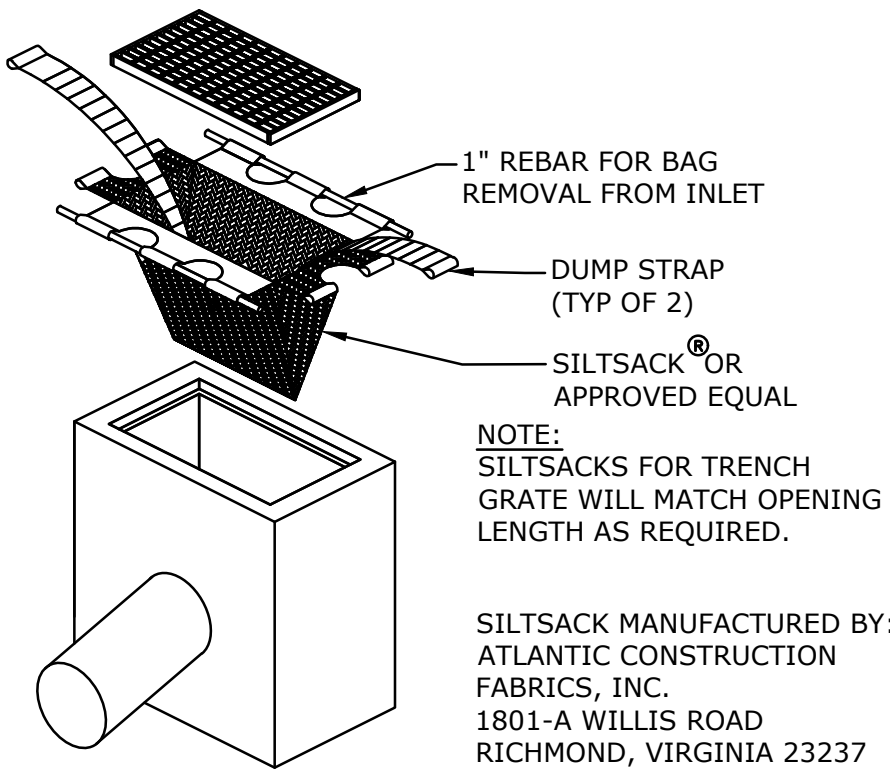
- A. GOOD HOUSEKEEPING - THE FOLLOWING GOOD HOUSEKEEPING PRACTICE SHALL BE FOLLOWED ON SITE DURING CONSTRUCTION:
 - a. ONLY SUFFICIENT AMOUNTS OF PRODUCTS TO DO THE JOB SHALL BE STORED ON SITE;
 - b. ALL REGULATED MATERIALS STORED ON SITE SHALL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR PROPER (ORIGINAL IF POSSIBLE) CONTAINERS AND, IF POSSIBLE, UNDER A ROOF OR OTHER ENCLOSURE, ON AN IMPERVIOUS SURFACE;
 - c. MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL SHALL BE FOLLOWED;
 - d. THE SITE SUPERINTENDENT SHALL INSPECT DAILY TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS;
 - e. SUBSTANCES SHALL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER;
 - f. WHENEVER POSSIBLE ALL OF A PRODUCT SHALL BE USED UP BEFORE DISPOSING OF THE CONTAINER;
 - g. THE TRAINING OF ON-SITE EMPLOYEES AND THE ON-SITE POSTING OF RELEASE RESPONSE INFORMATION DESCRIBING WHAT TO DO IN THE EVENT OF A SPILL OF REGULATED SUBSTANCES.
- B. HAZARDOUS PRODUCTS - THE FOLLOWING PRACTICES SHALL BE USED TO REDUCE THE RISKS ASSOCIATED WITH HAZARDOUS MATERIALS:
 - a. PRODUCTS SHALL BE KEPT IN THEIR ORIGINAL CONTAINERS UNLESS THEY ARE NOT RESEALABLE;
 - b. ORIGINAL LABELS AND MATERIAL SAFETY DATA SHALL BE RETAINED FOR IMPORTANT PRODUCT INFORMATION;
 - c. SURPLUS PRODUCT THAT MUST BE DISPOSED OF SHALL BE DISCARDED ACCORDING TO THE MANUFACTURER'S RECOMMENDED METHODS OF DISPOSAL.
- C. PRODUCT SPECIFIC PRACTICES - THE FOLLOWING PRODUCT SPECIFIC PRACTICES SHALL BE FOLLOWED ON SITE:
 - a. PETROLEUM PRODUCTS:
 - ALL ON SITE VEHICLES SHALL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE LEAKAGE;
 - PETROLEUM PRODUCTS SHALL BE STORED IN TIGHTLY SEALED CONTAINERS WHICH ARE CLEARLY LABELED. ANY ASPHALT BASED SUBSTANCES USED ON SITE SHALL BE APPLIED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.
 - b. FERTILIZERS:
 - FERTILIZERS USED SHALL BE APPLIED ONLY IN THE MINIMUM AMOUNTS DIRECTED BY THE SPECIFICATIONS;
 - ONCE APPLIED FERTILIZERS SHALL BE WORKED INTO THE SOIL TO LIMIT EXPOSURE TO STORMWATER;
 - STORAGE SHALL BE IN A COVERED SHED OR ENCLOSED TRAILERS. THE CONTENTS OF ANY PARTIALLY USED BAGS OF FERTILIZER SHALL BE TRANSFERRED TO A SEALABLE PLASTIC BIN TO AVOID SPILLS
 - c. PAINTS:
 - ALL CONTAINERS SHALL BE TIGHTLY SEALED AND STORED WHEN NOT REQUIRED FOR USE;
 - EXCESS PAINT SHALL NOT BE DISCHARGED TO THE STORM SEWER SYSTEM;
 - EXCESS PAINT SHALL BE DISPOSED OF PROPERLY ACCORDING TO MANUFACTURER'S INSTRUCTIONS OR STATE AND LOCAL REGULATIONS.
- D. SPILL CONTROL PRACTICES - IN ADDITION TO GOOD HOUSEKEEPING AND MATERIAL MANAGEMENT PRACTICES DISCUSSED IN THE PREVIOUS SECTION, THE FOLLOWING PRACTICES SHALL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP:
 - a. MANUFACTURER'S RECOMMENDED METHODS FOR SPILL CLEANUP SHALL BE CLEARLY POSTED AND SITE PERSONNEL SHALL BE MADE AWARE OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND CLEANUP SUPPLIES;

