

Tuesday, July 13, 2021
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Jessica Chabot	Matt Hayes	Rich Di Iulio	Tom Gay
Attendance	X	X	X	X	X	X

ALSO PRESENT:

- Susy Affleck-Childs, Planning and Economic Development Coordinator

PUBLIC COMMENTS:

- There were no Public Comments.

PUBLIC HEARING CONTINUATION - WINGATE FARM SUBDIVISION MODIFICATION:

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

- Public hearing continuation notice dated July 13, 2021.
- Email dated 7-12-2021 from Fire Chief Jeff Lynch
- Email dated 12-5-2017 from Tetra Tech Engineer Steve Bouley
- Draft decision dated 7-12-2021

The Chairman opened the continued hearing for the proposed modification of the Wingate Farm Subdivision. Applicant Karyl Spiller-Walsh was present.

Engineering consultant Steve Bouley of Tetra Tech was called into the meeting via speakerphone. His recommendation is consistent with his prior correspondence. It was recommended to not sign off on this project unless the Board receives something from a qualified professional related to the issue of adequacy of sight distance onto Holliston Street from Wingate Farm Road.

The Board discussed that it has been recommended that the applicant meet the current *Subdivision Rules and Regulations*. It was noted that sight distance computations need to be provided and ASHTO standards need to be met for the type of intersection. The applicant communicated that she has reached out to her previous Engineer to get the sight distance information but has been unsuccessful. The Applicant has also indicated that she does not believe that a new traffic study needs to be undertaken. She stated that a measurement study can be done. The applicant has hired civil engineer Dan Merrikin who is currently evaluating the site. He is looking at the stormwater report. It was suggested that a subsurface drainage system may need to be added. Engineer Merrikin is comparing the numbers. Ms. Spiller-Walsh stated she is looking to possibly have a buyer of the property address the needed stormwater upgrades

since the applicant does not have the money. She would like more time to put together the needed information for the Board.

The Board noted that another issue for the applicant is that the former Order of Conditions has also expired. This will require a new filing with the Conservation Commission plus a Land Disturbance Permit.

The Board would like Susy Affleck-Childs to prepare a draft decision to deny the requested modification of plan and prior decision and the requested waivers from the current *Subdivision Rules and Regulations*.

The Board is also leaning toward not recommending the extension.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to continue the hearing to July 27, 2021 at 7:30. (The motion was approved; Member Tucker voted nay)

ROCKY’S HARDWARE – PUBLIC HEARING - ADMINISITRATIVE SITE PLAN REVIEW AND OUTDOOR DISPLAY SPECIAL PERMIT:

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

- Public Hearing notice dated 6-23-2021
- Outdoor Display Special Permit application and project narrative
- Administrative site plan application, project description, and requests for waivers from *Site Plan Rules and Regulations*
- Site Plan dated 4-22-2021 by Howard Stein Hudson
- Project review memo dated 7-8-2021 from Susy Affleck-Childs
- Rocky’s Garden Center plan dated 7-12-2021 by Sugrue Associates
- Review comments from Sergeant Watson dated 7-11-2021
- Review comments from Building Department dated 7-12-2021
- Review letter from engineering consultant, Steve Bouley, Tetra Tech
- Rocky’s Garden Center plan, revised 7-13-2021 by Sugrue Associates

On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted unanimously to open the hearing for the Administrative Site Plan & Outdoor Display Special Permit for Rocky’s Ace Hardware and to waive the reading of the public hearing notice.

The applicant is seeking an approval of an administrative site plan and an outdoor display special permit for the addition of an outdoor garden center and a propone filing station adjacent to its new location at Medway Place shopping plaza.

Applicant’s team:

Attorney Joel Quick, Pierce Atwood
Todd Wilson, Diversified,
Matt Kelly, Rocky’s Regional Manager
Chris Rich, Rocky’s Store Manager

The representative showed a pdf of the revised site plan on the presentation screen. The updated plan is dated July 13, 2021.

A question was asked why this project was not part of the Medway Place site plan. It was explained that this is a special permit for the outdoor garden center for Rocky's. The shopping center owner is co-applicant as landlord permission is needed and the landlord needs to sign the application. A question was asked if this can be combined with the other application. The overall site plan will be updated based on the results of this permit.

A question was asked about the outdoor totes being stored outside. The Board would like an area inside of the building where these can be stored instead of outside. It was explained that there will be a front gate for customers which will be opened daily through the side door and front entrance. There is a safety concern that this area is not striped. The applicant communicated that there will be bollards. There will also be a long sidewalk, but the Board does not think it extends far enough. This is a highly trafficked area. There was a recommendation for more bollards. The loading area is for car pick up of items. It was suggested to extend the walkway for foot traffic across the drive aisle to the propane area. There was a note from the Fire Department about the location of the fire hydrant. A question was asked about the propane tank and if it will remain since it was not shown on the drawing. The Applicant communicated that having the large filling tank is effective from the business perspective vs. selling individual propane tanks. The hydrant was noted on the detail sheet. The Board was informed that there was a visit from the Code Enforcement Officer about the large banners. Those are in violation of the bylaw for signage. The Chairman read the email from Erika Robertson of the Building Department into the record. The Board would like to make sure there will be no creep of the outside products. The applicant communicated that in regards to the outdoor storage, they did not know there were rules about the outside items. The manager communicated that all items will be moved inside starting tomorrow. The Board was informed that the fence around the garden center will be black chain link with bollards. The display racks for products will be 6 ft. tall and not taller than the fence. The products inside the perimeter of the fence are soils, mulch, wood pellets, and some plants. These are stacked bagged products. There will also be presentation tables. The Medway's Rocky's location will not have Christmas trees.

The delivery and unloading of products was explained. Deliveries will take place through the back of the store and then the products will be moved to garden center space. The maximum number of staff is 10. The vendors are not permitted to stop in front of the building to make deliveries. The Board would like the truck turning radius shown for the deliveries and the filling of the propane tank. They need to show that a truck can access in and out of the site without leaving the Medway Place property. The turning movements need to be shown so the trucks do not have to go onto the Shell station's property. It was suggested to have signage. There was a suggestion to have a canopy over the garden center for the inclement weather.

There was a review letter provided from Tetra Tech. The applicant will be incorporating the comments from Tetra Tech into the revised plan. There will be no change to the current lighting. The updated plan will include the following: updated plan for the turning radius, crosswalk, new propane area and stripping area. There is a concern that there is not enough room for a truck to pull in and out of the spots. There will be the removal of ten parking spaces. This will need to be coordinated with overall Medway Place site plan. A suggestion was made that the major site

plan reflect the reduction of the parking spaces associated with the Rocky's Garden Center and propone work.

Shell Station representative Michael Brown commented that Shell has a good relationship with the shopping center and Rocky's. However, there is a concern that trucks filling the propane tank would block the 50' side easement area Shell has on the Medway Place property. The Shell representative does not think the property line shown on the plan is accurate. The second concern is parking and the Shell station does not want Rocky's customers parking in their parking area. It was suggested that the parking lot for Shell be delineated on the plan and that Shell consider placing signs to denote Shell Station parking only.

On a motion made by Matt Hayes, seconded by Bob Tucker, the Board voted to continue the hearing to August 10, 2021 at 7:00. Member Di Iulio voted (nay).

MEDWAY COMMUNITY CHURCH SITE PLAN COMPLETION:

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

- Minor Site Plan endorsed 11-27-2018
- Email from Tetra Tech engineer Steve Bouley re: project completion dated 3-29-2021
- Email from Tetra Tech engineer Steve Bouley re: as-built review and sign off dated 6-28-2021
- Final Site Plan Decision dated 9-11-2018
- Stormwater Field Change dated 7-31-2019
- As-Built Plan dated 3-19-21 by Tata and Howard
- Long Term Stormwater Operation and Maintenance Plan dated -1-14-21
- Catch basin cleaning receipt
- Email from Tom Gay regarding site inspection dated 7-8-2020
- Draft PEDB Certificate of Site Plan Completion dated 7-8-2021

Member Rodenhiser recused himself due to a potential conflict of interest and Vice Chairman Tucker took over the meeting for this agenda item.

The Medway Community Church has requested a Certificate of Site Plan Completion. Pastor Carl Schultz was present. The only outstanding item pertains to the adequacy of the existing landscaping in the area beyond the new fence on the western side of the property and whether it provides sufficient buffering for abutting neighbors.

Member Gay communicated the green space has filled in well and there is new growth and plantings on the outside of fence. Spoke with two neighbors who reported no drainage problems. He feels the applicant has done everything they had committed to do. He visited site today. The circulation in the lot is working well. The consultant has signed off for project completion.

On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted to determine that the Medway Community Church be approved for site plan completion. (Chairman Rodenhiser abstained)

PUBLIC HEARING CONTINUATION - PHYTOPIA – 6 INDUSTRIAL PARK ROAD:

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

- Public Hearing Continuation notice dated June 25, 2021
- Noise mitigation plan for Phytopia by Acentech dated April 12, 2021
- Review letter from Jeff Komrower, Noise Control Engineering (Board's noise consultant) dated July 7, 2021
- Email from abutter Leigh Knowlton dated June 21, 2021
- Email from neighbor John Lally dated June 7, 2021
- Updated noise mitigation plan for Phytopia by Acentech dated July 9, 2021

The Chairman opened the continued public hearing.

The Board's noise consultant, Jeff Komrower of Noise Control Engineering, was called on the speaker phone to participate in the hearing.

The presentation team included:

- Attorney Brian Salisbury
- Acentech, Andy Carballeira, noise consultant

Other Phytopia representatives were:

- Angelo Frangoulidis
- Alex Athanas
- Peter D'Agostino
- Brian Anderson
- Dr. Dale Buckman
- Jerry McDermott

The Board was informed that Phytotherapy has retained Acentech to conduct a study of noise produced by the mechanical equipment serving the proposed cannabis cultivation and processing facility located at 6 Industrial Road. Acentech has worked with Phytotherapy to develop the noise mitigation plan which has been prepared by an acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification.

Consultant Carballeira provided a presentation on the project. The agenda included an executive summary, regulatory criteria for noise, study location, facility noise sources and controls and estimated community sound levels. The consultant explained that he is only speaking about Phase 1 equipment.

The Chairman noted a concern about the changing of phase one to phase two and can there be baseline noise assessment prior to development.

It was explained that phase two noise mitigation plan has not been established to date. There has been feedback from neighbors, and there is a proposed three-sided wall. The overall approach is

to show phase one and have condition within the decision regarding phase two. Phase two will require the construction of a sound wall.

Mr. Lally communicated that the background noise from Phase 2 would be 27 dBA. This is a fixed limit for background. There are criteria for best available controls with the quietest cooling towers. BACT (best available control technology) noise controls are being supplied as part of the DEM cooling tower design. This may go to the greatest 30 decibels.

Consultant Carballeira communicated that the proposed 65 dBA limit would apply only to other industrial uses, and it is the developer's intent to fully comply with the Mass DEP noise policy at all nearby residential structures. Table 1 was referenced on the presentation screen. It is the modern octave bands based on the source property lines. This is the published version used of non-standard ban limits. The Town of Medway has proposed equivalent limits in octave bands though none have been formally adopted. This may not create a pure tone condition. The 27 dBA level does not include noise from other facilities on site. The study locations were shown on a map of facility. The facility has noise-producing equipment located on-grade that includes one two-cell cooling tower for Phase 1, and a second two-cell cooling tower for Phase 2. The noise levels were modeled at nine residential receptors, twelve ground-level receivers along the facility property line and six residential property lines. A computer model of facility sound was developed using acoustic modeling software that considers 3-dimensional sound. The results presented describe Phase 2 sound levels and depend to a large degree on the Phase 2 building for acoustic shielding. This includes residential receptors.

The noise sources were next discussed. This included the cooling tower, ERU's and sound power levels as noted. This data was provided. The system will be slowed down at night, being 5 decibels lower. The predictions were from measurements. It was suggested to ask the vendor about the source of data being actual or predicted. The energy recovery units have a fan in them. The vendor's noise level information was provided. The ERU's are very quiet. There was an overview about the estimated sound levels. The cooling tower is located at the northeast tower and 150 ft. from the nearest property line. The contours were shown and sound levels in community to west at 16 decibels day and 11 decibels at night. The highest levels south of the project estimated 31 decibels at day and 27 decibels at night. The project will never be over the broad band limit. There may be times when sounds such as rain falling will cause the level to exceed the limits. The values were reviewed and shown on the data report chart (Table 7). The industrial lines (12) were shown.

Consultant Komrower communicated that it looks like the only overages are in the 2-8 octave bands and at those industrial property lines which effect 24 Jayar Road's eastern industrial property line.

Resident, John Lally thanked the applicant and team. He asked if there is an estimated formula or does it apply to the composite noise of entire unit or just the fan. This was measured at 100% - Acentech noted. The fans get quieter when it slows down.

Acentech suggested the vendor can put the unit at 80% and then can gather data if this is what the Board wants. A question was asked if it is really worth putting the applicant through this process. Mr. Lally noted it is unclear if the estimated equation is applicable for the noise units

other than the fan. This will confirm if it is a viable estimation. Table 2 shows the estimated numbers. R6 and R7 predict 31 during the day and 27 at night. This is just the facility levels (Table 3) shows the unit running at 100%. The Board asked if Mr. Komrower can comment in his review about this question. The Consultant explained that the information shows the worse-case scenario. The applicant noted they will not be higher than the ordinance of 47 dBA. The noise levels do not include the sound barrier wall.

The sound wall will need to be looked at by Design Review Committee. The final selection of equipment has not been done. The applicant wants the ability to put in the best equipment. There has been innovative technology to improve the equipment and the applicant will use this equipment. A condition can be written about this to include in the decision.

It was recommended that the hearing be continued to July 27, 2021, where the topic discussed will be parking. The applicant will be meeting with the Design Review Committee on July 19, 2021. Susy Affleck-Childs noted that the subsequent hearing on August 10th will address security and groundwater protection.

On a motion made by Matt Hayes, seconded by Bob Tucker, the Board voted unanimously to continue the hearing for Phytopia to July 27, 2021 at 8:00 pm.

MILLSTONE – REQUEST FOR RELEASE OF PERFORMANCE SECURITY:

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

- Email dated 6-23-2021 from developer Steve Venincasa
- As-Built plan dated 12-7-2021 by GLM Engineering
- Tetra Tech sign off dated 4-14-2021 on as-built plan
- GLM project completion certification dated 6-20-2021
- Tetra Tech inspection report/punch list dated 7-8-2021
- Millstone Tri-Partite Agreement
- Email dated 7-8-21 from Community Housing Coordinator Doug Havens

The remaining amount of performance security is \$116,674. It is held by Cornerstone Bank pursuant to a tri-partite agreement that was last revised March 12, 2019. It was recommended to not release any performance security since there is a list of some minor corrections needed on the deed riders. Consultant Bouley wants the previous punch list addressed and completed. There are minor items which still need to be addressed. The drainage on site will be observed by Rob Truax due to the previous issue on site. It is recommended that the request for performance release is not granted at this time. The Board concurred.

CONSTRUCTION REPORTS:

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

- Tetra Tech Field Report – William Wallace Village #14 dated 6-23-2021
- Monthly report William Wallace Village from Dan Merrikin dated 7-7-2021
- Monthly report Evergreen Village from Ron Tiberi 6-30-2021

20 Broad Street:

There was a Preconstruction meeting on 20 Broad Street. This applicant is currently installing Utilities. The paving of Broad Street will be paved next week. The applicant will provide a schedule of the site activities.

William Wallace:

The stormwater infiltration system is completed except for inlet and outlet piping. The sewer and water installation on-site is nearly complete. During the recent storm there were issues with run off from site and into the brook. The Conservation Commission issued an enforcement order relating to the land disturbance permit.

Salmon:

There has been issues with the swales on the back side of the site. This was inspected by the Conservation Agent. There were no problems with the heavy rain from the last storm.

Evergreen:

The site contractor mobilized the site and construction controls are in place. The road is rough graded to subgrade. Phase 1 structure foundation is installed, and framing is completed.

Other Business:

Energy Battery Storage Consultant:

Residents Paul Yorkis, Michael Fahey and Lawrence Ellis were present. Susy is collecting a list of consultants for the study. The scope of services will be finalized and an invitation for quotes will be done instead of an RFP. There is a concern that this will not be completed by the October deadline.

LOT RELEASE – 2 Sledding Hill Way:

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

- Subdivision Covenant for Village Acres subdivision dated November 10, 2000
- Draft Lot Release for 2 Sledding Hill Way

The Board was contacted by the closing attorney for the sale of 2 Sledding Hill Way. There is no lot release for this property on record at the Norfolk County Registry of Deeds. The house was built in 2003. This is a 2-lot private way subdivision off of New City Road which is west off of Oakland Street.

On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board voted unanimously to authorize the Lot Release for 2 Sledding Hill Way.

NOTE - Board members signed the lot release.

LOT RELEASE – 12 Daniels Road:

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

- Emails between property owner Matt DeSorbo and Susy Affleck-Childs
- Daniels Wood II – Alternative Driveway and Grading Plan dated March 26, 2010, endorsed November 16, 2020
- Subdivision Covenant dated November 16, 2020
- Draft Lot Release

The Board was informed that this is a private way subdivision. It was recommended to release the lot for 12 Daniels Road.

On a motion made by Matt Hayes, seconded by Rich Di Iulio, the Board voted unanimously to authorize the Lot Release for 12 Daniels Road.

APPOINTMENT TO OPEN SPACE COMMITTEE

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

- Memo dated 7-8-21 from Susy Affleck-Childs regarding appointment to the Open Space Committee

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously to appoint Tina Wright, Bruce Hamblin, and Mike Francis to the Open Space Committee for a term through June 30, 2023.

APPOINTMENT TO DESIGN REVIEW COMMITTEE

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

- Memo dated 7-8-21 from Susy Affleck-Childs regarding appointment to the Design Review Committee.

On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted unanimously to appoint Alex Siekierski, Rachel Walsh and Dan O’Connell to the Design Review Committee for a term through June 30, 2023.

REDGATE – REQUEST FOR RELEASE OF PERFORMANCE SECURITY:

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

- Draft Mutual Release of Claims
- Email dated 6-30-21 from Michael Bruce

The Board was informed that the developer will not sign the Mutual Release of Claims as prepared by Town Counsel since the agreement includes language that the Town will retain taxes owed on 2 Redgate Drive before releasing the fund balance.

The Board is not taking any action on this at this time. Further discussions need to be held with the Town Manager and Select Board.

PEDB MEETING MINUTES:

June 16, 2021:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to approve the PEDB meeting minutes of June 16, 2021 as written.

June 22, 2021:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to approve the PEDB meeting minutes of June 22, 2021 as written.

June 28, 2021:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to approve the PEDB meeting minutes of June 28, 2021 as written.

The Board was informed that a vote was needed to release previously approved executive session minutes. The topics have been resolved and there is no need to keep the minutes confidential.

The following Executive Session Meeting Minutes were recommended to be released:

- June 26, 2012
- June 13, 2017
- June 27, 2017

Executive Session Minutes: June 26, 2012, June 13, 2017, and June 27, 2017:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to release the Executive Session PEDB meeting minutes of June 26, 2012, June 13, 2017, and June 27, 2017 as written.

MEDWAY MILL – Tetra Tech Construction Services Estimate:

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

- Tetra Tech estimate dated 6-29-21 for \$14,484.00

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted to approve the Tetra Tech estimate for Medway Mill construction services in the amount of \$14,484.

Tree Replacement Formula - Discussion:

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

- Table summarizing a collection of tree replacement formulas from various towns.

The table shows the first draft of compilation done by staff.

The members will read the documentation and it will be discussed at the next meeting. It was suggested that the town not have as punitive language as Newton and Wellesley. Bridget

Graziano and Stephanie Carlisle will be coming to the September meeting to discuss the flood modeling project and Bridget will also brief the Board on the Conservation Commission's draft protection bylaw.

OTHER BUSINESS:

- The Board was informed that the Master Plan Committee survey is live on Survey Monkey. It was recommended that the members complete this survey. Jess Chabot held a "meeting in a box". It was a great meeting. It is recommended that this type of group only have 4 or 5 people.
- The Board was informed that Member Gay is working with the sound consultant on the noise standards for the environmental bylaw. There will be a telephone meeting on Thursday July 15, 2021.

Member Tucker left the meeting at 10:30 pm

FUTURE MEETING:

- Tuesday, July 27, 2021

ADJOURN:

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted to adjourn the meeting.

The meeting was adjourned at 10:40 pm.

Prepared by,
Amy Sutherland
Recording Secretary

Reviewed and edited by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

Wingate Farm Subdivision Modification
Public Hearing Continuation

- Public hearing continuation notice dated J6-25-2021
- Email dated 7-12-2021 from Fire Chief Jeff Lynch
- Emailed dated 12-5-2017 from Tetra Tech engineer Steve Bouley re: sight distance
- Draft decision dated 7-12-2021

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Jessica, Chabot, Member
Richard Di Iulio, Member
Matthew Hayes, P.E.,
Member
Thomas A. Gay, Associate
Member



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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

MEMORANDUM

June 25, 2021

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 Wingate Farm Subdivision Modification**
168 Holliston Street and Wingate Farm Road
Continuation Date ~ Tuesday, July 13, 2021 at 7:00 p.m.

At its June 22, 2021 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Karyl and Eugene Walsh of Medway, MA for approval of a modification to the previously issued subdivision decision and plan for Wingate Farm to Tuesday, July 13, 2021 at 7 p.m. The Wingate Farm definitive subdivision plan was approved in 2005; it divided the property into 4 lots with a permanent private roadway known as Wingate Farm Road.

Considerable work has been undertaken to install the subdivision's infrastructure. However, the specified completion deadline and various extensions have expired. The primary purpose of the current application is to establish a new deadline for project completion and to consider waivers from certain provisions of the Board's *Subdivision Rules and Regulations* which are now in effect.

The application and associated documents are on file at the offices of the Town Clerk and the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The as-built plan and application materials have also been posted at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/wingate-farm-subdivision-plan>

If you have any comments or concerns about the proposed modification, please email those to me by July 7th. Thanks.

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Tuesday, December 5, 2017 3:56 PM
To: Susan Affleck-Childs
Cc: Reardon, Sean
Subject: RE: Wingate Farm

Hi Susy,

I can meet them this week to go over the site items.

Regarding the sight distance, I have already taken video from my truck for sight distances and I do not believe the left turn movement from the site to be sufficient as you will see in the video. I will post it on my one drive for you to see as it is quite large. If the applicant so wishes, a plan and profile will be required for review proving that they meet the standards since there are many factors (road slope, vertical geometry, speed, etc.) that go into making a proper assessment for sight distance, one that is too close to call by eye on this site.

Also, just as a reference and explained in prior messages, the Timbercrest evaluation of their proposed site driveway (approx. 160 feet south of Wingate's driveway on Holliston Street, away from the crest) required 335' of stopping sight distance (SSD) AFTER their proposed roadway mitigation. Wingate is located closer to the existing crest and a larger SSD would be required since no mitigation is proposed as part of their project.

We are not trying to be a stickler on this item but we simply cannot give our blessing on something that could potentially cause an accident in the future.

I will send you a link to the video once I have it uploaded, thanks.

Steve

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Friday, December 01, 2017 9:29 AM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Subject: Wingate Farm

Hi Steve,

I am writing to ask if you can fit in a visit to Wingate Farm next week to meet with Karyl and Paul for a site walk. This is in order to refine/revise your punch list and bond estimate.

Also, while you are there, I would ask that you sit in vehicle at the driveway and try to determine the actual sight distances north and south.

Please let me know when you will going out.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway

155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

Town of Medway – *A Massachusetts Green Community*

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Susan Affleck-Childs

From: Jeff Lynch
Sent: Monday, July 12, 2021 4:15 PM
To: Susan Affleck-Childs; Mike Fasolino
Cc: Jack Mee; bostonbootstress@gmail.com; Karyl Spiller-Walsh ; Gene Walsh; Dan Merrikin
Subject: RE: Wingate Farm Subdivision

Good afternoon Susy, As per the email of February 11, 2019, the roadway must be at least 20 feet in width of hard surface maintainable in all weather and able to sustain 75,000 pounds. We have already agreed to allow the single access therefore the 20-foot width is even more imperative. Thank you. Chief Lynch

Jeffrey P. Lynch
Chief of Department
Medway Fire Department
155 Village Street
Medway, MA 02053

Mailing address;
44 Milford Street
Medway, MA 02053

From: Susan Affleck-Childs
Sent: Monday, July 12, 2021 12:36 PM
To: Jeff Lynch <ChiefLynch@townofmedway.org>; Mike Fasolino <mfasolino@townofmedway.org>
Cc: Jack Mee <jmee@townofmedway.org>; bostonbootstress@gmail.com; Karyl Spiller-Walsh <wingatefarm@hotmail.com>; Gene Walsh <gene@elements4design.net>; Dan Merrikin <dan@merrikinengineering.com>
Subject: RE: Wingate Farm Subdivision

Hi Chief,

Karyl and Gene Walsh wish to proceed to complete their Wingate Farm subdivision infrastructure.

I am writing to determine if your email from February 2019 (see below) still holds. I am seeking some clarity on what you require for width of the roadway surface. What has already been completed is 18' surface as approved by the Board back in 2005.

Please advise at your earliest convenience.

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
sachilds@townofmedway.org

From: Karyl Walsh [<mailto:wingatefarm@hotmail.com>]
Sent: Tuesday, February 12, 2019 10:17 AM
To: Jeff Lynch <ChiefLynch@townofmedway.org>; Gene Walsh <gene@elements4design.net>
Cc: Jack Mee <jmee@townofmedway.org>; Susan Affleck-Childs <sachilds@townofmedway.org>; bostonbootstress@gmail.com
Subject: Re: Wingate Farm Subdivision

Hi Chief Lynch thank you for coming out and meeting with us and Mr. Mee a few weeks back. Just wanted to follow up via email after our phone conversation, regarding the roadway surface width. We are not proposing any changes to the approved plan other than a change of the building type on lot 3 to a single family home. The approved plan that we reviewed on the walk features an 18' width. Thank you again for your time
Gene & Karyl Walsh

From: Jeff Lynch <ChiefLynch@townofmedway.org>
Sent: Tuesday, January 22, 2019 6:15 AM
To: Gene Walsh
Cc: Jack Mee; Susan Affleck-Childs; wingatefarm@hotmail.com; bostonbootstress@gmail.com
Subject: RE: Wingate Farm Subdivision

Good morning Mr. Walsh, Thank you and Ms. Spiller-Walsh for meeting with Commissioner Mee and I at the property in question on Wednesday, January 16th. This email is to memorialize the conversation we had at that time. I our conversation you said the roadway would be a 20 foot wide hard surface roadway able to be maintained in all weather, (plowable), and be able to support 75,000 pounds. Furthermore, an analysis will be performed to ensure all of our apparatus are capable of maneuvering throughout the roadway. All this is per the Massachusetts Fire Code. As there is a hydrant at the end of the driveway and a hard surfaced access directly adjacent to the proposed access, and the proposed access roadway is less than 600 feet, I have agreed to waive the requirement for a second access road to the subdivision. If you have any questions please feel free to contact me at 508-533-3211 or Chieflynch@Townofmedway.org. Thank you again.

Chief Jeff Lynch
Medway Fire Department

From: Gene Walsh [<mailto:gene@elements4design.net>]
Sent: Wednesday, January 16, 2019 11:06 AM
To: Jeff Lynch <ChiefLynch@townofmedway.org>
Subject: Re: Wingate Farm Subdivision

Thank you

Eugene Walsh
C.S.U., Inc. / Elements 4 Design
[81 Rice Avenue](#)
[Northborough, MA. 01532](#)
[U.S.A.](#)
Cell (617) 212-5418
Office (781) 953-5685
Fax [\(508\) 351-6946](#)
Warehouse Address:
[21 Industrial Road](#)
[Walpole, MA 02081](#)

On Jan 16, 2019, at 10:42 AM, Jeff Lynch <ChiefLynch@townofmedway.org> wrote:

We'll see you there at 11:30. Thanks

Sent from my iPhone

On Jan 16, 2019, at 10:20 AM, Gene Walsh <gene@elements4design.net> wrote:

11:30 works for us today
Await reply
Yours
Gene

Eugene Walsh
C.S.U., Inc. / Elements 4 Design
[81 Rice Avenue](#)
[Northborough, MA. 01532](#)
[U.S.A.](#)
Cell (617) 212-5418
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Warehouse Address:
[21 Industrial Road](#)
[Walpole, MA 02081](#)

On Jan 16, 2019, at 9:01 AM, Jeff Lynch <ChiefLynch@townofmedway.org> wrote:

Good morning, It is my understanding that Ms. Spiller Walsh's email is not working and I have been requested to forward the information regarding the site visit today. Commissioner Mee and myself are planning on being on site at 11:30 this morning. If you have any questions please let me know. Thanks. Chief Lynch

From: Jeff Lynch
Sent: Monday, January 14, 2019 5:23 PM
To: Jack Mee <jmee@townofmedway.org>
Cc: wingatefarm@hotmail.com; bostonbootstress@gmail.com; Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: Re: Wingate Farm Subdivision

11:30 is good with me.

Sent from my iPhone

On Jan 14, 2019, at 4:36 PM, Jack Mee <jmee@townofmedway.org> wrote:

Could we make that 11:30? I have since scheduled a 10:00 meeting elsewhere.

From: Jeff Lynch
Sent: Monday, January 14, 2019 2:12 PM
To: Jack Mee; wingatefarm@hotmail.com;
bostonbootstress@gmail.com
Cc: Susan Affleck-Childs
Subject: RE: Wingate Farm Subdivision

Can we plan on Wednesday the 16th at 11? Thanks

From: Jack Mee
Sent: Monday, January 14, 2019 12:57 PM
To: Jeff Lynch <ChiefLynch@townofmedway.org>;
wingatefarm@hotmail.com;
bostonbootstress@gmail.com
Cc: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: RE: Wingate Farm Subdivision

I can be available Wednesday or Thursday late mornings

Jack

From: Jeff Lynch
Sent: Monday, January 14, 2019 11:36 AM
To: wingatefarm@hotmail.com;
bostonbootstress@gmail.com
Cc: Susan Affleck-Childs; Jack Mee
Subject: RE: Wingate Farm Subdivision

Good morning All, Ms. Spiller-Walsh has asked when would be a good time for us to do a site visit. I'm assuming from the Town side at this point it would be Commissioner Mee and myself? At the present time I have Wednesday pretty much any time and Thursday morning available. Please let me know who will be attending and if those times you are available. Thanks. Chief Lynch

From: Jeff Lynch
Sent: Friday, January 11, 2019 2:09 PM
To: 'wingatefarm@hotmail.com'
<wingatefarm@hotmail.com>;
'bostonbootstress@gmail.com'
<bostonbootstress@gmail.com>

Cc: Susan Affleck-Childs
<sachilds@townofmedway.org>; Jack Mee
<jmee@townofmedway.org>
Subject: Wingate Farm Subdivision

Ms Spiller-Walsh and Ms Walsh, I have looked at the plans for the Wingate Subdivision and met with Susan Affleck-Childs and Building Commissioner Jack Mee. Susy was very helpful with providing information. It is my understanding that the plan presented is a modification from a previous plan which was approved in 2005, and no permits have been issued. It is my understanding that there is an existing access road to the proposed buildings. I further believe the road is constructed of reclaimed back-top materials of some sort so the surface would be pervious. Plans also show the width of this road to be 18 feet wide. The roadway appears to be just less than 600 feet to the end.

Since the plan was originally submitted in 2005, fire code requirements have changed. Since there have been no permits issued and the plan is submitted for modifications the subdivision and construction will fall under the new fire code. The present fire code requires there are at least two access roads to new developments and that access roads be a minimum of 20 feet in width. It also requires the surface to be a hard surface maintainable (able to be plowed and will not diminish due to rain or snow accumulation) in all weather. The code also requires an analysis be done to ensure fire apparatus can maneuver without having to stop and back up to negotiate turns etc. and the surface must be able to sustain the weight of our heaviest piece of apparatus, 75,000 pounds. I have attached a copy of the fire code that addresses these issues.

The fire code does give me some discretion as to how property owners can comply with these requirements. Some will absolutely need to be complied with, however I would like to meet with the two of you and whomever you feel would be appropriate to accompany you along with Commissioner Mee and Susan Affleck-Childs to determine if there are alternatives that can be applied that would meet the intention of the code. I would also like to physically visit the site with Commissioner Mee to see what is already in place so we can make an informed decision on any possible alternatives. Please let me know when would be convenient to meet. As I am sure everyone's schedule is quite busy I might suggest you send several options to meet in the hopes

we can all be at the meeting. Please rest assured we would like to assist in any way we can to ensure this project moves forward and provides safety to the occupants of the proposed houses.

Thank you. Chief Jeff Lynch

Jeffrey P. Lynch
Chief of Department
Medway Fire Department
155 Village Street
Medway, MA 02053

Mailing address;
44 Milford Street
Medway, MA 02053

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Jessica Chabot, Member
Richard Di Iulio, Member
Matthew Hayes, P.E., 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

DRAFT – July 12, 2021

CERTIFICATE OF ACTION
Wingate Farm
Modification to DEFINITIVE SUBDIVISION PLAN

Location: 168 Holliston Street and Wingate Farm Road

Assessors' Reference: Map 09, Parcels 037-0000, 036-0000, 035-0000, and 034-0000

Parcel Size: 5.77 acres

Name/Address of Applicant: Karyl and Eugene Walsh
168 Holliston Street
Medway, MA 02053

Name/Address of Property Owner: Karyl and Eugene Walsh
168 Holliston Street
Medway, MA 02053

Land Surveyor: O'Driscoll Land Surveying, Inc.
Cottage Street
Medway, MA 02053

Plan Dated: As-Built Plan Wingate Farm Road, February 22, 2021

Zoning District: Agricultural Residential I

- I. BACKGROUND:** The original subdivision decision was issued 5-23-2000. That decision was modified 4-28-2005; the corresponding modified Wingate Farm subdivision plan was endorsed 11-8-2005 and recorded in October and November 2007 at the Registry of Deeds. That plan divided the property into 4 lots with a permanent private roadway known as Wingate Farm Road. Considerable work has been undertaken to install the subdivision's infrastructure. However, the project is not complete and the specified (and extended) completion deadline has expired.
- II. MODIFICATION DESCRIPTION:** The primary purpose of the current application is to establish a new deadline for project completion and to consider the applicant's requests for waivers from certain provisions of the Board's *Subdivision Rules and Regulations* which are now in effect.

II. PROCEDURAL SUMMARY:

A. On March 31, 2021, the Planning and Economic Development Board received an application for approval of a modification to the Wingate Farms subdivision decision and plan. The application was filed with the Town Clerk the same date.

B. On May 10, 2021, the Board notified various Town boards and departments, including the Board of Health, of the public hearing on the proposed subdivision modification, provided copies of the plan and requested review comments. The information was also posted to the Board's web page.