- b. MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP SHALL BE KEPT IN THE MATERIAL STORAGE AREA ON SITE. EQUIPMENT AND MATERIALS SHALL INCLUDE BUT NOT BE LIMITED TO BROOMS, DUSTPANS, MOPS, RAGS, GLOVES, GOGGLES, KITTY LITTER, SAND, SAWDUST AND PLASTIC OR METAL TRASH CONTAINERS SPECIFICALLY FOR THIS PURPOSE;
 - c. ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY;
 - d. THE SPILL AREA SHALL BE KEPT WELL VENTILATED AND PERSONNEL SHALL WEAR APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH A HAZARDOUS SUBSTANCE;
 - e. SPILLS OF TOXIC OR HAZARDOUS MATERIAL SHALL BE REPORTED TO THE APPROPRIATE LOCAL, STATE OR FEDERAL AGENCIES AS REQUIRED;
 - f. THE SITE SUPERINTENDENT RESPONSIBLE FOR DAY-TO-DAY SITE OPERATIONS SHALL BE THE SPILL PREVENTION AND CLEANUP COORDINATOR.
- E. VEHICLE FUELING AND MAINTENANCE PRACTICES:
- a. CONTRACTOR SHALL MAKE AN EFFORT TO PERFORM EQUIPMENT/VEHICLE FUELING AND MAINTENANCE AT AN OFF-SITE FACILITY;
 - b. CONTRACTOR SHALL PROVIDE AN ON-SITE FUELING AND MAINTENANCE AREA THAT IS CLEAN AND DRY;
 - c. IF POSSIBLE THE CONTRACTOR SHALL KEEP AREA COVERED;
 - d. CONTRACTOR SHALL KEEP A SPILL KIT AT THE FUELING AND MAINTENANCE AREA;
 - e. CONTRACTOR SHALL REGULARLY INSPECT VEHICLES FOR LEAKS AND DAMAGE;
 - f. CONTRACTOR SHALL USE DRIP PANS, DRIP CLOTHS, OR ABSORBENT PADS WHEN REPLACING SPENT FLUID.

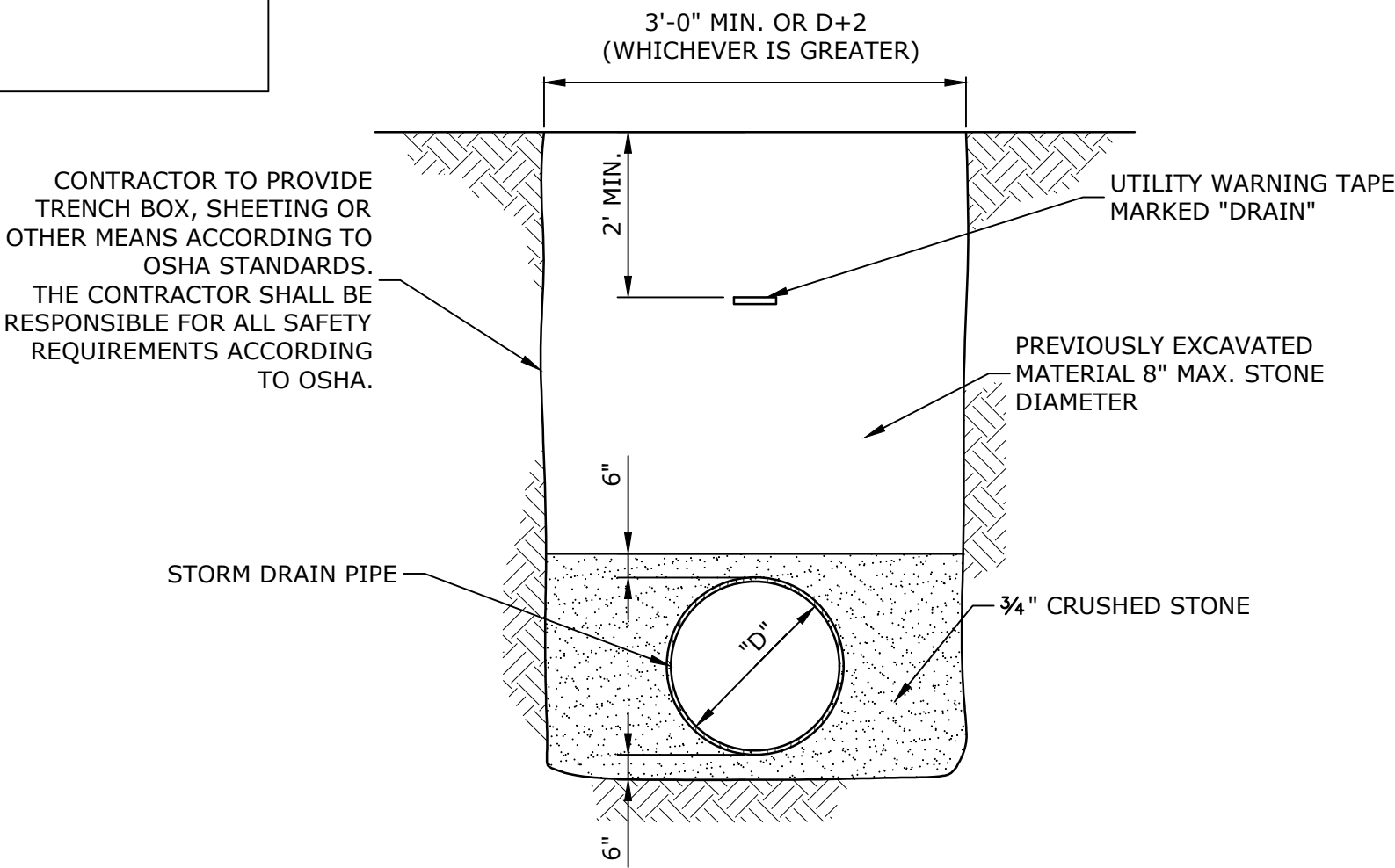
THIS PROJECT DOES NOT EXCEED ONE (1) ACRE OF DISTURBANCE AND THEREFORE DOES NOT REQUIRES A SWPPP.