C. On May 25, 2021, the Board commenced a public hearing. The public hearing was duly noticed in the *Milford Daily News* on May 10 and May 13, 2021. Notice was posted with the Medway Town Clerk on May 4, 2021 and was sent by *Certified Sent* mail on May 6, 2021 to abutters in Medway within 300 feet of the subject property and to parties of interest. The public hearing was continued to June 22 and July 13, 2021 and _____ when it was closed.

D. All members voting on this Certificate of Action were present at all sessions of the public hearing or have provided a certification pursuant to General Laws c. 39 section 23D.

- III. PUBLIC HEARING SUMMARY:** The public hearing and the Board's review of the proposed Wingate Farm subdivision were conducted over the course of ____ Planning and Economic Development Board meetings during which substantive information was presented and evaluated. The project was reviewed for compliance with the *Subdivision Rules and Regulations* dated April 26, 2005 which are currently in effect.

Specified below is a list of plan documents and support materials, public comments, consultant and Town departmental board review documents, and supplemental information which have been provided by the Applicant or placed on the record by the Planning and Economic Development Board. All information is on file in the Medway Planning and Economic Development office and is available for public review.

Wingate Farm Definitive Subdivision Plan Modification Application Materials

- *Application to Modify Previously Approved Subdivision Plan and/or Decision*

- *Wingate Farm Subdivision As-Built Plan* - Prepared by O'Driscoll Land Surveying, Inc. dated 2-22-2021
- *Requests for Waivers from Subdivision Rules and Regulations* – Prepared by applicant
- *CWV-UNIFLOW 3*
- *168 Holliston Street – VZ Conduit Sketch*
- *Applicant's Response dated 11-13-18 to Tetra Tech's punch list dated 12-7-17*

Town Engineering Consultant Reviews

- Steven Bouley, P.E. Tetra Tech – 12-5-2017 email re: sight distance
- Steven Bouley, P.E. Tetra Tech – 12-7-2017 punch list and bond estimate
- Steven Bouley, P.E. Tetra Tech – 3-23-2018 review letter
- Steven Bouley, P.E. Tetra Tech – 6-22-2021 email

Supplemental Information Provided by Applicant's Consultants

Supplemental Information Entered into the Record by the Medway Planning and Economic Development Board

- Wingate Farm Certificate of Action 4-28-2005
- Wingate Farm modified definitive Subdivision Plan endorsed 11-8-2005
- Wingate Farm subdivision chronology prepared by Susan Affleck-Childs, dated 12-6-2017
- Notes summarizing Applicant's request, prepared by Susan Affleck-Childs, dated 5-25-2021
- Compilation of PEDB Meeting Minutes from 2017 and 2018 when Wingate Farm was discussed
- Excerpt from Timber Crest 40B decision (3-23-2016) - Condition #35 regarding required Holliston Street regrading improvements to address sight distances and safety.
- Green International Sight Distance letter dated 3-15-2017 regarding regrading work on Holliston Street
- Email communication dated 6-18-2021 from PEDB member Jessica Chabot
- Notes from 6-15-21 site visit by 3 PEDB members

Citizen/Resident Letters/Communications

Professional Testimony

Medway Departmental/Board Review Comments

- Email dated 7-12-21 from Fire Chief Jeff Lynch

IV. PROJECT EVALUATION CRITERIA – Before taking action on a definitive subdivision plan, the Board shall evaluate the proposed subdivision according to the criteria as specified in Section 5.16 of the *Subdivision Rules and Regulations*. At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____ and seconded by _____ to _____ the Project Evaluation Findings noted below. The motion was approved by a vote of _____ in favor and _____ opposed.

5.16.1 Completeness and technical accuracy of all submissions.

FINDINGS – All submissions were reviewed by Town staff and/or the Town’s Consulting Engineer. The Board’s consulting engineer has reviewed the 2005 modified subdivision plan against the current Subdivision Rules and Regulations and has identified numerous ways the plan does not meet current standards.

5.16.2 Determination that the street pattern is safe and convenient and that proper provision is made for street extension. The Board may disapprove a plan where it determines that dangerous traffic or unsafe conditions may result from the inadequacy of the proposed ways within the subdivision.

FINDINGS – The Board finds that the proposed street pattern within the subdivision is safe and convenient. The layout has been reviewed by the Board’s Consulting Engineer. Future roadway extension to adjacent property is not feasible so provisions to do so are not required.

5.16.3 Determination that development at this location does not entail unwarranted hazard to the safety, health and convenience of future residents of the development or of others because of possible natural disaster, traffic hazard or other environmental degradation.

FINDINGS –

5.16.4 Determination, based on the environmental impact analysis, where submitted, that the subdivision as designed will not cause substantial and irreversible damage to the environment, which damage could be avoided or ameliorated through an alternative development plan.

FINDINGS – The site of the subdivision is not within a Priority Habitat area and the wetlands of the site will be protected through action of the Medway Conservation Commission. Stormwater management has been reviewed by the Town’s consulting engineer and does not comply with the current stormwater regulations and standards. The project will result in a net increase of three single-family houses. Significant trees on site that are not within the house footprints or infrastructure elements will be protected and retained. The Board finds that the subdivision

5.16.5 Determination that the roads and ways leading to and from the subdivision shall be adequate to provide emergency medical, fire and police protection as well as safe travel for the projected volume of traffic. The Board may disapprove a plan where it determines that dangerous traffic or unsafe conditions may result from the inadequacy of the proposed access or of any ways adjacent to or providing access to the subdivision.

FINDINGS – The Board finds that the proposed internal roadway is adequate to provide emergency medical, fire and police protection as well as safe travel for the anticipated volume of traffic generated by four residences. The roadway shown on the plan was built to the Board’s construction specifications for a permanent private way subdivision road. However, the 18-foot roadway width does not meet current national Fire Code standard of 20-foot paved width according to the Fire Chief. The Board’s consulting engineer advises that the sight distances for traffic exiting from Wingate Farm Road onto Holliston Street are not sufficient and that the intersection at Wingate and Holliston Street is not safe for the scale of traffic on Holliston Street.

5.16.6 Conformity with all applicable requirements of the Medway Zoning Bylaw including but not limited to minimum area and frontage standards.

FINDINGS – The Board finds that the lots created by this plan conform to all applicable requirements of the Medway Zoning Bylaw, including minimum area and frontage requirements for the Agricultural Residential I zoning district.

5.16.7 Consistency with the purposes of the Subdivision Control Law.

FINDINGS – The Board finds that the proposed subdivision is consistent with the purposes of the Subdivision Control Law because the planned proposed is adequate for the new development and the impacts of the subdivision have been mitigated to a reasonable extent. Reasonable waivers have been granted herein with good cause.

V. OTHER FINDINGS - At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____ and seconded by _____ to _____ the Project Evaluation Findings noted below. The motion was approved by a vote of _____ in favor and _____ opposed.

A. Time period for completion has expired

B. The Board’s consulting engineer has inspected the site and determined that the as-built condition does not fully comply with previously approved and endorsed modified Wingate Farm Definitive Subdivision Plan nor the current *Subdivision Rules and Regulations*.

NOTE – More explanation and findings here . . .

VI. ACTION ON REQUEST FOR WAIVERS OF SUBDIVISION RULES & REGULATIONS — The Applicant has requested waivers from the following sections of the *Subdivision Rules and Regulations*, dated April 26, 2005.

Section 6.1.3 Time for Completion - An extension of time to complete the ways and improvements within the subdivision may be granted by the Board if there are mitigating circumstances. At least ninety (90) days prior to the expiration of the three (3) year approval period, the Applicant and/or owner may request in writing to the Board an extension of time, if necessary, to complete the construction of subdivision roadways, etc. The developer shall submit a written request to the Board outlining the mitigating circumstances necessitating such extension request. An extension request shall constitute a modification of the approved Definitive Subdivision Plan and shall be processed in accordance with *Section 6.2* herein. Any modification is subject to the *Rules and Regulations* in effect at the time the modification is sought. Prior to approving any extension of time, the Board will review and revise the amount of the bond deposit or other surety and the Applicant shall provide a new or revised security instrument prior to the Board's vote to approve the requested extension. An extension shall not exceed one (1) year. Additional extensions after the first may be applied for but not until at least nine (9) months have expired on the extension in effect.

EXPLANATION — The completion deadline for the Wingate Farm subdivision was November 8, 2012. That date is based on the original standard 3-year time window for completion after plan endorsement (November 8, 2005 → November 8, 2008) which was extended 4 years as a result of the Commonwealth's permit extension statute after the Great Recession of 2008. The Applicant's request for an extension of time to complete the subdivision was not made before November 8, 2012. The Applicant first started talking with the Planning and Economic Development Board in 2017 about an extension. Accordingly, the Applicant has requested a waiver from this particular regulation pertaining to project completion.

The Applicant has provided written testimony documenting a series of mitigating circumstances in the lives of the Walsh family which halted project completion. These included great financial hardship resulting from the economic crash of 2008-2009 and serious health issues experienced by both Gene and Karyl Walsh.

FINDINGS

Section 6.2.1 Plan Modification — The Board, on its own motion or on the petition of the Applicant or any person interested, shall have power to modify or amend its approval of a subdivision, or to require a change in a plan as a condition of its retaining the status of an approved plan. All of the provisions of the Subdivision Control Law and these *Rules and Regulations* relating to the submission and approval of a plan of a subdivision shall, so far as apt, be applicable to the approval of the modification or

amendment of such approval and to a plan which has been changed under this section. Any modification is subject to the *Rules and Regulations* in effect at the time of the modification is sought.

EXPLANATION - The Applicant asks for a waiver of the requirement that a plan modification comply with the *Subdivision Rules and Regulations* in effect at the time the modification is sought. The Applicant states that substantial infrastructure work has been completed pursuant to the previously approved, endorsed and recorded plan as represented on the as-built plan. The Applicant indicates that it would be extremely burdensome to be held to the current standards when a significant amount of the infrastructure has already been installed.

FINDINGS

Section 6.3.1 Plan Rescission – The Board, on its own motion or on the petition of the Applicant or any person interested, shall have power to rescind its approval of a subdivision. The following shall constitute sufficient reasons for the Board to rescind its approval of a Definitive Subdivision Plan in accordance with the provisions of M.G.L., Chapter 41, Section 81-W.

- a) Failure of the Applicant to present the revised plans and other required submittals to conform to the conditions or modifications required in the Certificate of Approval, within ninety (90) days of said approval, for the Board's endorsement.
- b) Failure of the Applicant to record the endorsed Definitive Subdivision Plan with the Registry of Deeds within a six (6) month period of its endorsement.
- c) Failure of the Applicant to perform within the three (3) year completion period (*unless otherwise specified in the Certificate of Approval and approved performance agreement*) or to request an extension thereof in accordance with the provisions of *Section 6.1.2* herein. This may result in the Board's notifying the Inspector of Buildings that no additional building permits shall be issued in said development.

EXPLANATION - The Applicant wishes to complete the subdivision work and asks that the Board waive this provision and not rescind its previous approval.

FINDINGS

ACTION ON WAIVERS – At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____ and seconded by _____ to _____ the above noted waiver requests from the *Subdivision Rules and Regulations*. The motion was _____ by a vote of _____ in favor and _____ opposed.

VII. DECISION – At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____ and seconded by _____ to _____ the applicant's request to extend the deadline for project completion to _____ and to waive selected sections of the *Subdivision Rules and Regulations* dated April 25, 2005, subject to the Conditions.

The motion was _____ by a vote of _____ in favor and _____ opposed.

VIII. CONDITIONS

WINGATE FARM DEFINITIVE SUBDIVISION PLAN – Modification

Certificate of Action

Medway Planning and Economic Development Board

Date of Action by the Medway Planning and Economic Development Board: _____

AYE:

NAY:

_____	_____
_____	_____
_____	_____
_____	_____

Date Signed: _____

Attest:

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Date

Copies to:

Karyl and Eugene Walsh
Michael Boynton, Town Manager
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner
Pete Pelletier, DPW Director
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Sergeant Jeffrey Watson, Police Safety Officer
Steve Bouley, Tetra Tech
Dan O'Driscoll, O'Driscoll Land Surveying



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

UPDATED – July 13, 2021

Rocky's Hardware – Public Hearing
Administrative Site Plan Review and
Outdoor Display Special Permit

- Public Hearing notice dated June 23, 2021
- Outdoor Display special permit application and project narrative
- Administrative site plan application, project description, and requests for waivers from the *Site Plan Rules and Regulations*
- Site Plan dated 4-22-21 by Howard Stein Hudson, Sheets C1.00 and C2.00
- Project review memo dated 7-8-21 from Susy Affleck-Childs
- **Garden Center plan dated 7-12-21 by Sugrue Associates (provided in response to the SAC review memo)**
- **7-11-21 review comments from Sergeant Jeff Watson**
- **7-12-21 review comments from Building Department**
- **7-12-21 review letter from Steve Bouley, Tetra Tech**

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Jessica Chabot, Member
Richard Di Iulio, Member
Matthew Hayes, P.E., Member
Thomas A. Gay, Associate
Member



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www.townofmedway.org

TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

RECEIVED TOWN CLERK
JUN 23 '21 PM12:18

June 23, 2021

Public Hearing Notice Rocky's Ace Hardware, LLC – 98 Main Street Administrative Site Plan & Outdoor Display Special Permit

In accordance with the *Medway Zoning Bylaw*, Section 3.5 Site Plan Review and Section 3.4 Special Permits, and certain provisions of Chapter 40A, Massachusetts General Laws, notice is given that the Medway Planning and Economic Development Board will conduct a public hearing on the applications of Rocky's Ace Hardware, LLC of Springfield, MA for approval of an administrative site plan and an outdoor display special permit to add an outdoor display area and a propane filling station adjacent to its leased indoor space at Medway Place shopping plaza at 98 Main Street. The hearing will begin at 7:30 p.m. on Tuesday, July 13, 2021 and will be held 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 subject property, shown on the Medway Assessors Map 40, as Parcel 55, is located in the Central Business zoning district. The property is bounded by Main Street on the south; property owned by Medway Realty to the west; Shell Station owned by Colbea Enterprises LLC and Gould's Plaza owned by Preeti and Manoj Munjal Trustee and ADN Realty Trust to the east; and by properties on the south side of Meadow Lane owned by Patricia and Stanley Misiuk Trust, Converse Family Revocable Trust, Elizabeth Kingsbury, Barbara Indech, Albert and Helen Pereira, and Joseph Raoul Jr. and Bazile Dorcast to the north.

The proposed project includes the establishment of a 1,200 square foot outdoor display area on a portion of the site that is currently paved, underutilized, and which abuts the eastern end of the Medway Place building where Rocky's is located. The display area will feature typical hardware store items such as seasonal tools, plants, and other merchandise. Proposed improvements include installation of fencing and protective bollards. Additionally, the applicant wishes to install a fenced in propane filling area on a 15' x 24' concrete pad, also with protective bollards. The planned improvements are shown on *Medway Place Site Plan and Landscape Plan* (Sheets C1.00 and C2.00) dated April 22, 2021 by Howard Stein Hudson of Boston, MA.

The application materials are on file with the Medway Town Clerk and the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular office hours. The proposed site plan and associated application documents are posted to 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 application materials, attend the hearing, and express their views at the designated time and place. Written comments are encouraged and may be forwarded to planningboard@townofmedway.org. All comments will be entered into the record during the public hearing. Any questions should be directed to the Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser, Chairman

To be published in the *Milford Daily News*: Monday, June 28 and Tuesday, July 6, 2021



**Planning & Economic Development Board - Town of Medway, MA
SPECIAL PERMITS**

Application for Special Permit Approval

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw. Certain special permits are issued by the Planning and Economic Development Board instead of the Zoning Board of Appeals.

The Town's Planning and Engineering Consultants may review the Application and associated submittals 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 meeting 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 the Board's review of the special permit application.

June 08 _____, 20 21

APPLICANT INFORMATION

Applicant's Name: Rocky's Ace Hardware LLC

Mailing Address: 40 Island Pond Road

Springfield, MA 01118

Name of Primary Contact: Kevin Bradley

Telephone: (413) 519-3172
Office: _____ Cell: (413) 519-3172

Email address: kbradley@rockys.com

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

PROPERTY INFORMATION

Location Address: 98 Main Street, Medway, MA 03257

The land shown on the plan is shown on Medway Assessor's Map # 40 as Parcel # 055

Size of Development Parcel(s): 6.19 Acres

Development Name: Rocky's Ace Hardware

General Description of Property: Hardware store

Medway Zoning District Classification: CB

TYPE OF SPECIAL PERMIT

Check all that apply:

- ☐ Infill Dwelling Unit (Section 8.1)
- ☐ Mixed-Use Development in the Central Business District (new Section 10.3)
- ☐ Reduced Parking (Section 7.1.1.J.)
- ☐ Vehicle fuel station with repair services
- ☐ Vehicle fuel station with car wash
- ☐ Vehicle fuel station with convenience store
- ☐ Car wash
- ☐ Vehicle repair
- ☐ Auto body shop
- ☐ Drive-thru facility
- ☒ Outdoor display
- ☐ Assisted living residence facility
- ☐ Other special permit uses, normally reviewed by the Zoning Board of Appeals, such as a Groundwater Protection District Special Permit and a Flood Plain Special Permit, but which are reviewed instead by the Planning and Economic Development Board when the project also requires site plan review (Section 3.4 H)

NOTE – There are separate application forms for the following special permits:

- Open Space Residential Development (OSRD)
- Adult Retirement Community Planned Unit Development (ARCPUD)
- Multi-Family Housing Overlay District (MHOD)
- Adaptive Use Overlay District (AUOD).
- Marijuana Facilities and Establishments (medical and adult recreational)
- Affordable Housing
- Oak Grove

Do not use this application form for the above noted types of developments.

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: Medway Realty, LLC

Mailing Address: 63 Atlantic Avenue
Boston, MA 02110

Primary Contact: Todd Wilson

Telephone: Office: (781) 284-3885 Cell: (781) 760-8230

Email address: twilson@dfi.cc

DESIGNATED REPRESENTATIVE INFORMATION

Name: Gareth Orsmond

Address: Pierce Atwood LLP, 100 Summer Street
Boston, MA 02110

Telephone: Office: (617) 488-8181 Cell:

Email address: gorsmond@pierceatwood.com

Relationship to Applicant: Attorney



SIGNATURES

The undersigned, being the Applicant, herewith submits this application for a special permit(s) to the Medway Planning and Economic Development Board for review and action.

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 Gareth Orsmond to serve as my Agent/Designated Representative to represent my interests before the 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 and other Town boards and committees to access the site during the special permit review process.

	<u>TODD WILSON</u> (printed name)	<u>6/8/21</u> Date
	<u>Kevin Bradley</u> (printed name)	<u>6/8/21</u> Date
Signature of Applicant (if other than Property Owner) printed name)		Date
<u>Gareth Orsmond</u>	<u>Gareth Orsmond</u>	
Signature of Agent/Designated Representative (printed name)		Date
<u>(Joel Quick, Esq. w/permission)</u> <u>(Joel Quick, Esq. w/permission)</u>		

SPECIAL PERMIT APPLICATION/FILING FEES

There is no separate special permit application fee when the project also requires site plan review.

SPECIAL PERMIT APPLICATION CHECKLIST

It is understood that the applicant shall simultaneously file a corresponding application for Site Plan Review and Approval with all required submittals.

- _____ Special Permit Application (2 signed originals) – one for the Town Clerk and one for the Planning and Economic Development Board
- _____ Submit a detailed narrative on how the proposed development project meets the special permit criteria included in the Medway Zoning Bylaw, SECTION 3.4 Special Permit Criteria AND any specific criteria included in the particular section(s) of the Zoning Bylaw for which a special permit is sought.
- _____ Any additional information required by the specific section of the Zoning Bylaw for the requested type of special permit

SIGNATURES

The undersigned, being the Applicant, herewith submits this application for a special permit(s) to the Medway Planning and Economic Development Board for review and action.

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 Gareth Orsmond to serve as my Agent/Designated Representative to represent my interests before the 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 and other Town boards and committees to access the site during the special permit review process.

Signature of Property Owner (printed name)

Date

Signature of Property Owner (printed name)

Date

Kevin Bradley
Signature of Applicant (if other than Property Owner) printed name

6/8/21
Date

Signature of Agent/Designated Representative (printed name)

Date

SPECIAL PERMIT APPLICATION/FILING FEES

There is no separate special permit application fee when the project also requires site plan review.

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- _____ Any additional information required by the specific section of the Zoning Bylaw for the requested type of special permit

Outdoor Display Special Permit Narrative
Rocky's Ace Hardware – 98, 108-114 Main Street

Rocky's Ace Hardware ("Rocky's") submits this application for a special permit to add an outdoor display area adjacent to leased space on the property referenced above. This special permit is being reviewed in connection with administrative review of the marked portion of a site plan and landscape plan titled "Medway Place, 98, 108-114 Main Street (Route 109), Medway, MA 02053, Norfolk County" and prepared by Howard Stern Hudson (the "Site Plan") attached to this narrative. The overall changes to the parking lot shown on the Site Plan are the subject of a major site plan review application to this Board by the owner of the larger property, Medway Realty, LLC.

The property known as 98, 108-114 Main Street (the "Property") is located in the Commercial Business ("CB") zoning district. The Property has been used as a retail shopping center for many years and continues to be used for that purpose. The retail use of the Property as a shopping center was by-right when the Property was first improved. Rocky's is leasing the easternmost section of the commercial building on the Property for use as a hardware store. As is customary for hardware stores, Rocky's seeks to add an outdoor display area. This area will be adjacent to the eastern end of the building on the Property as shown on the Site Plan. Rocky's seeks this special permit under Bylaw Section 3.4 for use of that area as an outdoor display as defined in Bylaw Section 2.

Rocky's proposes up to 1,200 square feet of outdoor display area. As shown on the Site Plan, the display area would be surrounded by a black vinyl chain-link fence and protective bollards. Because there is no change to the building, the only question for the Board pertains to the use of this area of the Property that is now (and will remain) a paved lot.

An outdoor display is allowed in the CB district as an accessory use to the hardware store by special permit provided the requirements of Bylaw Section 3.4.C are met. As set out below each requirement in that section is met here, and the Board can find that "the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site." Bylaw Section 3.4.C.

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

As stated, the Property has been used as a retail store location for decades. The location of an outdoor display adjacent to the eastern end of the building will allow for the existing pedestrian and vehicular traffic circulation to be unimpeded. The easterly end of the building is typically a low traffic area, used primarily by delivery or service vehicles seeking to access the back of retail buildings on the Property.

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

The hardware store will have staff who move items to and from this outdoor display area. This display area also allows larger items purchased in the store to be temporarily placed outside for pickup. The underutilized parking spaces on the easterly end of the building can be used for

temporary loading of these larger items, thus avoiding any hazards that might be created by loading and unloading in the fire lane that runs in front of the retail building.

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

This use will not create a hazard to abutters, vehicles, pedestrians or the environment. The area is now paved and has been for decades. Fencing it off and utilizing it will not create any negative environmental impact. The impact on abutters will be negligible. The existing retail shopping center is located on Route 109 with other commercial uses and ample parking. The property to the east and northeast is commercial in nature and features extensive parking lots. To the south is Route 109 and to the west is the rest of the Property. There are residences to the north of the Property, all of them are screened by the existing building or a retaining wall and vegetated buffer from the display area. The display area will not have separate hours from those of the retail operation and the merchandise will be securely stored after hours.

The entire Property is being improved in order to increase the safety of the traffic flow to and from the retail stores on site. See the Site Plan. In order to comply with fire code requirements, the lane in front of the retail storefronts must be kept clear of any vehicles and objects. Rocky's and the property owner have consulted with the fire department and have adjusted location of the outdoor display area to assure that fire trucks can safely and easily circulate the building, if necessary.

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

As noted above, the traffic circulation is being improved on the Property. The goal of placing a display area in this location is to keep the main channel for pedestrian and vehicular traffic that runs along the front of the retail buildings open. Placing the display area on the side of the building near underutilized parking spaces will allow hardware store staff to direct people into nearby parking spaces and coordinate loading of vehicles in the adjacent parking spaces.

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 proposed use will not change the lighting plan for the Property. There will be no change to the pervious surface area, and so flooding will be unaffected. There will be no notable increase in odors, dust, noise, vibration, or refuse associated with the use of this display area. The display area is screened from abutting properties to the rear, and is not particularly visible from Route 109. Nonetheless, an outdoor retail display is visually consistent with the mix of retail uses on site. There will not be any detriment to the site that arises from this use. The display area will at all times be part of the hardware store operation and will not have a meaningfully different impact than the use of the Property as a hardware store.

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

The proposed use as an outdoor display area is customary for hardware store retail uses and is consistent with the retail use of the Property. The impact on the neighborhood in terms of traffic will not be different than that of the existing retail use of the Property. There are no other neighborhood impacts that will arise from this use. The outdoor display will not significantly alter the character of the CB zoning district.

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

The zoning bylaw contemplates commercial and business activity in the CB zoning district. The definition of “outdoor display” contemplates that the display of materials may be allowed as an accessory use provided the display is not on “any parking, delivery or loading areas, fire lanes, drive aisles, or sidewalks where less than 6 feet of sidewalk width remains for pedestrian access.” The focus appears to be on preventing any negative impacts to pedestrian and vehicular safety, and not on what will be displayed. However, an outdoor display of goods sold by a hardware store is typical and customary. This is likely because many hardware store goods sold are designed to be exposed to the elements. The location proposed will avoid the creation of hazards. The use is harmonious with the general purpose and intent of the Zoning Bylaw.

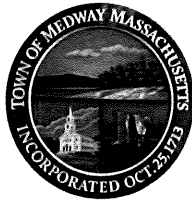
The proposed use is consistent with the goals of the Medway Master Plan.

On Page 39, in the Economic Development section, the 2009 Master Plan notes that there is a “small scale commercial hub located along Route 109.” The display area will allow further use of this commercial section of Town without any detriment. Fully utilizing this commercial area on Route 109 is consistent with the Master Plan goals of economic development in existing commercial areas. Rocky’s is a large company based in Springfield, Massachusetts with locations in Connecticut, Florida, Maine, Massachusetts, New Hampshire, New Jersey, Pennsylvania and Rhode Island. Having stable and growing companies like Rocky’s in Medway is consistent with the Master Plan. One of the draws to this particular retail location in Medway is the possibility of having an outdoor display area.

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

For the reasons stated, the proposed use will not be detrimental to the public good. This outdoor display area will not create problems with site circulation, and should provide a benefit to both customers and staff. The display area will feature typical hardware store items such as seasonal tools and plants and discounted merchandise. By surrounding the area with a fence, Rocky’s can direct attention to the display without unnecessary signage, prevent danger to traffic circulating around the building, and place the access point so as to guide all customers to the front of the store. Such an outdoor display is a reasonable accessory use to the existing retail use of the Property.

For the foregoing reasons, the Board should issue a special permit to Rocky’s for an extension of the retail on the outdoor display area as shown on the Site Plan.



**Town of Medway, MA
Community and Economic Development**

Medway Town Hall – 155 Village Street – Medway, MA 02053
508-321-4915

Application for Administrative Site Plan Review

**Administrative Site Plan Review is for small construction and site improvement projects as defined in Section 3.5.3.A.3 of the Zoning Bylaw.
Administrative Site Plan Review is handled by the Town's Administrative Site Plan Project Review Team.**

INSTRUCTIONS TO APPLICANT and OWNER

This Application is made pursuant to Section 3.5 of the *Medway Zoning Bylaw* and the Planning and Economic Development Board's *Rules and Regulations for the Submission and Review of Site Plans (Regulations)*.

You are advised to contact the Medway Community and Economic Development office at 508-321-4915 to schedule an appointment to discuss your project and submittal requirements before you prepare and submit this application.

June 08, 20 21

APPLICANT INFORMATION

Applicant Name: Rocky's Ace Hardware, LLC
Mailing Address: 40 Island Pond Road
Springfield, MA 01118
Name of Primary Contact: Kevin Bradley
Relationship to Applicant: Manager
Telephone: Office: (413) 519-3172 Cell: (413) 519-3172
Email address: kbradley@rockys.com

Check one of the following:

- ☐ You own the subject property
☐ You are the purchaser on a purchase and sales agreement
☒ You are a tenant of the subject property

Please note, if you are not the owner, the owner must sign this application as well.

PROPERTY INFORMATION

Property Address: 98 Main Street, Medway, MA 03257

Medway Assessors' Map and Parcel #: Map 40, Parcel 055

Total Acreage of Land Area: 6.19 Acres

General Description of Property: Hardware store in retail shopping center

Medway Zoning District Classification: CB

Current Use of Property: Retail shopping center

Setbacks for Existing Structure (if applicable):

Front: n/a Side: n/a

Back: n/a Side: n/a

Scenic Road:

Does any portion of this property have frontage on a Medway Scenic Road?

___ Yes X 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 X No

Groundwater Protection:

Is any portion of the property within a Groundwater Protection District? Yes ☒ No ☐

Flood Plain: X

Is any portion of the property within a Designated Flood Plain? _____ Yes X No

Zoning Board of Appeals:

Will this project require a variance or special permit? X Yes No

Explanation: This project requires a special permit for an outdoor display.

PROPOSED PROJECT INFORMATION

Development Name: Rocky's Ace Hardware

Project Description: Provide a written description of the proposed development and/or site improvements including: current and proposed uses, proposed site improvements, construction, and demolition; existing and proposed means of vehicular and pedestrian access and egress; anticipated number of employees and occupants; methods and hours of operation; and timetable for project completion. The Project Description shall include but not be limited to building construction, renovation, paving, drainage, retaining walls, landscaping, refuse storage and disposal facilities, sidewalks, handicap access, site amenities, outdoor lighting, and proposed mitigation measures.

SITE PLAN INFORMATION

Plan Title: Medway Place, 98, 108-114 Main Street (Route 109), Medway, MA 02053, Norfolk County

Plan Date: April 22, 2021

Prepared by:

Name: Michael Littman, P.E. (project transferred to Joseph Connolly)

Firm: Howard, Stein, Hudson, 11 Beacon Street, Suite 1010, Boston, MA 02108

Telephone: Office: (617) 482-7080 Cell: (617) 755-3772

Email address: jconnolly@hshassoc.com

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner Name: Medway Realty, LLC

Mailing Address: 63 Atlantic Avenue

Boston, MA 02110

Primary Contact: Todd Wilson

Telephone: Office: (781) 284-3885 Cell: (781) 760-8230

Email address: twilson@dfi.cc

The owner's title to the land that is the subject matter of this application is derived under deed from: Medway Realty Trust to Medway Realty LLC

dated December 21, 2001 and recorded in Norfolk County Registry of Deeds,
Book _____ Page _____ or Land Court Certificate of Title Number 161308,
Land Court Case Number 26706, registered in the Norfolk County Land Registry District
Volume 807, Page 108.

DESIGNATED REPRESENTATIVE INFORMATION

Name: Gareth Orsmond

Address: Pierce Atwood LLP, 100 Summer Street

Boston, MA 02110

Telephone: Office: (617) 488-8181 Cell: _____

Email address: gorsmond@pierceatwood.com

SIGNATURES

The undersigned, being the Applicant for Administrative Site Plan review and approval and Owner of the property, herewith submits this application, Site Plan and other required documents to the Medway Community and Economic Development office. I (we) 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 and site improvements.

(If applicable, I hereby authorize Gareth Orsmond to serve as my Designated Representative to represent my interests with respect to this application.)

I (we) understand that the Administrative Site Plan Project Review Team will review the application at a posted meeting during regular Town Hall hours. I (we) understand that Town staff may request additional information which I (we) am responsible for providing to assist them in reviewing the proposed development. In submitting this application, I (we) authorize Town staff to access the site during the plan review process.


Signature of Property Owner

TODD WILSON
(Printed Name)

6/8/21
Date


Signature of Applicant
(If other than Property Owner)

Kevin Bradley
(Printed Name)

6-8-21
Date

Gareth Orsmond
Signature of Designated Representative

Gareth Orsmond
(Printed Name)

6-14-21
Date

(Quick w/permission) (Joel Quick, Esq. w/permission)

Administrative Site Plan Review Project Description

Rocky's Ace Hardware – 98, 108-114 Main Street

This project description is submitted to accompany administrative review of a site plan and landscape plan titled “Medway Place, 98, 108-114 Main Street (Route 109), Medway, MA 02053, Norfolk County” and prepared by Howard Stern Hudson, as amended (the “Site Plan”).

The property known as 98, 108-114 Main Street (the “Property”) is located in the Commercial Business (“CB”) zoning district. The Property has been used as a retail shopping center for decades and continues to be used for that purpose. Rocky's Ace Hardware (“Rocky's”) seeks to lease the easternmost section of the commercial building on the Property for use as a hardware store. Rocky's seeks to add an outdoor display area adjacent to the eastern end of the building on the Property as shown on the Site Plan. Rocky's is requesting that the Administrative Site Plan Project Review Team only review that section of the site plan that pertains to the property to be leased and used by Rocky's, specifically the outdoor display area and propane filling station. The section of the larger site plan with these improvements has been marked on the plans filed with this application. The overall changes to the parking lot on the site plan will be reviewed by the Planning and Economic Development Board under a major site plan review application.

The outdoor display area will be a 1,200 square-foot area that is presently unused, paved, and abutting the existing building. As shown on the Site Plan, the display area would be surrounded by a 6-foot-tall black vinyl-coated chain-link fence and protective bollards. The display area will feature typical hardware store items such as seasonal tools and plants and other merchandise. The outdoor display area would not be designed for heavy occupancy, and would typically have no more than a dozen occupants at any time, including staff. The display area will not have separate hours from those of the retail operation and the merchandise will be securely stored after hours. Based on discussions with the fire department, the outdoor display area has been located so as to allow clearance for fire trucks. Rocky's has submitted a special permit application for the outdoor display area to the Planning & Economic Development Board. The narrative accompanying that special permit approval with additional details regarding the outdoor display is attached to this application.

Rocky's also proposes to locate a small fenced-in area near the easternmost edge of the Property to be used as a propane fill area. See Site Plan. This area would be surrounded by a 4-foot-tall black, vinyl-coated chain-link fence and protective bollards. The propane fill station would be on a concrete pad and will be located adjacent to existing underutilized parking spaces. These spaces will be designated for fill station use. The fill station is designed for a single trained & certified staff member to fill a customer's propane tank. The fire department has approved of this location for the propane fill station.

Reservation of Rights

Medway Realty supports this application for administrative review under reservation of rights, including those stated in its letter dated February 6, 2020, from Gareth Orsmond, Esq., with respect to the Major Site Plan Application and Medway Plaza's status as a lawfully nonconforming, pre-existing use, a copy of which is on file with the Community and Economic Development Office, and those arising from the DPW's fence regulations, which state that no permit is required for a fence, and Section 202-3 of the Rules and Regulations for Submission, Review and Approval of Site Plans, which state, "No building permit shall be issued for any use, site or building alteration, or other improvement ... unless an application for Site Plan Review has been prepared" No building permit is required for fencing.