THE FOLLOWING REPRESENTS THE GENERAL OBSERVATION AND REPORTING PRACTICES THAT SHALL BE FOLLOWED AS PART OF THIS PROJECT:

- A. OBSERVATIONS OF THE PROJECT SHALL BE MADE BY THE CONTRACTOR AT LEAST ONCE A WEEK OR WITHIN 24 HOURS OF A STORM 0.25 INCHES OR GREATER;
- B. AN OBSERVATION REPORT SHALL BE MADE AFTER EACH OBSERVATION AND DISTRIBUTED TO THE ENGINEER AND THE OWNER;
- C. A REPRESENTATIVE OF THE SITE CONTRACTOR, SHALL BE RESPONSIBLE FOR MAINTENANCE AND REPAIR ACTIVITIES;
- D. IF A REPAIR IS NECESSARY, IT SHALL BE INITIATED WITHIN 24 HOURS OF REPORT.



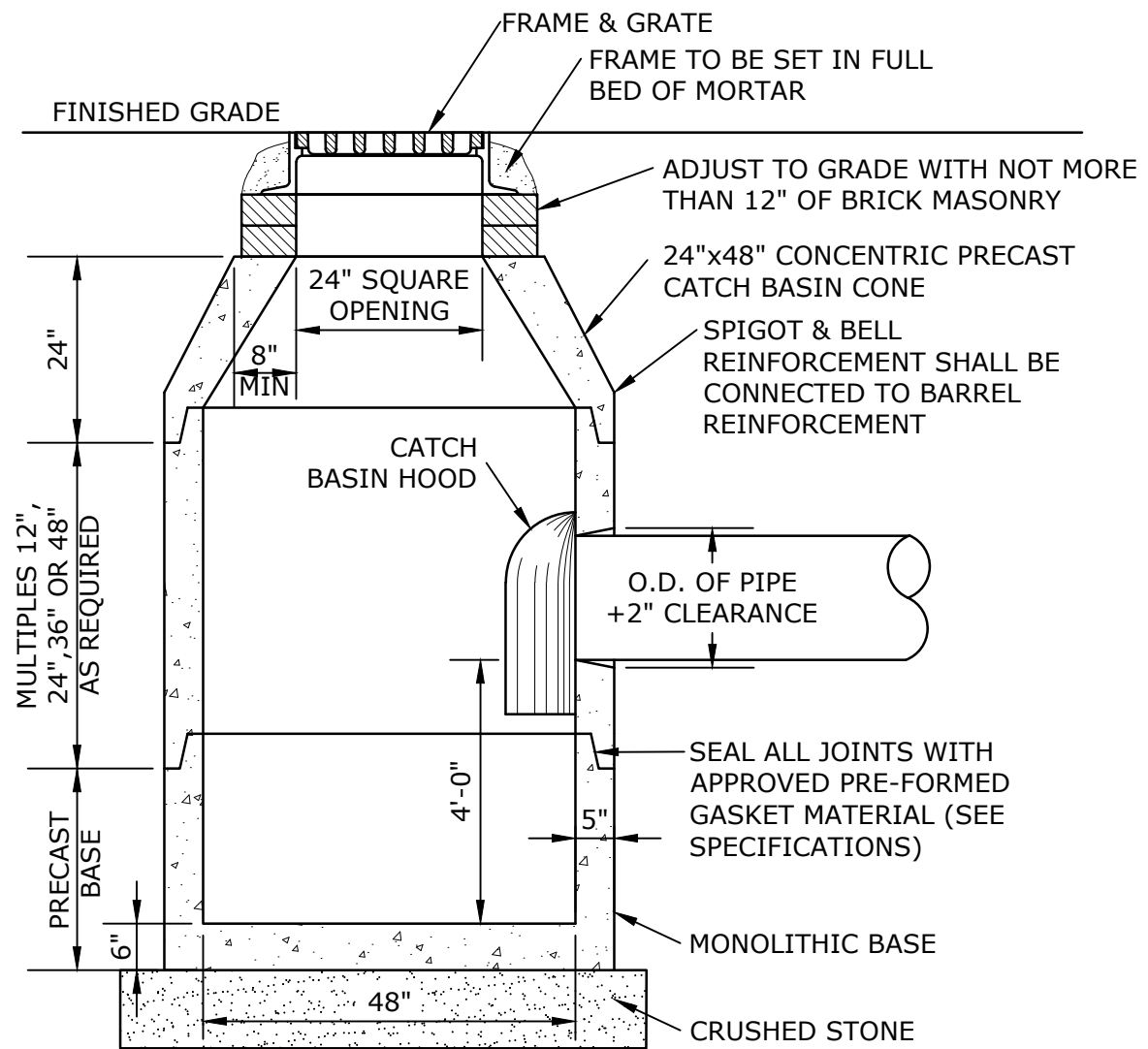
SILTSACK® EROSION CONTROL
NO SCALE



NOTES:

1. COMPACT ALL BACKFILL MATERIAL WITH VIBRATORY PLATE EQUIPMENT (MINIMUM TWO PASSES) TO A MINIMUM DENSITY OF 95 PERCENT OF THE STANDARD PROCTOR DENSITY AS DETERMINED BY ASTM D698.
2. PLACE BACKFILL MATERIAL IN MAXIMUM ONE FOOT LIFTS.

TYPICAL DRAIN LINE TRENCH SECTION



NOTES:
1. SEAL JOINT BETWEEN PIPE AND CATCH BASIN WITH GROUT.

**PRECAST CONCRETE DEEP
SUMP HOODED CATCH BASIN (CB)**
NO SCALE

COMMONWEALTH OF MASSACHUSETTS
JOHN P. LORDEN
CIVIL
No. 50574
REGISTERED
PROFESSIONAL ENGINEER
5-19-22

Medway Commons
67C Main Street
Medway,
Massachusetts

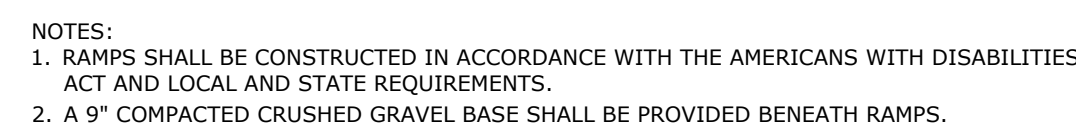
Charter Realty &
Development Corp.

MARK	DATE	DESCRIPTION
PROJECT NO:		C1026-018
DATE:		May 19, 2022
FILE:		C1026-018_DTLS.DWG
DRAWN BY:		
CHECKED:		
APPROVED:		

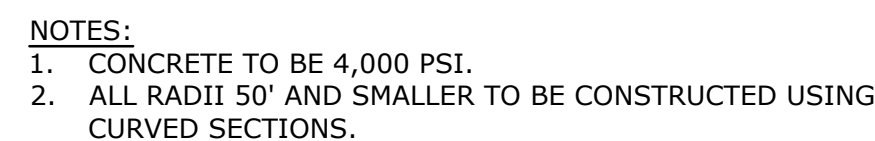
EROSION CONTROL NOTES & DETAILS

SCALE: AS SHOWN AS SHOWN

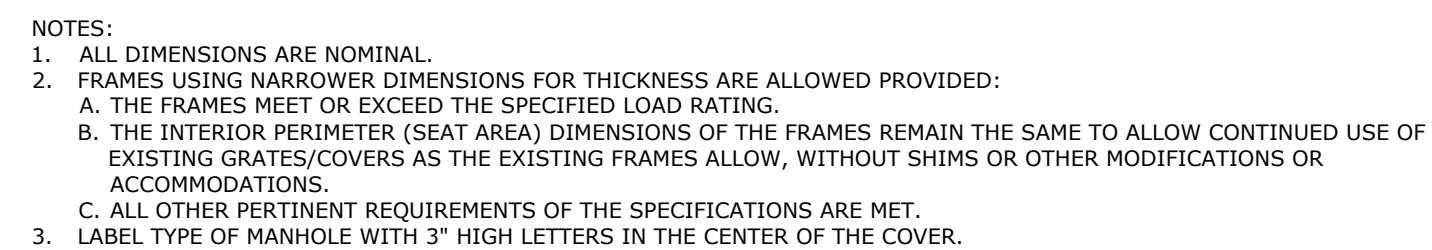
C-501



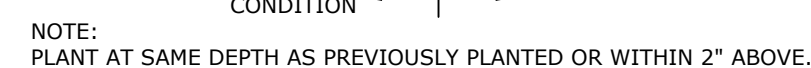
TIP DOWN RAMP
NO SCALE



VERTICAL CONCRETE CURB
NO SCALE



DRAIN MANHOLE FRAME & COVER
NO SCALE



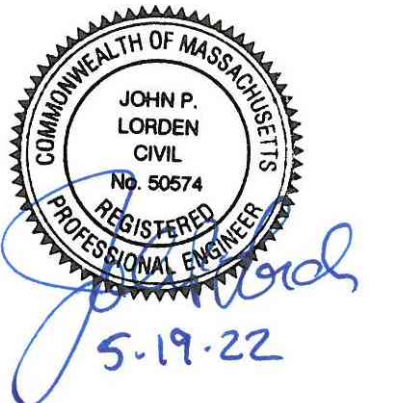
DECIDUOUS TREE PLANTING
NO SCALE



ARTIFICIAL TURF
NO SCALE



PLAYGROUND SAFETY SURFACE
NO SCALE

**Tighe&Bond**

BrightPath Child Care Center

Medway Commons
67C Main Street
Medway,
Massachusetts

Charter Realty &
Development Corp.

MAR	DATE	DESCRIPTION	
PROJECT NO: C1026-018			
DATE:		May 19, 2022	
FILE:		C1026-018_DTLS.DWG	
DRAWN BY:			
CHECKED:			
APPROVED:			

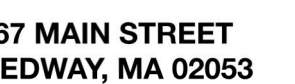
DETAILS

SCALE: AS SHOWN AS SHOWN

C-502



project



contractor

structural

MEP

issue / revisions



phase

north

sheet title

EXTERIOR ELEVATIONS :