Request For Waivers

In accordance with Section 202-5 of Rules and Regulations for Submission, Review and Approval of Site Plans, Medway Realty requests waivers from the following requirements for administrative site plan review:

- Section 206-3.A.2, requiring a 24" x 36" site plan to the extent one is required. Medway Realty makes reference to the application submittal requirement stating that an 11 x 17 plan can be submitted to the Town Clerk.
- Section 206-3.B.3, to the extent the project description requires anything more than the description included with this application.
- Section 206-3.B.4, which requires a stormwater drainage evaluation report. Stormwater drainage is addressed at length in the reports and plans submitted for the application for a Municipal Stormwater Connection and Discharge permit pending with DPW for the Medway Plaza.
- Section 206-3.B.6, to the extent it requires that waivers be requested on a form provided by the Planning and Economic Development Board other than this application form.
- Sections 206-4 and 206-5, which set forth standards for site plan preparation and site plan content, to the extent the site plan submitted does not meet any of those requirements.
- The requirements of Article VII and elsewhere in the Rules and Regulations for "development projects." There is no definition of what constitutes a development project. Medway Realty submits that the proposed fencing is not a development project.

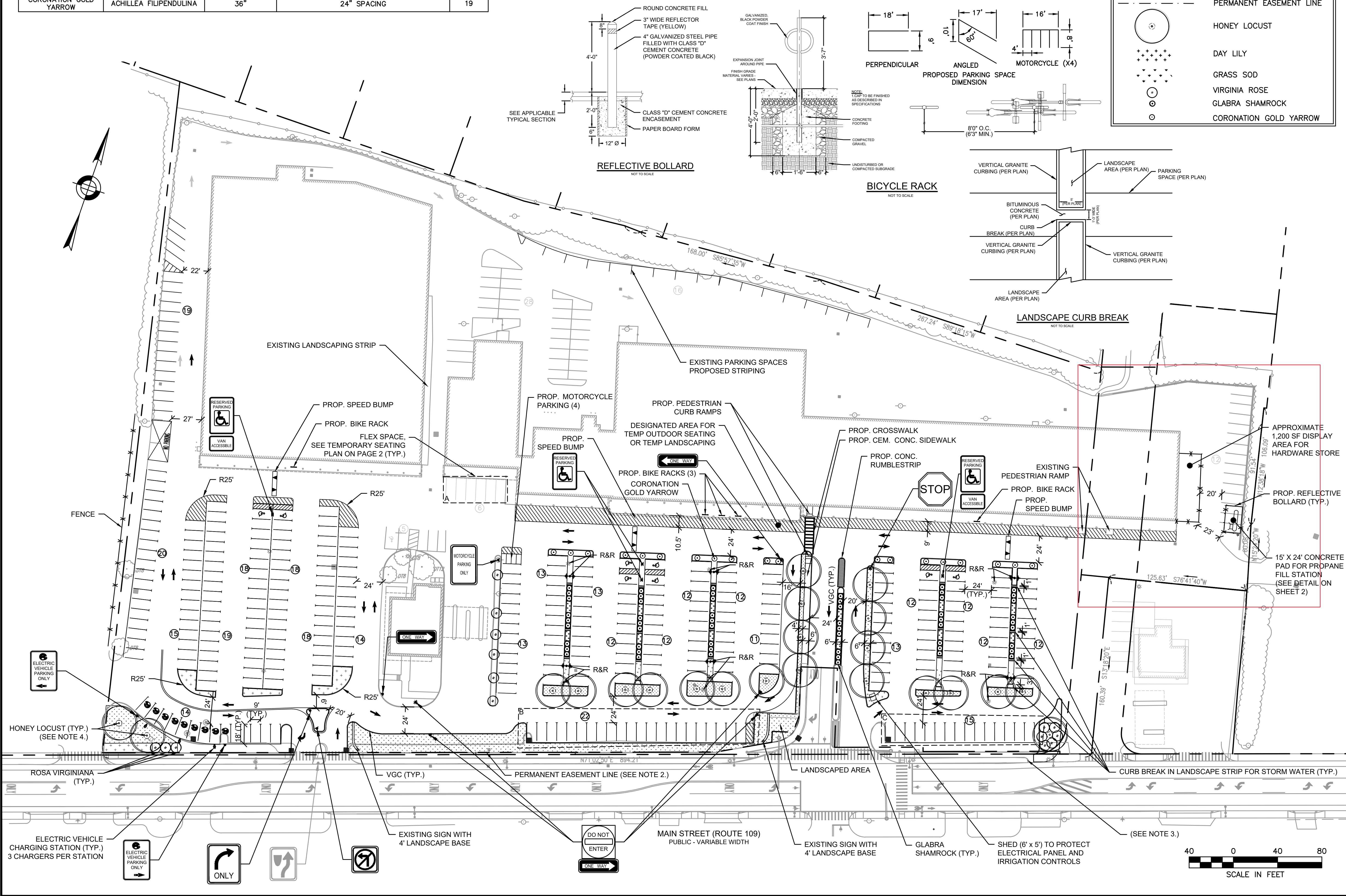
Medway Realty submits that the requested waivers meet the requirements for waiving strict compliance with the Rules and Regulations as set forth in Section 202-5. In particular, the rule or regulation requested to be waived does not apply to the situation under review, and a waiver will have no significant detriment to the achievement of any of the purposes of site plan review and approval and is consistent with the purpose and intent of the Zoning Bylaw and the Rules and Regulations.

PLANTING AREAS – PLANT LIST				
SHRUB	GENUS/SPECIES	SIZE (HEIGHT)	PLANTING SPECIFICATIONS	QUANTITY
GRASS SOD				
HONEY LOCUST	GLEDITSIA TRIACANTHOS	30'	20'-35' SPREAD	22
GLABRA SHAMROCK	ILEX GLABRA	36"-48"	36" SPACING	54
DAY LILY	HEMEROCALLIS STELLA D'ORO	12"	12"-18" SPACING	
VIRGINIA ROSE	ROSA VIRGINIANA	6-8'	96" SPACING	15
CORONATION GOLD YARROW	ACHILLEA FILIPENDULINA	36"	24" SPACING	19

- NOTES:
- EXISTING CONDITIONS INFORMATION OBTAINED FROM A SURVEY PLAN CONDUCTED BY GRADY CONSULTING LLC ON JUNE 12, 2019.
 - PERMANENT EASEMENT TAKEN BY TOWN OF MEDWAY BY ORDER OF TAKING FILED WITH THE NORFOLK COUNTY LAND COURT ON 8/18/2015, DOC. #1,335,903, AND RECORDED WITH THE NORFOLK COUNTY REGISTRY OF DEEDS AT BOOK 33407, PAGE 214.
 - EXISTING SIDEWALK AND GRANITE CURB INSTALLED BY MASSDOT AS PART OF THE ROUTE 109 PROJECT; NOT PART OF THE SITE PLAN.
 - PLANTS SELECTED TO MATCH PLANTINGS INSTALLED BY MASSDOT AS PART OF THE ROUTE 109 PROJECT.
 - ALL PROPOSED CHANGES ARE SUBJECT TO LOCAL APPROVALS REQUIRED UNDER THE ZONING BYLAWS.

PARKING SPACES SUMMARY	
EXISTING	433
TOTAL PROPOSED	433
PROPOSED STANDARD	411
PROPOSED ACCESSIBLE	9
PROPOSED MOTORCYCLE	4
PROPOSED ELECTRIC VEHICLE CHARGING	9
NET CHANGE	0

LEGEND	
VGC	VERTICAL GRANITE CURB
R&R	REMOVE AND RESET
+	LIGHT
+	SIGN
Ⓜ	HANDICAP PARKING
Ⓜ	NUMBER OF PARKING SPACES
---	TEMPORARY EASEMENT LINE
---	PERMANENT EASEMENT LINE
○	HONEY LOCUST
+	DAY LILY
+	GRASS SOD
○	VIRGINIA ROSE
○	GLABRA SHAMROCK
○	CORONATION GOLD YARROW



HOWARD STEIN HUDSON
11 Beacon Street, Suite 1010
Boston, MA 02108
www.hshassoc.com

PREPARED FOR:

MEDWAY PLACE
98, 108-114 MAIN STREET (ROUTE 109)
MEDWAY, MA 02053
NORFOLK COUNTY

REVISIONS:

NO	BY	DATE	DESCRIPTION
1	ML	2/11/20	LANDSCAPE PLAN
2	ML	4/22/21	LANDSCAPE PLAN

PERMIT SET
NOT FOR CONSTRUCTION

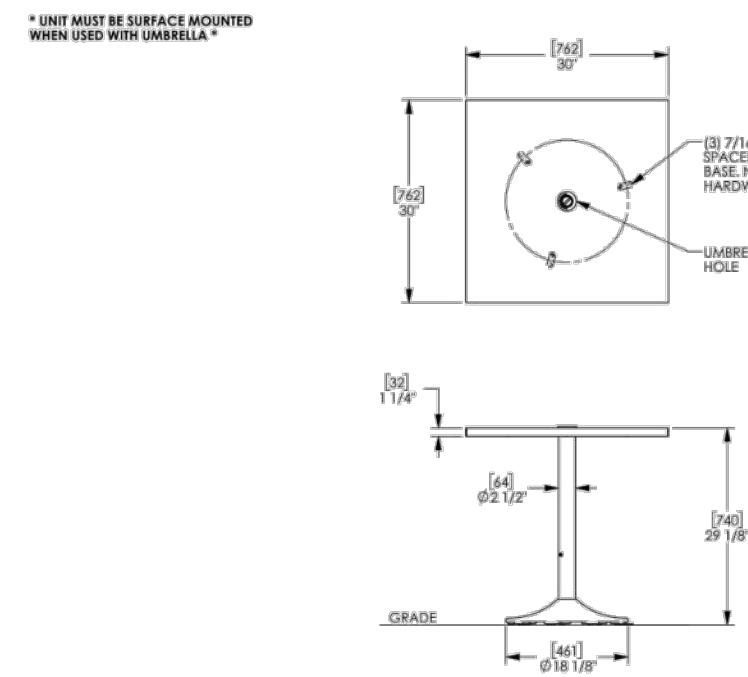
**SITE PLAN &
LANDSCAPE
PLAN**

DATE:	4/22/2021
PROJECT NUMBER:	2014041
DESIGNED BY:	ML
DRAWN BY:	ML
CHECKED BY:	RL

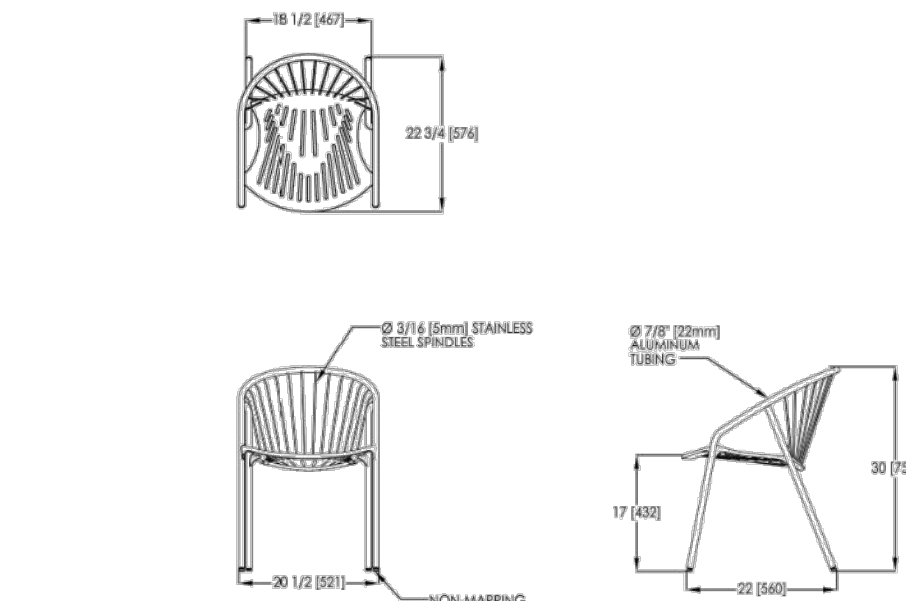
C1.00

SHEET 1 OF 2

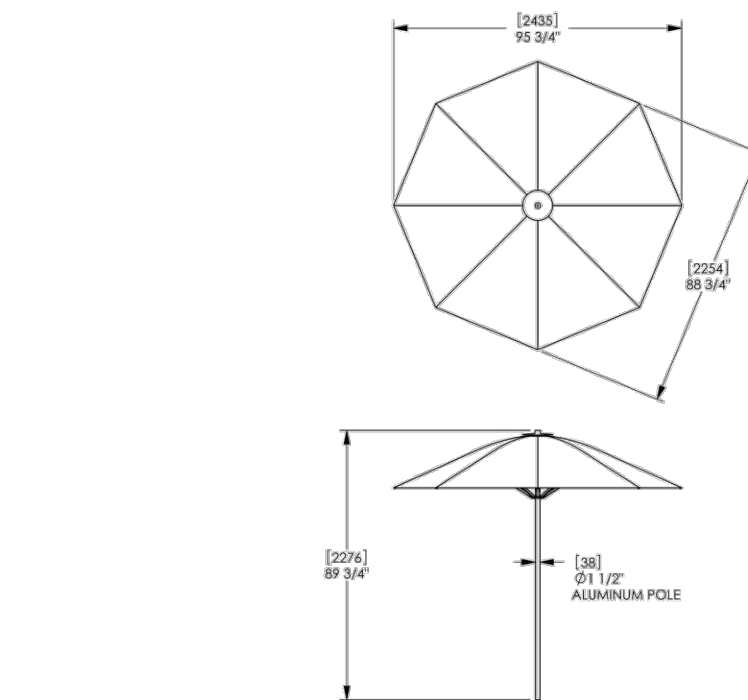
TABLE
NOT TO SCALE



CHAIR
NOT TO SCALE



UMBRELLA
NOT TO SCALE

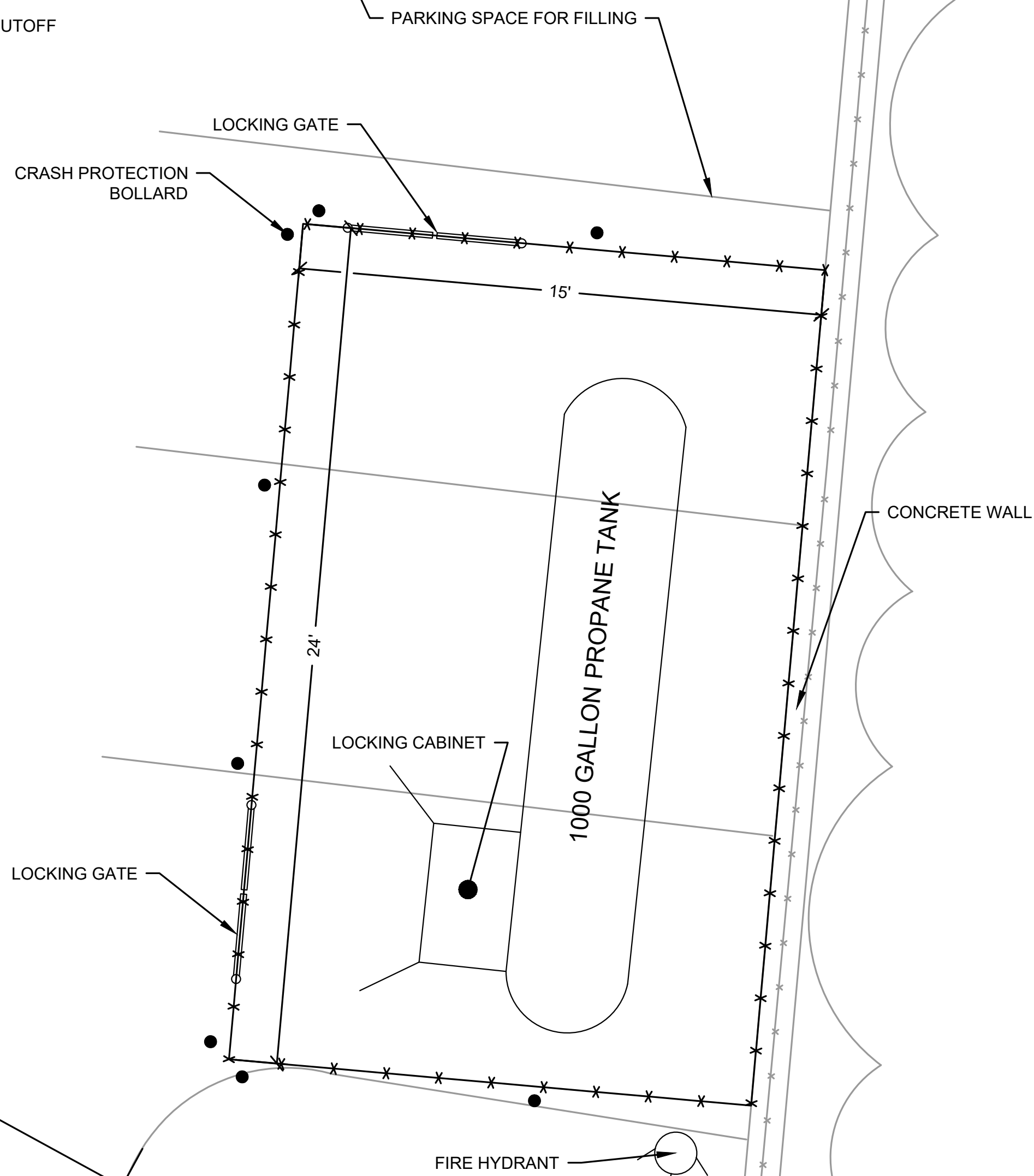


NOTES:

ALL PROPER FIRE CODES WILL BE MET INCLUDING:

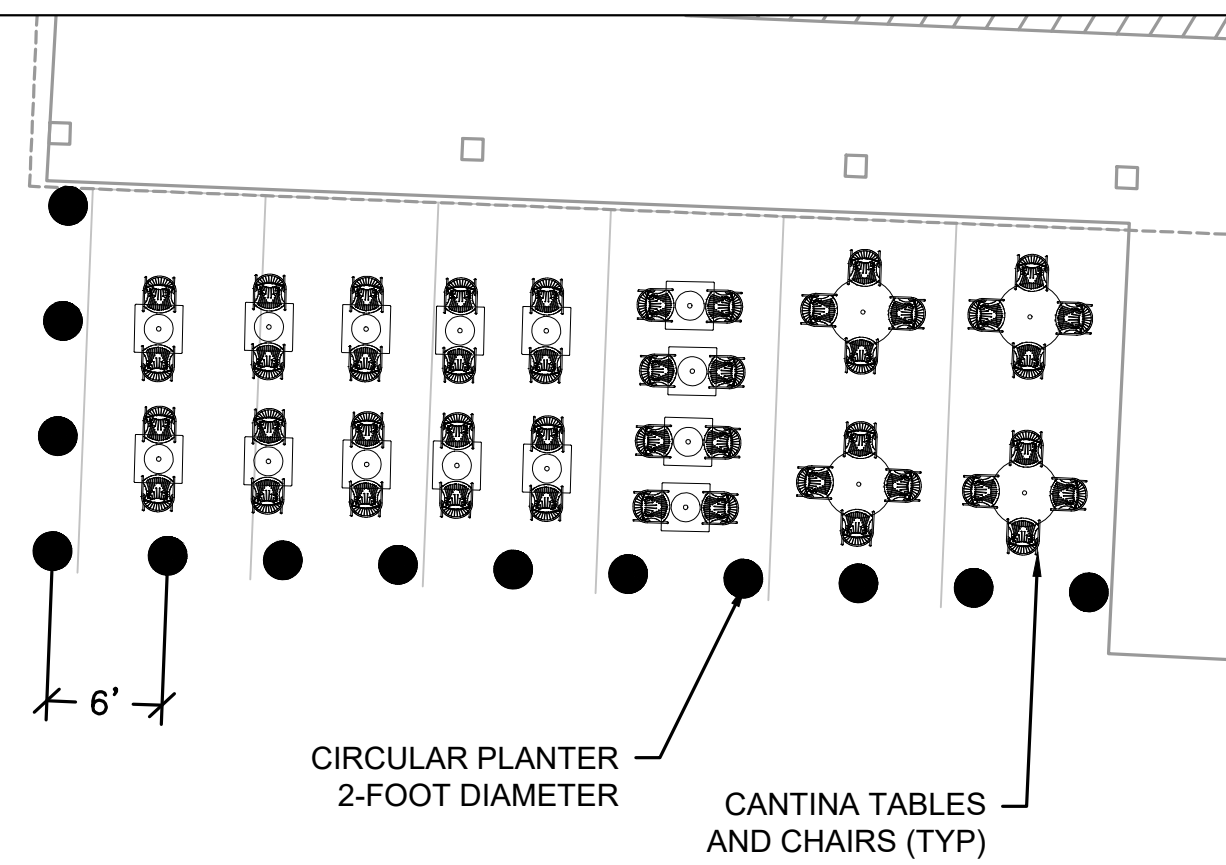
1. INSTALLATION OF NO SMOKING SIGNAGE
2. INSTALLATION OF EMERGENCY PULL CABLE SHUTOFF FROM OUTSIDE FENCE

PROPOSED ACE HARDWARE FENCE

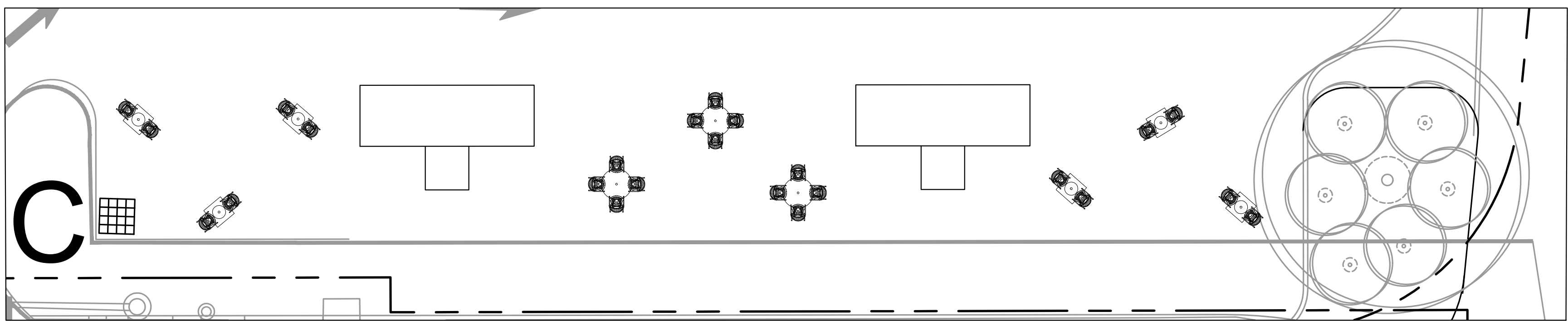
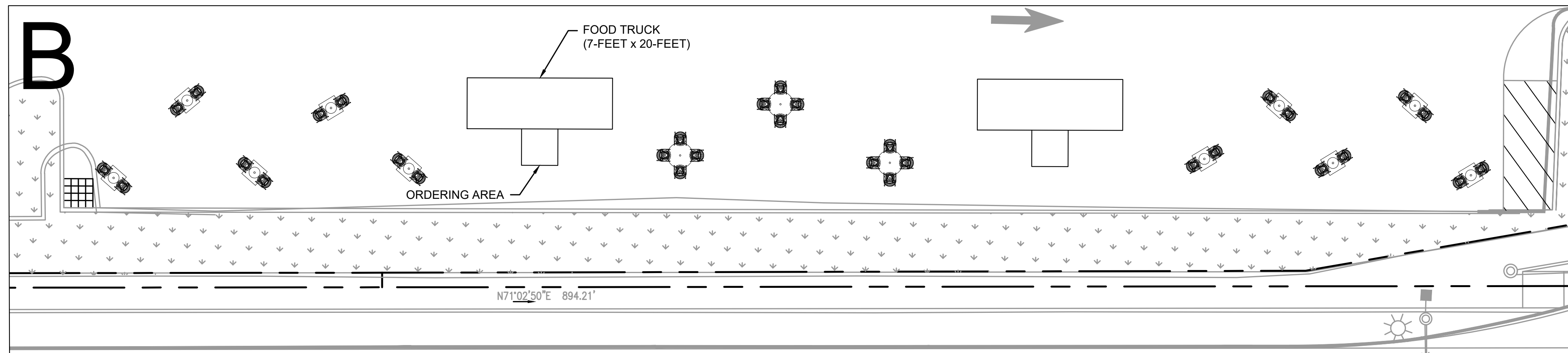


PROPANE FILL STATION DETAIL
SCALE 1"=3'

A



B



NOTES:

1. ALL PROPOSED CHANGES ARE SUBJECT TO LOCAL APPROVALS REQUIRED UNDER THE ZONING BYLAWS.



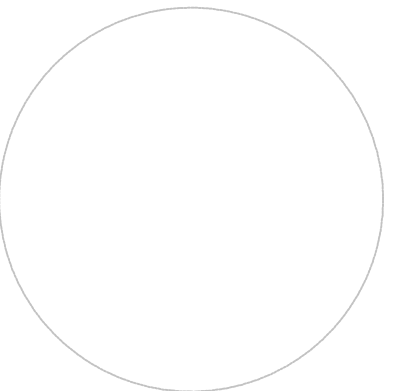
HOWARD STEIN HUDSON
11 Beacon Street, Suite 1010
Boston, MA 02108
www.hshassoc.com

PREPARED FOR:

MEDWAY PLACE
98, 108-114 MAIN STREET (ROUTE 109)
MEDWAY, MA 02053
NORFOLK COUNTY

REVISIONS:

NO	BY	DATE	DESCRIPTION
1	ML	4/22/21	TEMP SEATING



PERMIT SET
NOT FOR CONSTRUCTION

**TEMPORARY
SEATING
PLAN AND
GATE DETAIL**

DATE:	4/22/2021
PROJECT NUMBER:	2014041
DESIGNED BY:	ML
DRAWN BY:	ML
CHECKED BY:	RL

C2.00

SHEET 2 OF 2

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

July 8, 2021

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Applications for approval of Rocky's Hardware Administrative Site Plan and Outdoor Display Special Permit - 98 Main Street, Medway Place Shopping Plaza

Rocky's Hardware has applied for an outdoor display special permit for its new location at 98 Main Street. They have proposed a 1,200 square foot, enclosed, outdoor display area and a propane filling station area. Because the enclosed areas include fencing, the project is subject to administrative site plan review. However, because the project needs a special permit, the site plan is automatically referred to the Planning and Economic Development Board to address as part of the special permit process. This is as specified in Section 3.5.4 J. Procedures for Site Plan Review, item 4. of the Zoning Bylaw.

I have reviewed the application information provided including the project description and the following:

1. *Site Plan and Landscape Plan* for Medway Place, Sheet C1.00 by Howard Stein Hudson, dated 4-22-2021
2. *Temporary Seating Plan and Gate Detail* for Medway Place, Sheet C2.00 by Howard Stein Hudson, dated 4-22-2021.

Comments/Questions on Rocky's Hardware

1. The actual dimensions of the outdoor display area are not shown on the provided site plan. It is important to know the length of each side of the fence, rather than just the description of "up to 1200 square feet" as noted in the special permit application, or "approximate 1200 SF" as shown on the plan. The plan should be revised to include the dimensions.
2. The written description indicates that the outdoor display area will be surrounded by protective bollards. The site plan does not show the bollard locations for the outdoor display area. The plan should be revised to specify the locations of the protective bollards.
3. Will there be access to the outdoor display area directly from any point outside, or will the area be accessible only through the store? Any gate proposed for the fencing should be shown.
4. How many parking spaces will be lost by the addition of the outdoor display area and the propane fill station? Is that loss of spaces reflected in the Parking Spaces Summary table on Sheet C1.00?

5. The plan does not specify what type of fencing is proposed around the outdoor display area and the propane fill station area. The text in the project description indicates it will be black vinyl chain link fencing. What height of fence is proposed? The plan should be revised to indicate that information and include a fencing detail.
6. The project description indicates that Rocky's will also use the outdoor display area for pick-up of larger items purchased in the store. It is not clear where this pick-up area is to be located. It is not shown on the site plan.
7. What is the lighting plan for the outdoor display area? Nothing is indicated on the plan. Any outdoor lighting must meet the lighting standards of the Zoning Bylaw.
8. Will the outdoor display area function year-round?
9. The applicant should understand that no signage pertaining to the products kept in the outdoor display area will be allowed nor will any advertising on the propane tank be authorized.
10. What is the anticipated height of materials and the associated shelving to be displayed/stored within the outdoor display area?

Summary of Comments received from the Medway Fire Department

1. There needs to be always an unobstructed laneway of 20' wide between the propane filling station and the outdoor display enclosures. It appears that such is provided.
2. How are propane deliveries handled? A clearly designated area should be specified on the plan for where propane delivery trucks will park. Signage should be provided on the fence to direct delivery trucks to park in the specified location. Propane delivery parking cannot obstruct access around the building and the outdoor display area by emergency vehicles.
3. Signage should be included on the fences to state no customer parking in front of the outdoor display enclosure and propane filling station. Customer parking cannot obstruct access around the building and outdoor display area by emergency vehicles.

cc: Joel Quick, Pierce Atwood
Gareth Orsmond, Pierce Atwood

Susan Affleck-Childs

From: Sgt. Jeffrey Watson <JWatson@medwaypolice.com>
Sent: Sunday, July 11, 2021 11:39 AM
To: Susan Affleck-Childs
Subject: RE: Rocky's Hardware - Outdoor Display Area site plan and special permit

Hi Susy,

This is going to be tight, But it does give the 22 feet needed for two way traffic. I am concerned that there are no "Caution Pedestrian ahead" signs or something that would notify vehicles if they are coming from around the building or even pulling into this area from the parking lot.

I would ask that install some type of caution signs to alert drivers of pedestrians.

I am off for the next few weeks, I am around this week but not available between the 16th and 24th.

Thanks

Jeff

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Wednesday, July 7, 2021 4:58 PM
To: Sgt. Jeffrey Watson <JWatson@medwaypolice.com>
Subject: FW: Rocky's Hardware - Outdoor Display Area site plan and special permit

Hi Jeff,

Hope you are well.

See my note below regarding the proposed enclosed outdoor display area at Rocky's Hardware and a propane filling station. There is a link to the plan and project description.

I would really appreciate it if you could review the info and send me some comments at your earliest convenience. The public hearing starts next Tuesday, July 13th.

Thanks.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

From: Susan Affleck-Childs

Sent: Thursday, June 24, 2021 10:45 AM

To: Alison Slack <slack_alison@hotmail.com>; Allen Tingley <amtingley@medwaypolice.com>; Allison Potter <apotter@townofmedway.org>; Andy Rodenhiser <andy@rodenhiser.com>; Ann Sherry <asherry@charlesriverbank.com>; Armand Pires <apires@medwayschools.org>; Barbara Saint Andre <bsaintandre@townofmedway.org>; Barry Smith <bsmith@townofmedway.org>; Beth Hallal <bhallal@townofmedway.org>; Board of Selectmen <bos@townofmedway.org>; Bridget Graziano <bgraziano@townofmedway.org>; Carey Bergeron <carey.bergeron@gmail.com>; David Damico <ddamico@townofmedway.org>; David Travalini <dtravalini@verizon.net>; Design Review Committee <drc@townofmedway.org>; Don Aicardi <daicardi@medwayschools.org>; Doug Havens <dhavens@townofmedway.org>; Erika Robertson <erobertson@townofmedway.org>; Fran Hutton Lee <fhuttonlee@townofmedway.org>; Gino Carlucci <gino@pgcassociates.com>; Glenn Trindade <glennttrindade@gmail.com>; Jack Mee <jmee@townofmedway.org>; Jeanne Johnson <j22johnson2001@yahoo.com>; Jeff Lynch <ChiefLynch@townofmedway.org>; Jennifer Kendall <jennifer.l.kendall@gmail.com>; Jess Chabot <jesswchabot@gmail.com>; Jim Wickis <jbwickis@verizon.net>; Joanne Russo <jrusso@townofmedway.org>; jwatson@medwaypolice.com; Kristen Mucciarone <kmucciarone@charlesriverpcd.org>; Liz Langley <llangley@townofmedway.org>; Liz Taglieri <ltaglieri@charlesriverpcd.org>; Mark Cerel <mcerel@franklin.ma.us>; Matthew Buckley <matt_buckley2@yahoo.com>; Michael Boynton <mboynton@townofmedway.org>; Mike Fasolino <mfasolino@townofmedway.org>; Morgan Harris <mharris@townofmedway.org>; Paul Atwood <atwood.paul@gmail.com>; Peter Pelletier <ppelletier@townofmedway.org>; Rindo Barese <rbarese@townofmedway.org>; Rori Stumpf <rori@rori.me>; Sandy Johnston <sjohnston@townofmedway.org>; Sara White <sara.white@tetrattech.com>; Stefany Ohannesian <sohannesian@townofmedway.org>; Stephanie Carlisle <scarlisle@townofmedway.org>; Steve Bouley <steven.bouley@tetrattech.com>; Sue Rorke <srorke00@gmail.com>; Tina Wright <tina.wright@aleragroup.com>; Zach Knowlton <zknowlton@comcast.net>; Zoning Board <zoning@townofmedway.org>

Subject: Rocky's Hardware - Outdoor Display Area site plan and special permit

Good morning,

The PEDB has received applications from Rocky's Hardware for a special permit for an enclosed 1,200 sq. ft. outdoor display area and the associated site plan for the outdoor display area and a propane filling station, both to be located at the eastern end of their new store at the Medway Place shopping plaza, 98 Main Street.

The public hearing will be held on Tuesday evening, July 13th.

Project information including the site plan is posted at: <https://www.townofmedway.org/planning-economic-development-board/pages/rockys-hardware-98-main-street>

The Board requests your review and comments, particularly from the Fire and Police Departments. Kindly forward your comments to me by July 7th.

Thanks.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Susan Affleck-Childs

From: Erika Robertson
Sent: Monday, July 12, 2021 10:16 AM
To: Jack Mee
Cc: Susan Affleck-Childs
Subject: RE: Rocky's Hardware - Outdoor Display Area site plan and special permit hearing - Building Department comments

I have had multiple incidents with signs. Flashing sign, feather banner, and also two large banners on the fence. The manager has corrected each violation regarding signs. It appears that they are in violation of zoning by-law 7.1.3 Outdoor Storage. The CB Zoning district does not allow outdoor storage which will be discussed on July 13th.

Let me know if you need anything else, good luck!

From: Jack Mee <jmee@townofmedway.org>
Sent: Monday, July 12, 2021 10:03 AM
To: Erika Robertson <erobertson@townofmedway.org>
Subject: FW: Rocky's Hardware - Outdoor Display Area site plan and special permit hearing - Building Department comments

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Monday, July 12, 2021 9:45 AM
To: Jack Mee <jmee@townofmedway.org>
Cc: Barbara Saint Andre <bsaintandre@townofmedway.org>
Subject: FW: Rocky's Hardware - Outdoor Display Area site plan and special permit hearing - Building Department comments

Hi Jack,

The PEDB will begin the hearing on the Rocky's Hardware outdoor display special permit and associated site plan at its July 13th meeting at 7:30 p.m. A link to the Rocky's information is provided in my 6-24-21 email below.