EXTERIOR ELEVATIONS:
EXISTING

EXISTING

sheet number

Abstract

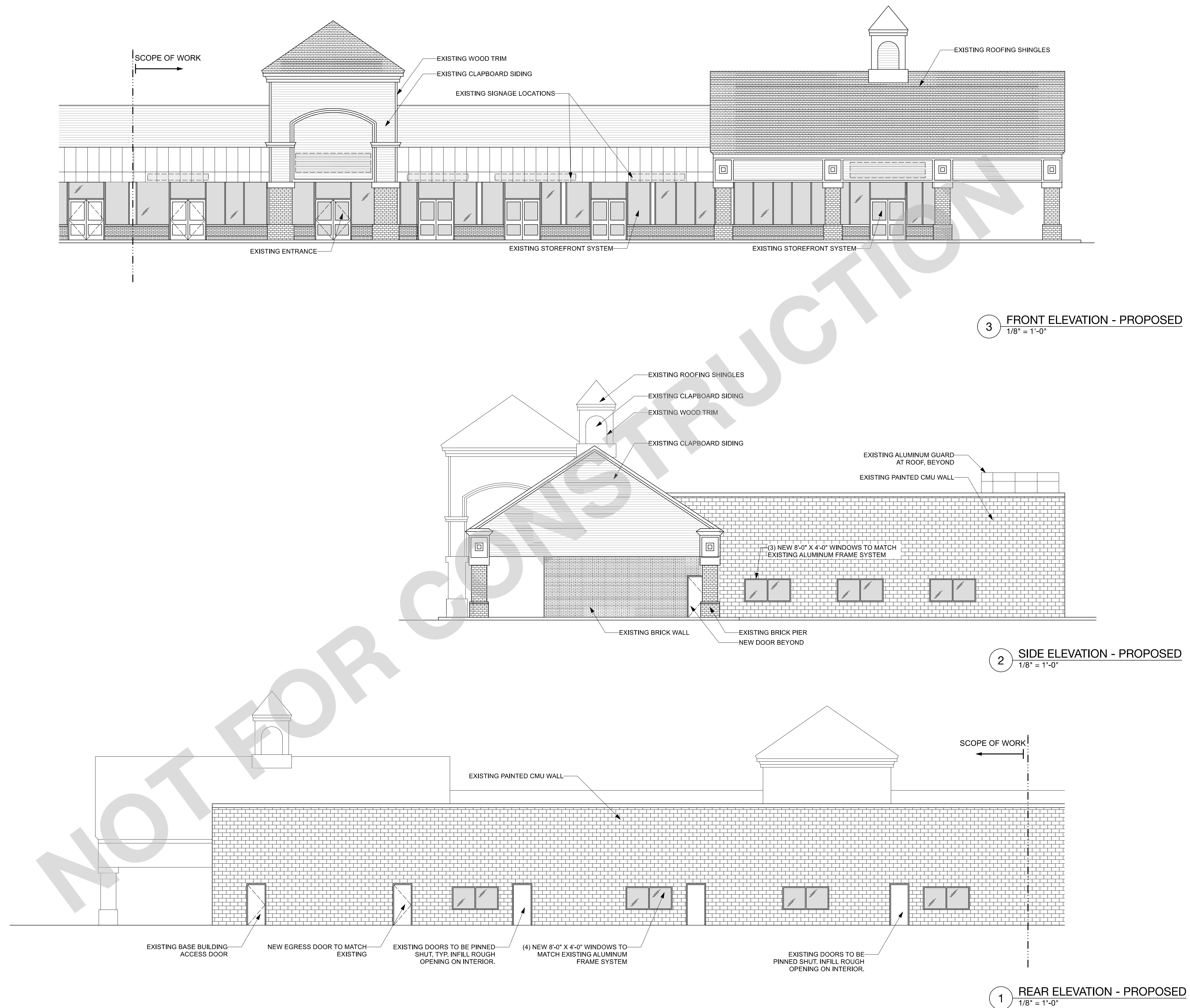
A-701

[illegible]

scale

AS NOTED





Medway Commons – Stormwater Summary Memo

TO: Karen Johnson, Charter Realty & Development Corp.
FROM: John Lorden, PE, Tighe & Bond
DATE: March 19, 2022

Tighe & Bond is submitting this memorandum to summarize the proposed stormwater management impacts to the Medway Commons project located in Medway, Massachusetts. The project includes BrightPath Child Care Center occupying space in an existing shopping center.

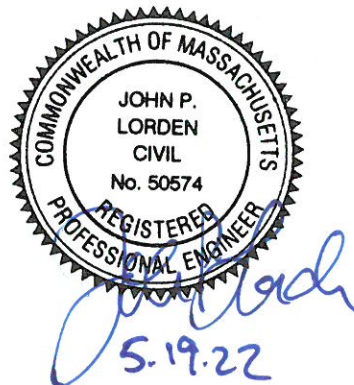
Site related impacts include the removal of 33 parking spaces to accommodate an outdoor play space on a combination of artificial turf and wood chips. A series of perforated underdrains will collect the stormwater from the outdoor play space and direct the stormwater to the existing closed stormwater system.

As part of the project the only change to the existing closed drainage system is to route the proposed underdrains below the outdoor play area to an existing catchbasin that will be converted to a drain manhole under the proposed wood chips. No new stormwater connections or outfall discharges are proposed.

The post-development peak discharge rates will not be greater than the pre-development peak discharge rates. The stormwater through the outdoor play area will take much longer to route through the surface material, into the underdrains, and into the closed drainage system in comparison to direct runoff from the pavement entering the same closed drainage system.

The proposed project will not have any negative impact on the existing stormwater drainage system.

J:\C\1026 Charter Realty - Conceptual Sites\C1026-018 Medway Commons\Reports\Drainage\20220519_Medway_Stormwater Memo.docx



Board Members

Matthew J. Hayes, P.E., Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Sarah Raposa, A.I.C.P., Member
Thomas A. Gay, Associate
Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

May 25, 2022

ABUTTER NOTIFICATION OF PUBLIC BRIEFING

**Charter Realty & Development Corporation
Medway Commons, 67 Main Street
Minor Site Plan – BrightPath Child Care Center**

The Medway Planning and Economic Development Board will commence a public briefing on Tuesday, June 14, 2022 at 9:00 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street to consider the application of Charter Realty and Development Corporation of Greenwich, MA for approval of a minor site plan for BrightPath Child Care Center to be located in Medway Commons at 67 Main Street.

The applicant seeks minor site plan approval to modify a section of the existing parking lot in front of a portion of existing retail and restaurant spaces to accommodate construction of an approximately 14,200 sq. ft. outdoor play area for a new 12,700 sq. ft. childcare facility to be located within existing space at the southwestern end of the shopping center. Planned construction includes removal of pavement from 33 parking spaces, removal of an estimated 440 linear feet of curbing, removal of approximately 80 linear feet of driveway space, and removal of an estimated 2,040 sq. ft. of sidewalk, to be replaced with installation of various play area surface materials, fencing, landscaping, and play space equipment and amenities to be directly accessed from the childcare center.

The subject property (Map 41, Parcel 23) is owned by Hidden Acres Realty Trust of Medway, MA which holds a long-term lease with Charter Medway II, LLC of Greenwich, CT to own and operate Medway Commons which is located on the south side of Main ST (Route 109) in the Central Business zoning district.

You are receiving this notice as you are the record owner of property located within 300' of the subject site. Please note that this is the only written notification you will receive about the public briefing for this project.

The application documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The documents are also posted at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0> Interested persons are invited to review the application documents, attend the public briefing, and express their views at the designated time and place. Written comments may be forwarded to: planningboard@townofmedway.org. Questions should be directed to the Planning and Economic Development office at 508-533-3291.

OVER 

Pursuant to Chapter 22 of the Acts of 2022, this hearing will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Information for participating in the meeting via Zoom will be included on the agenda for Board's June 14, 2022 meeting which will be posted to the Town's master calendar of events at: <https://www.townofmedway.org/calendar/month/2022-06> and at the Board's web page at: <https://www.townofmedway.org/node/926/agenda/2022>

Matthew J. Hayes, P.E., Chair

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Tuesday, May 31, 2022 3:18 PM
To: Michael Boynton; Mike Fasolino; Donna Greenwood; Bridget Graziano; Joanne Russo; Beth Hallal; Jack Mee; Jeff Lynch; jwatson@medwaypolice.com; Peter Pelletier; Sean Harrington; Stephanie Carlisle; Barbara Saint Andre
Subject: New Permit Applications - NeoOrganics, 4 Marc Road (marijuana cultivation) modification and Medway Commons BrightPath Child Care Center site plan

Hi,

The Planning and Economic Development Board has received permit applications for the above two noted projects and will begin its review at its June 14th meeting.

Project information is available at:

<https://www.townofmedway.org/planning-economic-development-board/pages/medway-commons-brightpath-child-care-center>

<https://www.townofmedway.org/planning-economic-development-board/pages/neo-organics-4-marc-road-special-permit-and-site-plan-0>

Please review the noted projects and provide any comments to me by June 8th for inclusion in the board packet for the June 14th meeting. We particularly need Police and Fire review of the Medway Commons BrightPath Child Care Center site plan as it includes changes in traffic patterns.

Thanks for your help.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291



C1026-018
June 3, 2022

Karen Johnson, AICP
Charter Realty & Development
1666 Massachusetts Ave – Suite 6a
Lexington, Massachusetts 02420

Re: **Traffic Memorandum
BrightPath Child Care Center
Medway Commons – 67 Main Street, Medway, MA**

Dear Karen:

Tighe & Bond has prepared a traffic memorandum to review the potential impact of the proposed BrightPath Child Care Center within the existing Medway Commons shopping center in Medway, MA. Medway Commons currently includes Shaw's grocery store as well as a mix of retail, restaurant, and service uses. The project will replace approximately 12,700 square feet (SF) of existing retail space within the shopping center. Trip generation estimates for the shopping center were estimated under both existing and proposed conditions to determine potential impacts the day care center may have on the surrounding roadway network.

Trip Generation

Trips generated by the existing and proposed shopping center were estimated using the Institute of Transportation Engineers (ITE) Trip Generation, 11th Edition, 2021. Land-Use Code (LUC) 821 – Shopping Center (40-150k) with Supermarket was used to estimate the trips generated by the existing and proposed developments. Table 1 provides a detailed summary of the trip generation that is summarized in the following paragraphs.

As shown in Table 1, the existing shopping plaza is estimated to generate approximately 428 trips (265 entering, 163 exiting) during the weekday morning peak hour, 1,094 trips (525 entering, 569 exiting) during the weekday afternoon peak hour, and 1,122 trips (572 entering, 550 exiting) during the Saturday midday peak hour.

The proposed child care center will replace approximately 12,700 SF of existing retail space within the shopping center. Land-use Code 565 – Day Care Center was utilized to estimate the trip generation for the proposed child care center. The ITE data estimates the 12,700 SF child care center will generate 140 trips (74 entering, 66 exiting) during the weekday morning peak hour and 141 trips (66 entering, 75 exiting) during the weekday afternoon peak hour. There are no proposed trips estimated for the Saturday midday peak period because the facility will not be open. The proposed trip generation represents a net increase of approximately 95 trips (46 entering, 49 exiting) during the weekday morning peak hour, 26 trips (11 entering, 15 exiting) during the weekday afternoon peak hour, and a decrease of 118 trips (60 entering, 58 exiting) during the Saturday midday peak hour.

Traffic Operations

The previously completed *Transportation Impact Assessment* for the Proposed Medical Office Building located at 86 Holliston Street, dated April 2022 and prepared by Vanasse & Associates Inc., was reviewed to determine existing traffic operations and to determine any operational impacts as a result of the proposed child care facility. Based on the analyses results, the intersection of Route 109 (Main Street) at the Medway Commons Driveway experiences

overall Level of Service (LOS) B under 2022 Existing, 2029 No-Build, and 2029 Build conditions during the weekday morning and weekday afternoon peak hours. In addition, the "critical" movements entering and exiting Medway Commons were reviewed in detail to determine any impacts the proposed child care center may have. The Route 109 westbound left and eastbound right movements experience LOS A during under all scenarios during both the weekday morning and weekday afternoon peak hours. The Medway Commons driveway northbound shared left/ through movement and right movement experience acceptable LOS D and LOS C under each scenario during the weekday morning and weekday afternoon peak hours, respectively. Queues are accommodated within available storage under each scenario during the weekday morning and afternoon peak hours. It is important to note that LOS D operations are generally characterized as acceptable with vehicular delays between 35 and 55 seconds per vehicle. Delays experienced on all movements under each scenario during the weekday morning and afternoon peak hours are all below 40 seconds per vehicle, well below the 55 second threshold.

While the site is expected to increase overall traffic during the weekday morning and weekday afternoon peak hours, the largest increase in trips (95 trips during the weekday morning peak hour) is estimated to occur when Medway Commons site traffic is low as a result of low activity at the shopping center during this time period (7:00 AM to 9:00 AM) as most businesses in the plaza are not yet open. The intersection of Route 109 at Medway Commons is expected to continue to operate at acceptable levels with the increased traffic during the weekday morning peak hour. The 26 additional trips estimated during the weekday afternoon peak hour are not expected to significantly increase vehicular delay at the intersection. Lastly, because the shopping center is estimated to generate less traffic during the Saturday midday period under the proposed condition as previously mentioned, traffic operations are expected to improve during this time period.


Conclusion

Based on the trip generation estimates, the additional site-generated traffic by the proposed child care center is not expected to significantly increase traffic over previous levels and is not expected to significantly impact traffic operations. Additional traffic analyses are not recommended at this time.