I am contacting you at the direction of PEDB Chairman Andy Rodenhiser to ask that you prepare written comments to the Board to identify any current zoning violations existing at Rocky's operation. This is pursuant to the provisions of *the Site Plan Rules and Regulations* regarding Building Department review of site plan applications.

Please forward your comments to me before 5 pm on 7-13.

Thanks for your help.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



Town of Medway
155 Village Street
Medway, MA 02053

From: Susan Affleck-Childs

Sent: Thursday, June 24, 2021 10:45 AM

To: Alison Slack <slack_alison@hotmail.com>; Allen Tingley <amtingley@medwaypolice.com>; Allison Potter <apotter@townofmedway.org>; Andy Rodenhiser <andy@rodenhiser.com>; Ann Sherry <asherry@charlesriverbank.com>; Armand Pires <apires@medwayschools.org>; Barbara Saint Andre <bsaintandre@townofmedway.org>; Barry Smith <bsmith@townofmedway.org>; Beth Hallal <bhallal@townofmedway.org>; Board of Selectmen <bos@townofmedway.org>; Bridget Graziano <bgraziano@townofmedway.org>; Carey Bergeron <carey.bergeron@gmail.com>; David Damico <ddamico@townofmedway.org>; David Travalini <dtravalini@verizon.net>; Design Review Committee <drc@townofmedway.org>; Don Aicardi <daicardi@medwayschools.org>; Doug Havens <dhavens@townofmedway.org>; Erika Robertson <erobertson@townofmedway.org>; Fran Hutton Lee <fhuttonlee@townofmedway.org>; Gino Carlucci <gino@pgcassociates.com>; Glenn Trindade <glenntrindade@gmail.com>; Jack Mee <jmee@townofmedway.org>; Jeanne Johnson <j22johnson2001@yahoo.com>; Jeff Lynch <ChiefLynch@townofmedway.org>; Jennifer Kendall <jennifer.l.kendall@gmail.com>; Jess Chabot <jesswchabot@gmail.com>; Jim Wickis <jbwickis@verizon.net>; Joanne Russo <jrusso@townofmedway.org>; jwatson@medwaypolice.com; Kristen Mucciarone <kmucciarone@charlesriverpcd.org>; Liz Langley <llangley@townofmedway.org>; Liz Taglieri <ltaglieri@charlesriverpcd.org>; Mark Cerel <mcerel@franklin.ma.us>; Matthew Buckley <matt_buckley2@yahoo.com>; Michael Boynton <mboynton@townofmedway.org>; Mike Fasolino <mfasolino@townofmedway.org>; Morgan Harris <mharris@townofmedway.org>; Paul Atwood <atwood.paul@gmail.com>; Peter Pelletier <ppelletier@townofmedway.org>; Rindo Barese <rbarese@townofmedway.org>; Rori Stumpf <rori@rori.me>; Sandy Johnston <sjohnston@townofmedway.org>; Sara White <sara.white@tetrattech.com>; Stefany Ohannesian <sohannesian@townofmedway.org>; Stephanie Carlisle <scarlisle@townofmedway.org>; Steve Bouley <steven.bouley@tetrattech.com>; Sue Rorke <srorke00@gmail.com>; Tina Wright <tina.wright@aleragroup.com>; Zach Knowlton <zknowlton@comcast.net>; Zoning Board <zoning@townofmedway.org>

Subject: Rocky's Hardware - Outdoor Display Area site plan and special permit

Good morning,

The PEDB has received applications from Rocky's Hardware for a special permit for an enclosed 1,200 sq. ft. outdoor display area and the associated site plan for the outdoor display area and a propane filling station, both to be located at the eastern end of their new store at the Medway Place shopping plaza, 98 Main Street.

The public hearing will be held on Tuesday evening, July 13th.

Project information including the site plan is posted at: <https://www.townofmedway.org/planning-economic-development-board/pages/rockys-hardware-98-main-street>

The Board requests your review and comments, particularly from the Fire and Police Departments. Kindly forward your comments to me by July 7th.

Thanks.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



July 12, 2021

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

**Re: Rocky's Ace Hardware
Administrative Site Plan Review
98 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 existing Medway Place Shopping Plaza at 98 Main Street in Medway, Massachusetts. The Project consists of a proposed outdoor garden center and propane storage and filling station at the eastern portion of the site.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Rocky's Ace Hardware Garden Center Plan, 98, 108 & 114 Main Street, Medway, MA" dated July 12, 2021, prepared by Sugrue & Assoc., Inc. (SAI)
- An Application for Administrative Site Plan Review, dated June 8, 2021, prepared by Pierce Atwood LLP. (PAL)
- An Application for Special Permit Approval, dated June 8, 2021, prepared by PAL.

The Plans and accompanying materials were reviewed for conformance with Chapter 200 of the Town of Medway PEDB Rules and Regulations (Regulations) last amended October 8, 2019 and good engineering practice. Review of the Project for zoning related matters is being conducted by the Town and is excluded from this review.

SITE PLAN REVIEW

1. We do not anticipate any issues with stormwater as the proposed garden center area is located on existing asphalt. However, the plan should include the as-built stormwater infrastructure that was recently installed under the proposed display area to ensure fence posts and bollards do not impact the infrastructure below. (Ch. 200 §206-3.B.4)
2. The proposed plan has not been stamped, signed and dated by a qualified professional registered in Massachusetts. (Ch. 200 §206-4.A)
3. The Site Plan has been prepared at a scale of 1" = 10' which does not meet the Regulations. However, we believe the plan as submitted accurately depicts the proposed work and we would not oppose a waiver request from this Regulation. (Ch. 200 §206-4.B)
4. The driveway width between the proposed garden center fence and existing parking is proposed at 20 feet which does not comply with the required 24-foot width in the Regulations. Entering and exiting the existing 90° parking spaces may be difficult adjacent to the garden center. (Ch. 200 §207-11.B.3)
5. We recommend the Applicant elaborate in the narrative on how deliveries will be handled to the garden center and re-filling of the proposed propane tank. Specific loading areas shall be shown on the Plans if required. (Ch. 200 §207-13)

6. The Applicant has not provided any lighting on the Plans. We anticipate lighting may be required during late fall, winter and early spring when sunlight is minimal. Additionally, we recommend the Applicant clarify which months the garden center will be used and how access and proper lighting will be maintained for customer loading if the garden center is closed for the winter months. (Ch. 200 §207-18)
7. The Applicant has not provided narrative related to snow removal within the proposed garden center and whether the area will be utilized in the winter months. (Ch. 200 §207-21)
8. The Applicant has not proposed any screening of the proposed garden center which is proposed to be black vinyl coated chain link fence. Additionally, a fence detail has not been provided. (Ch. 200 §207-22)

GENERAL COMMENTS

9. We recommend the Applicant explore relocating the proposed propane tank to the north of the proposed garden center location in the event the tank can be near the building and meet all applicable codes. Relocation of the proposed tank will maintain parking, remove a hard constriction point in the corridor between the building and the edge of pavement and provide easier access for snowplows during winter months. Alternative design locations shall be submitted to and reviewed by the Medway Fire Department.
10. Additional bollards may be necessary to protect the proposed propane tank. No bollards are proposed along the western side of the tank enclosure and a car may be able to fit between the proposed bollards on the northern and southern sides of the enclosure. A bollard detail should be provided on the Plans.
11. We recommend the Applicant coordinate this plan with the overall site plan for the plaza. Parking spaces are proposed to be removed as part of this work which shall be accounted for in the overall site design for the plaza.
12. We recommend the Applicant confirm with the Medway Fire Department if fire suppression is required for the propane tank and the garden center area.
13. We recommend the Applicant provide common materials that will be stored in the garden center area. Particularly as it relates to items such as fertilizers, de-icing chemicals and other substances which may enter the on-site stormwater system and flow to the Municipal Separate Storm Sewer System (MS4) if not properly handled.
14. The Applicant should provide clarification on the Plans and narrative if outdoor water spigots will be proposed. This work should be coordinated with Medway DPW and the Building Department to determine if backflow prevention is required on those spigots.

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
Project Manager

P:\21583\143-21583-21013 (PEDB ROCKYS HARDWARE)\DOCS\ROCKY'S ACE HARDWARE-PEDBREV(2021-07-12).DOCX



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

**Medway Community Church
Site Plan Completion**

- Minor Site Plan endorsed 11-27-18
- Email from Steve Bouley regarding project completion dated 3-29-21
- Email from Steve Bouley as-built review and sign off dated 6-28-21
- Final Site Plan Decision dated 9-11-18
- Endorsed Site Plan dated 11-27-18
- Stormwater Field Change dated 7-31-19
- As-built Plan dated 3-19-21
- Long-Term Stormwater Operation and Maintenance Plan dated 1-21
- Construction Certification Letter from Tata & Howard dated 1-14-21
- Catch basin cleaning receipt
- Email from Tom Gay regarding site inspection dated 7-8-20
- Draft Certificate of Site Plan Completion dated 7-8-21

Medway Community Church has requested a certificate of site plan completion. The above noted documents are provided. The only outstanding item pertains to the adequacy of the existing landscaping in the area beyond the new fence on the

western side of the property and whether it provides sufficient buffering for the abutting neighbors. See Condition G of the decision below and review Sheet C-7 of the endorsed plan.

G. *Existing Vegetation*

1. The existing vegetation in the buffer area shall be evaluated during the winter of 2019 to determine where the vegetation is sparse and does not provide suitable buffering. Additional landscaping measures beyond what is shown on Sheet C-7 may be required to be installed in the spring of 2019 to fill in where appropriate.

Please review Tom Gay's email dated July 8, 2020 with his comments on this topic based on a site visit the same day.

MEDWAY COMMUNITY CHURCH

11 SLOCUMB PLACE
MEDWAY, MASSACHUSETTS

9 & 11 SLOCUMB PLACE
SITE IMPROVEMENTS

APPROVED WAIVERS

9 SLOCUMB PLACE:
11 SLOCUMB PLACE:

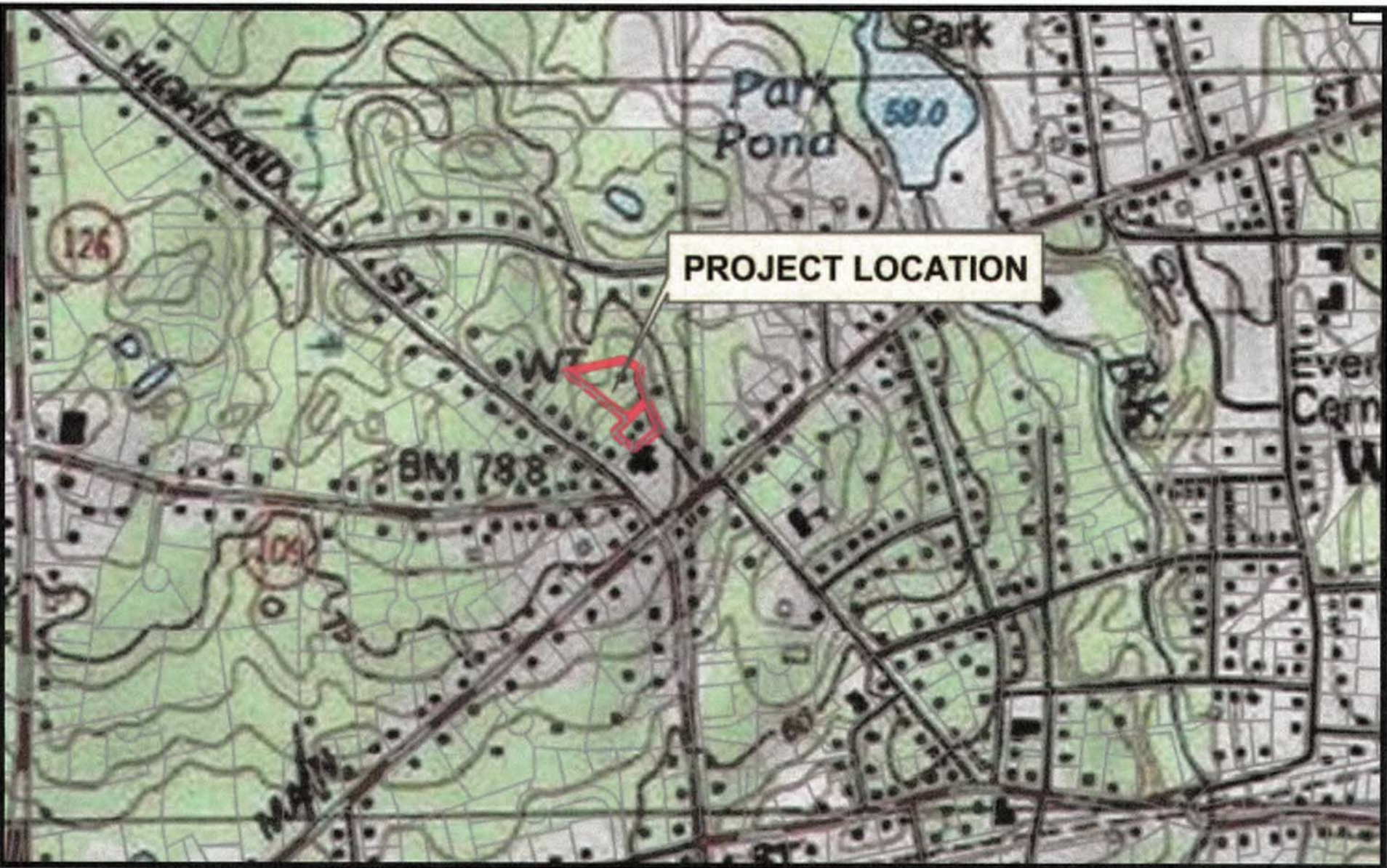
ASSESSORS: MAP 47 LOT 079
ASSESSORS: MAP 47 LOT 078

ZONING DISTRICT: VILLAGE RESIDENTIAL
ZONING DISTRICT: AR-II

SITE PLAN RULES AND REGULATIONS

- 204-3, 7 - (DEVELOPMENT IMPACT STATEMENT) TO NOT SUBMIT THE DEVELOPMENT IMPACT STATEMENT.
- 204-4, B - (SITE PLAN SCALE) TO SHOW A SCALE OF 1"=20' RATHER THAN THE REQUIRED SCALE OF 1"=40'.
- 204-5, C, 3 - (EXISTING LANDSCAPE INVENTORY) TO NOT SHOW TREES BETWEEN 12" AND 18" (TREES 18" AND LARGER SHOWN). ONLY SHOW TREES WITHIN THE SETBACKS.
- 204-5, D, 7 - (LANDSCAPE ARCHITECTURE PLAN) SHALL NOT BE PREPARED BY A PROFESSIONAL LANDSCAPE ARCHITECT LICENSED IN THE COMMONWEALTH OF MASSACHUSETTS.
- 205-3, B, 2 - (INTERNAL SITE DRIVEWAYS) SHALL BE LOCATED WITHIN 15' OF A SIDE PROPERTY LINE (BOTH PROPERTIES OWNED BY MEDWAY COMMUNITY CHURCH).
- 205-3, C, 1 - (TRAFFIC FLOW) PAVED ENTRANCE SHALL BE 6 PERCENT SLOPE FOR THE FIRST 25'.
- 205-6, G, 4b - (PARKING SPACES/STALLS) ALLOW SPACES/STALLS TO BE LOCATED WITHIN FIFTEEN (15) FEET OF THE SIDE PROPERTY LINES AT #9 SLOCUMB PLACE.
- 205-6, H - (CURBING) THE PERIMETER OF THE PARKING AREA SHALL BE BOUND BY BITUMINOUS CAPE COD BERM UNLESS OTHERWISE NOTED.
- 205-9, C - (PARKING AREAS) TO NOT INSTALL ONE DECIDUOUS TREE PER EVERY SIX (6) PROPOSED PARKING SPACES.
- 205-9, F - (TREE REPLACEMENT) REMOVED TREES GREATER THAN 10" IN DIAMETER SHALL NOT BE REPLACED.

CONTRACT NO. 1



LOCATION PLAN
NO SCALE

SHEET INDEX

- C-1 - EXISTING CONDITIONS
C-2 - PROPOSED CONDITIONS
C-3 - PROPOSED GRADING
C-4 - DRAINAGE PLAN
C-5 - LIGHTING PLAN
C-6 - PHOTOMETRIC PLAN
C-7 - LANDSCAPING PLAN
C-8 - DETAIL SHEET 1
C-9 - DETAIL SHEET 2
EC-1 - EROSION AND SEDIMENT CONTROL PLAN



NOVEMBER 19, 2018



TATA & HOWARD, INC.
67 FOREST STREET
MARLBOROUGH, MA 01752

APPEAL STATEMENT

I HEREBY CERTIFY THAT NOTICE OF APPROVAL OF THIS PLAN BY THE MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD WAS RECEIVED AND RECORDED AT THIS OFFICE AND THAT NO NOTICE OF APPEAL WAS FILED IN 20 DAYS FOLLOWING SAID RECEIPT AND RECORDING.