Sincerely,

TIGHE & BOND, INC.


John Lorden, PE
Project Manager II


Matthew Stoutz, PE, PTOE, RSP1
Project Engineer

Enclosures: Site-Generated Traffic Summary (Table 1)

\\tighebond.com\data\Data\Projects\C\C1026 Charter Realty - Conceptual Sites\C1026-018 Medway Commons\Reports\Traffic\2022-06-03 Medway Commons Traffic Memo.docx

TABLE 1

Site-Generated Traffic Summary

Existing - 121,137 SF Shopping Plaza (40-150k) with Supermarket			
Peak Hour Period	Enter	Exit	Total
Weekday Morning	265	163	428
Weekday Afternoon	525	569	1,094
Saturday Midday	572	550	1,122
Weekday	5,723	5,723	11,446
Proposed - 12,700 SF Day Care Center			
Peak Hour Period	Enter	Exit	Total
Weekday Morning	74	66	140
Weekday Afternoon	66	75	141
Saturday Midday	0	0	0
Weekday	303	302	605
Existing - 108,437 SF Shopping Plaza (40-150k) with Supermarket			
Peak Hour Period	Enter	Exit	Total
Weekday Morning	237	146	383
Weekday Afternoon	470	509	979
Saturday Midday	512	492	1,004
Weekday	5,123	5,123	10,246
Proposed Total Trips			
Peak Hour Period	Enter	Exit	Total
Weekday Morning	311	212	523
Weekday Afternoon	536	584	1,120
Saturday Midday	512	492	1,004
Weekday	5,426	5,425	10,851
Net Vehicular Trips			
Peak Hour Period	Enter	Exit	Total
Weekday Morning	46	49	95
Weekday Afternoon	11	15	26
Saturday Midday	-60	-58	-118
Weekday	-297	-298	-595

Source: Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021
Land Use - 821 Shopping Plaza (40-150k) with Supermarket
Land Use - 565 Day Care Center



June 9, 2022

Ms. Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
Medway Town Hall
155 Village Street
Medway, MA 02053

**Re: Bright Path Child Care Center
Minor Site Plan Review
67C Main Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 67C Main Street in Medway, Massachusetts. The Project consists of a renovation of existing spaces within the Medway Commons shopping center totaling 12,700 square feet. The Project also includes removal of existing parking areas to accommodate outdoor play space with safety wood fiber surfaces, artificial turf, and associated perimeter fencing.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Medway Commons, 67C Main Street Medway, Massachusetts, BrightPath Child Care Center" dated May 19, 2021, prepared by Tighe & Bond, Inc. (TBI).
- A storm water memorandum (Stormwater Memo) titled "Medway Commons – Stormwater Summary Memo" dated March 19, 2022, prepared by TBI.
- An Application for Minor Site Plan Approval, dated May 20, 2022, prepared by Charter Realty and Development Corp.
- A traffic memorandum (Memo) titled "Traffic Memorandum, BrightPath Child Care Center, Medway Commons – 67 Main Street, Medway, MA" dated June 3, 2022, prepared by TBI.

The Plans and accompanying materials were reviewed for conformance with the following regulatory documents:

- Town of Medway Planning & Economic Development Board Rules and Regulations, Chapter 200 – Site Plans, Rules & Regulations for Submission, Review and Approval of Site Plans. (Amended October 8, 2019)

The Project was also reviewed for good engineering practice and overall site plan efficiency. Review of the Project for zoning related matters is being conducted by Town personnel and is excluded from this review.

SITE PLAN REVIEW

Site Plan Rules and Regulations (Chapter 200)

1. Applicant shall confirm all existing and proposed elevations refer to the North American Vertical Datum of 1988 (NAVD88). (Ch. 200 §204-4.C)
2. The Applicant shall provide a space on the Plans, including the cover sheet, for the Board's signature block, including Decision and plan endorsement dates, and the Town Clerk's no appeal certification. (Ch. 200 §204-4.E)

3. A Stormwater Drainage Evaluation report has not been provided. However, the provided Stormwater Memo describes the changes proposed on-site and the drainage impacts associated with the proposed Project. (Ch. 200 §205-3.D)
4. The Applicant shall provide bearings and distances of property lot lines, as well as display any applicable easements, for the existing lot shown on the Overall Site Plan (C-100). (Ch. 200 §205-5.C)
5. A table displaying the Project's compliance with parking space requirements is provided in the Applicant's Minor Site Plan Application Package. However, the table should be provided on the Plans as well. (Ch. 200 §205-5.E.12)
6. The proposed addition of outdoor play space will close an ingress/egress point for the Medway Commons Development. We recommend the Applicant coordinate with the Medway Fire Department to confirm sufficient emergency access is maintained once the proposed plan is implemented. (Ch. 200 §207-11.A.17)
7. Hot mix asphalt (HMA) surfacing shall be a minimum depth of three and one-half inches in parking areas. The proposed HMA thickness is 3 inches (2" binder, 1" top). (Ch. 200 §207-12.E)
8. The Applicant has not proposed any electric vehicle charging stations for the Project. (Ch. 200 §207-12.I)
9. A Lighting Plan has not been provided. The Applicant shall confirm if existing lighting at the site is sufficient to allow safe travel during hours of operation in periods of the year with less sunlight (i.e. drop-off/pick-up time during fall/winter months). (Ch. 200 §207-18)

General Site Plan Comments

10. We recommend a guardrail, bollards or similar crash protection along the west side length of the outdoor play area and the adjacent driveway. Heavy equipment traffic is common along the driveway and protection of the outdoor play areas shall be paramount.
11. The Applicant is proposing to remove the existing crosswalk on the west side of the building. We recommend the sidewalk section to the north of the crosswalk also be removed to limit pedestrian traffic to a dead-end sidewalk with no formal crossing. This will also reduce impervious coverage at the site.
12. It appears proposed grading (207 contour) is outside of the limits of the proposed paving. We recommend the Applicant repave the entire area north of the proposed playgrounds (continue the sawcut on the eastern side of the playground north to the existing curb) to reduce any issues with matching existing conditions in that area while also reducing the length of joints. This will also provide a cleaner aesthetic to the Project by limiting jogs in new vs. old pavement.
13. The Applicant should provide a smooth curb transition with a radius and tangent points to tie in the proposed curb to existing where the existing driveway is being removed on the west side of the playground areas.
14. We recommend a mountable curb and wide gate access to allow heavy equipment access to the playground areas in the event they require maintenance.
15. The Applicant should provide detail on the demolition plan for location of construction fencing and other means to protect the general public during construction at the site.
16. A portion of the existing firelane along the front of the existing building is proposed to be removed and should be shown as repaved/restriped on the Plan.
17. The Applicant shall confirm on the plan the method of crosswalk striping removal. Grinding of pavement markings is preferred.

TRAFFIC REVIEW

Trip Generation

18. The traffic memo included a trip generation analysis including estimates for the existing shopping plaza use (full occupancy of the plaza without the proposed daycare center use) and the proposed shopping plaza building program (including full occupancy of the plaza retail uses to remain plus the proposed daycare

center). The trip generation estimates were based on industry-standard trip rates published by the Institute of Transportation Engineers (ITE) in Trip Generation Manual, 11th Edition for Land Use Code 821 (Shopping Plaza 40-150k with Supermarket) and Land Use Code 565 (Day Care Center). This methodology is reasonable for the existing and proposed uses.

19. The trip generation analysis included the weekday morning, weekday evening and Saturday midday peak hours. The time periods chosen for analysis are appropriate for the existing retail and proposed daycare center space at the site.
20. The Town of Medway Site Plan Rules and Regulations require a detailed traffic impact assessment for Projects with frontage or proposed access on a public way, construction of twenty or more additional parking spaces and trip generation of an additional one hundred trips to or from the site on an adjacent roadway during a peak hour based on the most recent edition of the Institute of Traffic Engineers publication Trip Generation. The Project is expected to reduce the plaza's parking supply by 33 spaces and the traffic memo indicates that the net increase in peak hour trips due to the Project is 95 peak hour trips or less. Furthermore, the Project is anticipated to result in a net reduction in trips during the Saturday midday peak hour relative to the existing building program. Therefore, a detailed traffic impact assessment is not warranted based on the Site Plan Rules and Regulations parking and trip generation criteria.
21. The traffic memo did not reduce the estimated vehicle trip generation for the existing and proposed building program as a result of area public transportation services. Regularly scheduled public transportation is not provided in the immediate vicinity of the site, with the closest Greater Attleboro-Taunton Regional Transit Authority (GATRA) bus stop located more than 10 minutes away. Therefore, TT agrees with the trip generation methodology used in the traffic memo.

Traffic Operations

22. The traffic memo did not include a capacity analysis of the plaza driveways. However, the traffic memo provided a qualitative assessment of the signalized Route 109/Medway Commons driveway intersection which operates at overall level of service (LOS) D or better operations during the peak hours under existing conditions and future year conditions (without the daycare Project) based on the recent traffic impact assessment prepared for the 86 Holliston Street Project. The traffic memo concludes that the Route 109/Medway Commons signalized intersection is expected to have ample capacity to support the estimated additional trips associated with the proposed daycare Project. TT generally agrees with this assessment.

Parking

23. Per the parking summary provided in the Minor Site Plan package, the total proposed parking supply of 527 spaces exceeds the Town requirement of 517 spaces for the plaza. Therefore, preparation of a parking analysis is not warranted for the Project. However, please see prior comments regarding parking in the Site Plan Review section.

General Traffic Comments

24. We recommend a standard-sized sidewalk be provided along the east side of the outdoor play area to connect the northerly parking spaces adjacent to the daycare center to the facility's main indoor doorway.
25. We recommend an island be added to the southerly portion of the parking aisle immediately adjacent to the east side of the daycare outdoor play area to provide a pedestrian refuge area and shorten the crosswalk distance to the main indoor doorway.
26. Although not discussed in the traffic memo, Vanasse and Associates, Inc. (VAI) completed a Road Safety Audit (RSA) for the Route 109/Medway Commons/Walgreens driveway intersection (Dated April 2022) as part of the nearby multifamily residential development Project to be located at 39 Main Street in Medway. The April 2022 RSA identified numerous potential short-term and long-term improvements to enhance safety at the Route 109/Medway Commons/Walgreens driveway intersection. Given that this intersection serves as the access to the Project site, we recommend the Applicant work with the Town to identify which, if any, of the safety improvements identified in the April 2022 should be implemented as part of the proposed daycare facility Project.

27. We recommend installing pedestrian crossing warning signage at the internal midblock crosswalk located at the northerly end of the parking aisle immediately east of the proposed daycare outdoor play area to increase visibility of the additional vehicle activity in this part of the parking lot due to the proposed daycare use.
28. We recommend the Applicant provide AutoTurn analyses to ensure that the largest emergency vehicle can adequately circulate through the modified portion of the parking lot. The emergency circulation should be reviewed with the Medway Fire Department.

STORMWATER REVIEW

General Stormwater Comments

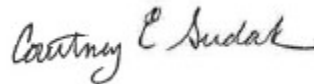
29. TT reviewed the Memo provided by TBI. The Memo summarizes the proposed stormwater management impacts due to the removal of parking spaces and the addition of the outdoor play area. The existing impervious surfaces are proposed to be supplemented with permeable surfaces such as wood fiber and artificial turf. Perimeter underdrains (located under the permeable surfaces) surrounded by crushed stone are proposed to collect stormwater from the play area and discharge to the existing catch basin on the west side of the playground. The catch basin is proposed to remain but will be converted to a manhole (replace grate with cover) and buried under the permeable playground material. It does not appear the proposed development will cause adverse impacts to the existing infrastructure at the Medway Commons site.

These comments are offered as guides for use during the Town's review and additional comments may be generated during the course of review. The Applicant shall be advised that any absence of comment shall not relieve them of the responsibility to comply with all applicable local, state and federal regulations for the Project. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

Very truly yours,



Steven M. Bouley, PE (Site Review)
Project Manager



Courtney E. Sudak, PE (Traffic Review)
Project Manager

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