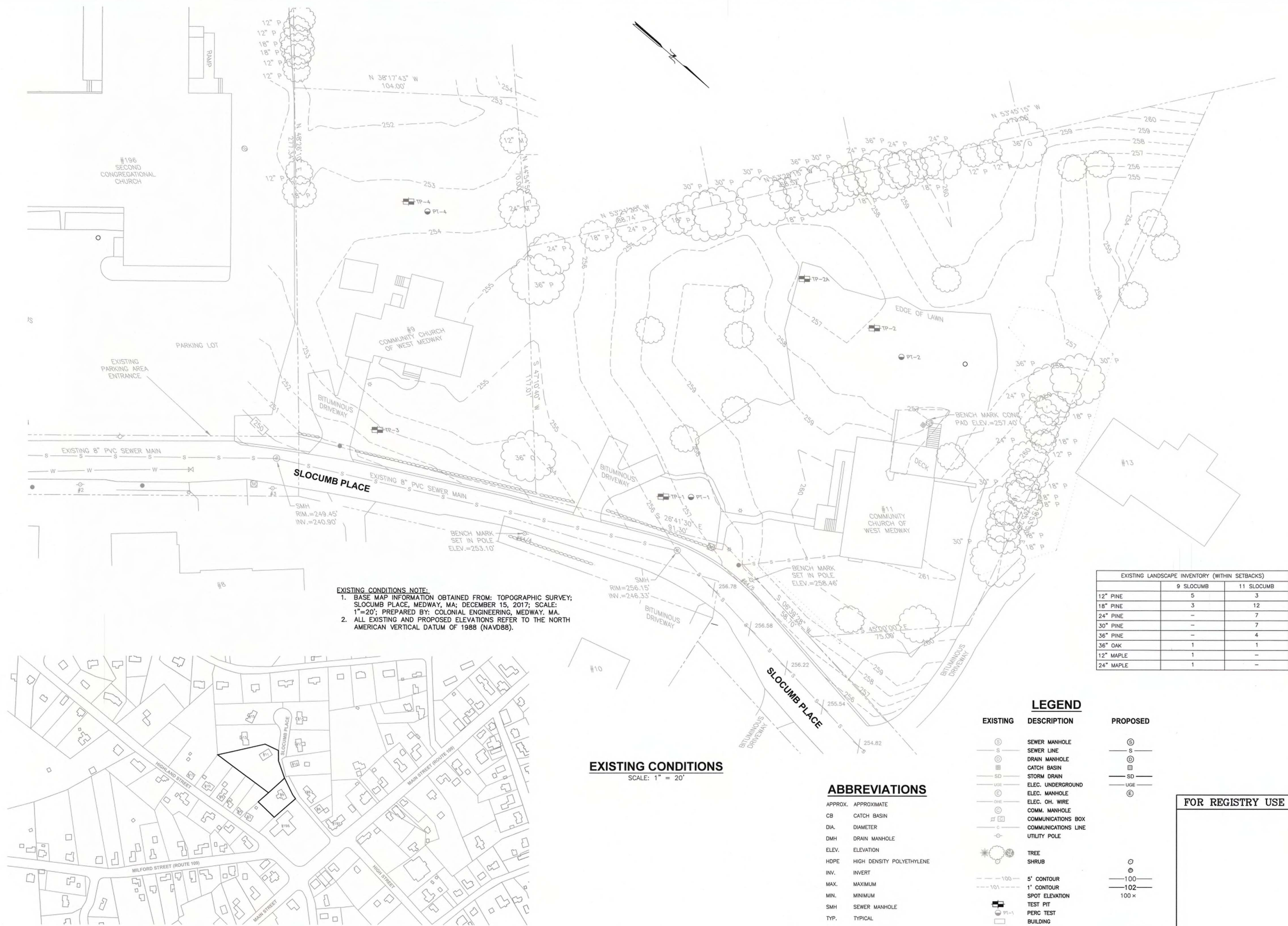
MARYJANE WHITE, TOWN CLERK:

DATE:

PLANNING AND ECONOMIC DEVELOPMENT BOARD SUBMITTAL

ANDY RODENHISER, CHAIRMAN
BOB TUCKER, VICE-CHAIRMAN
THOMAS A. GAY, CLERK
MATTHEW HAYES, P.E.
RICHARD DI IULIO

DECISION DATE	ENDORSEMENT DATE
9-11-2018	11-27-2018
9-11-2018	11-27-2018
9-11-2018	11-27-2018



EXISTING CONDITIONS NOTE:
1. BASE MAP INFORMATION OBTAINED FROM: TOPOGRAPHIC SURVEY;
SLOCUMB PLACE, MEDWAY, MA; DECEMBER 15, 2017; SCALE:
1"=20'; PREPARED BY: COLONIAL ENGINEERING, MEDWAY, MA.
2. ALL EXISTING AND PROPOSED ELEVATIONS REFER TO THE NORTH
AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

EXISTING CONDITIONS
SCALE: 1" = 20'

ABBREVIATIONS

APPROX. APPROXIMATE
CB CATCH BASIN
DIA. DIAMETER
DMH DRAIN MANHOLE
ELEV. ELEVATION
HDPE HIGH DENSITY POLYETHYLENE
INV. INVERT
MAX. MAXIMUM
MIN. MINIMUM
SMH SEWER MANHOLE
TYP. TYPICAL

LEGEND

EXISTING	DESCRIPTION	PROPOSED
	SEWER MANHOLE	
	SEWER LINE	
	DRAIN MANHOLE	
	CATCH BASIN	
	STORM DRAIN	
	ELEC. UNDERGROUND	
	ELEC. WIRE	
	COMM. MANHOLE	
	COMMUNICATIONS BOX	
	UTILITY POLE	
	TREE	
	SHRUB	
	5' CONTOUR	
	1' CONTOUR	
	SPOT ELEVATION	
	TEST PIT	
	PERC TEST	
	BUILDING	
	SILT SOCK	
	SIGN POST	

EXISTING LANDSCAPE INVENTORY (WITHIN SETBACKS)		
	9 SLOCUMB	11 SLOCUMB
12" PINE	5	3
18" PINE	3	12
24" PINE	-	7
30" PINE	-	7
36" PINE	-	4
36" OAK	1	1
12" MAPLE	1	-
24" MAPLE	1	-

SITE CONTEXT
SCALE: 1" = 200'

MINOR SITE PLAN APPLICATION

OWNER/APPLICANT:	PROPERTY ADDRESS:
MEDWAY COMMUNITY CHURCH 11 SLOCUMB PLACE MEDWAY, MA 02053	9 & 11 SLOCUMB PLACE MEDWAY, MA 02053
ASSESSORS MAP 47 LOTS 079 & 078	

Planning & Econ. Dev. Board Submitter	Planning & Econ. Dev. Board Reviewer	Planning & Econ. Dev. Board Decision	Date
7/24/18	8/22/18	8/22/18	8/22/18
8/22/18	8/22/18	8/22/18	8/22/18
8/22/18	8/22/18	8/22/18	8/22/18
8/22/18	8/22/18	8/22/18	8/22/18

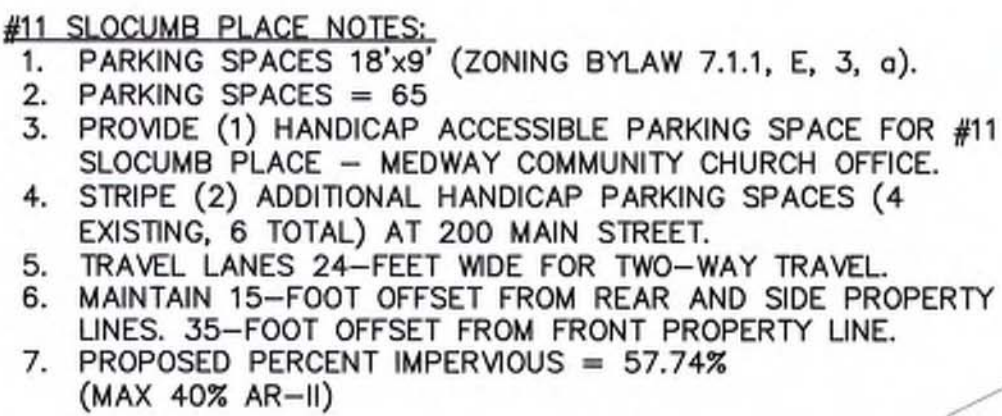
EXISTING CONDITIONS NOT FOR CONSTRUCTION



TATA & HOWARD
67 FOREST STREET
MARLBOROUGH, MA 01752
(508) 303-9400

FOR REGISTRY USE ONLY:

T&H NO.: 5328
DATE: NOVEMBER 2018
SCALE: AS NOTED



PROPOSED CONDITIONS
SCALE: 1" = 20'

FOR REGISTRY USE ONLY:

11-19-11



TATA & HOWARD
67 FOREST STREET
MARLBOROUGH, MA 01752
(508) 303-9400

CH NO.:	5328
DATE:	NOVEMBER 2018
SCALE:	AS NOTED

C-2

MINOR SITE PLAN APPLICATION

OWNER/APPLICANT:
MEDWAY COMMUNITY CHURCH
11 SLOCUMB PLACE

PROPERTY ADDRESS:
9 & 11 SLOCUMB PLACE
MEDWAY, MA 02053
ASSESSORS MAP 47 LOTS 079 & 078

THIS DOCUMENT IS THE PROPERTY OF TATA & HOWARD, INC. AND ITS CLIENT. REPRODUCTION OR MODIFICATION WITHOUT WRITTEN CONSENT IS PROHIBITED.	Drawn By: M2B	Designed By: M2B	Checked By: S.L	Approved By: JMG
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Rev.	Date	Description
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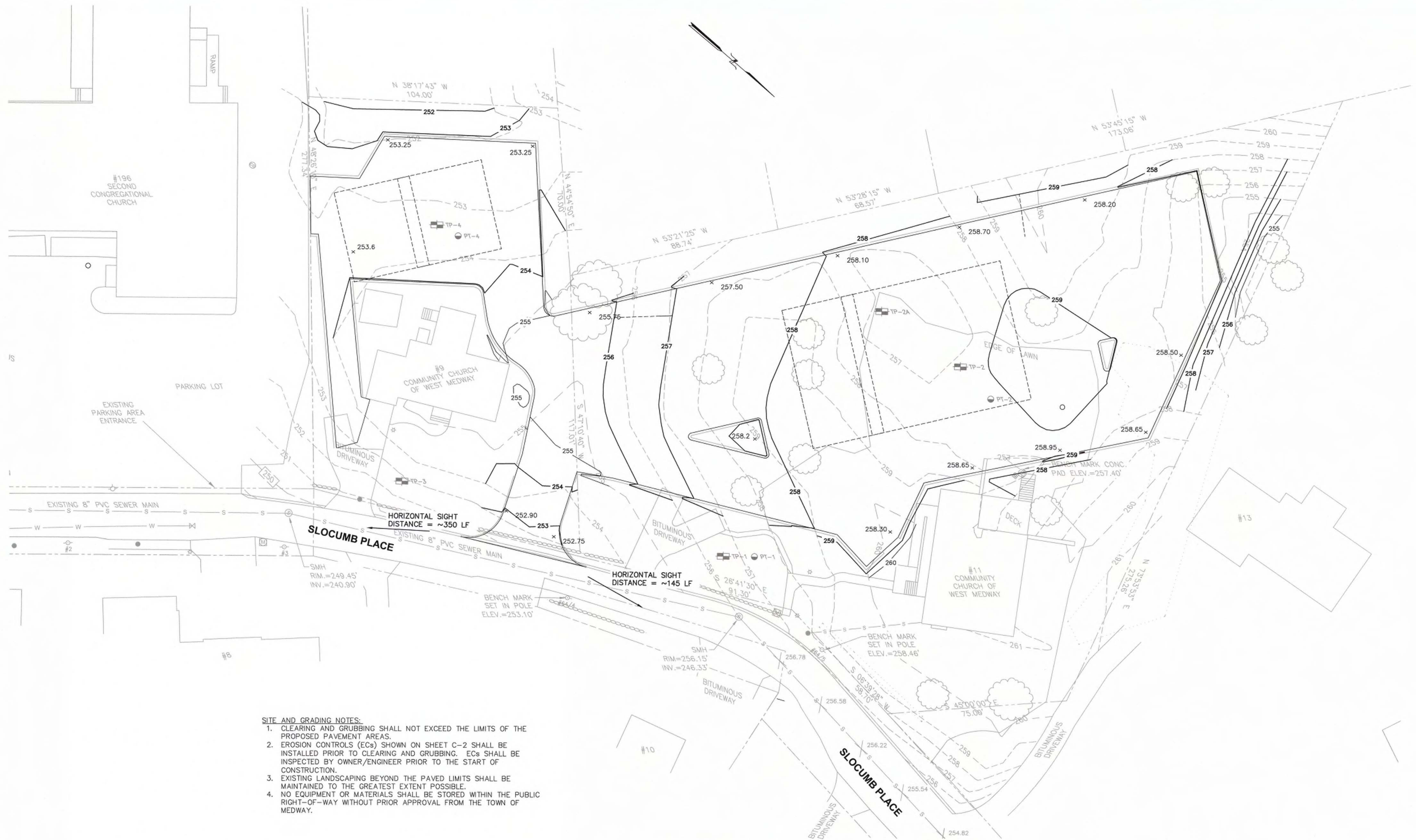
PROPOSED CONDITIONS
NOT FOR CONSTRUCTION

TO THE HONORABLE

11-19-18

(508) 303-9400

8	

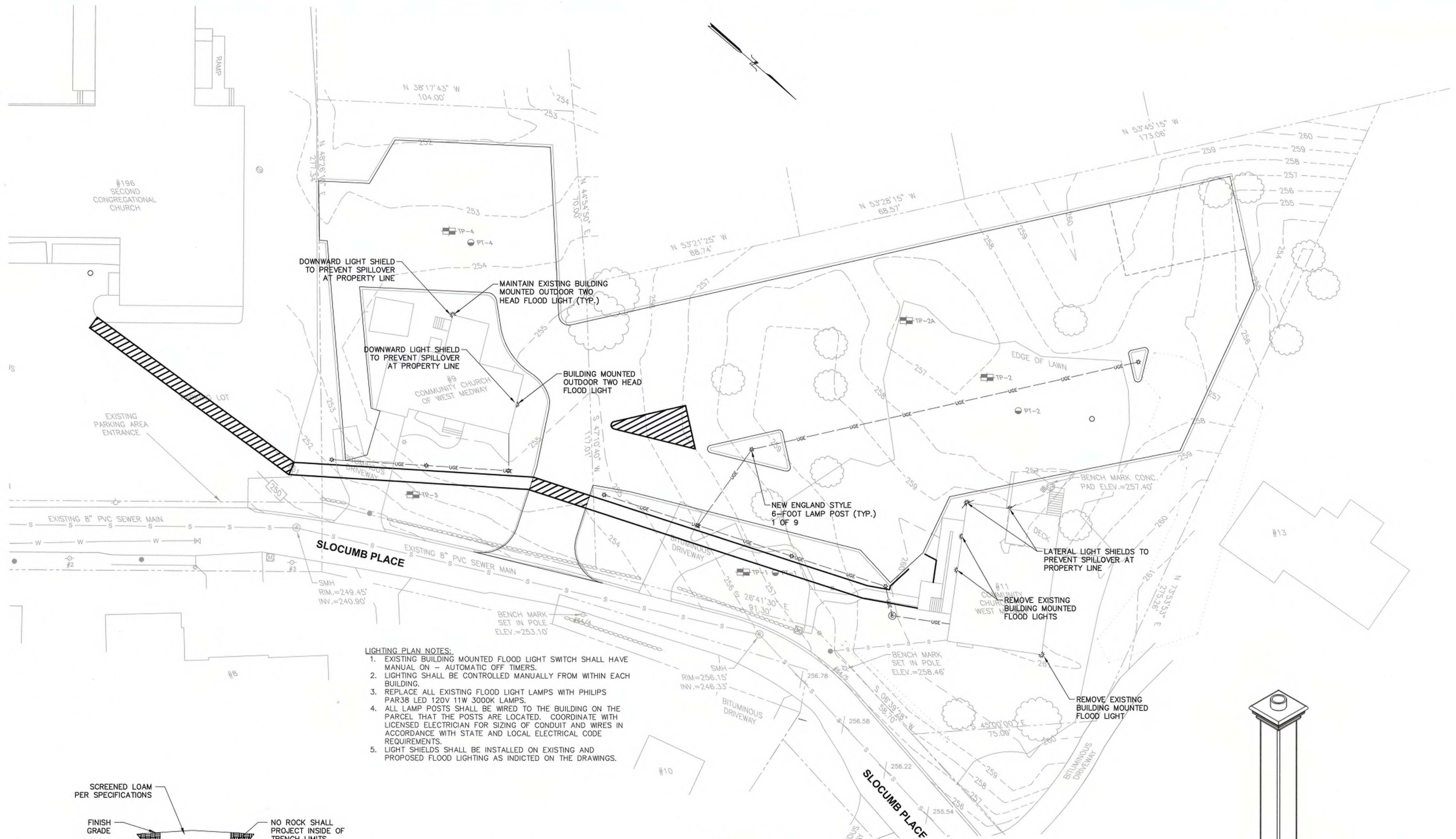


- SITE AND GRADING NOTES:**
1. CLEARING AND GRUBBING SHALL NOT EXCEED THE LIMITS OF THE PROPOSED PAVEMENT AREAS.
 2. EROSION CONTROLS (ECs) SHOWN ON SHEET C-2 SHALL BE INSTALLED PRIOR TO CLEARING AND GRUBBING. ECs SHALL BE INSPECTED BY OWNER/ENGINEER PRIOR TO THE START OF CONSTRUCTION.
 3. EXISTING LANDSCAPING BEYOND THE PAVED LIMITS SHALL BE MAINTAINED TO THE GREATEST EXTENT POSSIBLE.
 4. NO EQUIPMENT OR MATERIALS SHALL BE STORED WITHIN THE PUBLIC RIGHT-OF-WAY WITHOUT PRIOR APPROVAL FROM THE TOWN OF MEDWAY.

PROPOSED GRADING
SCALE: 1" = 20'

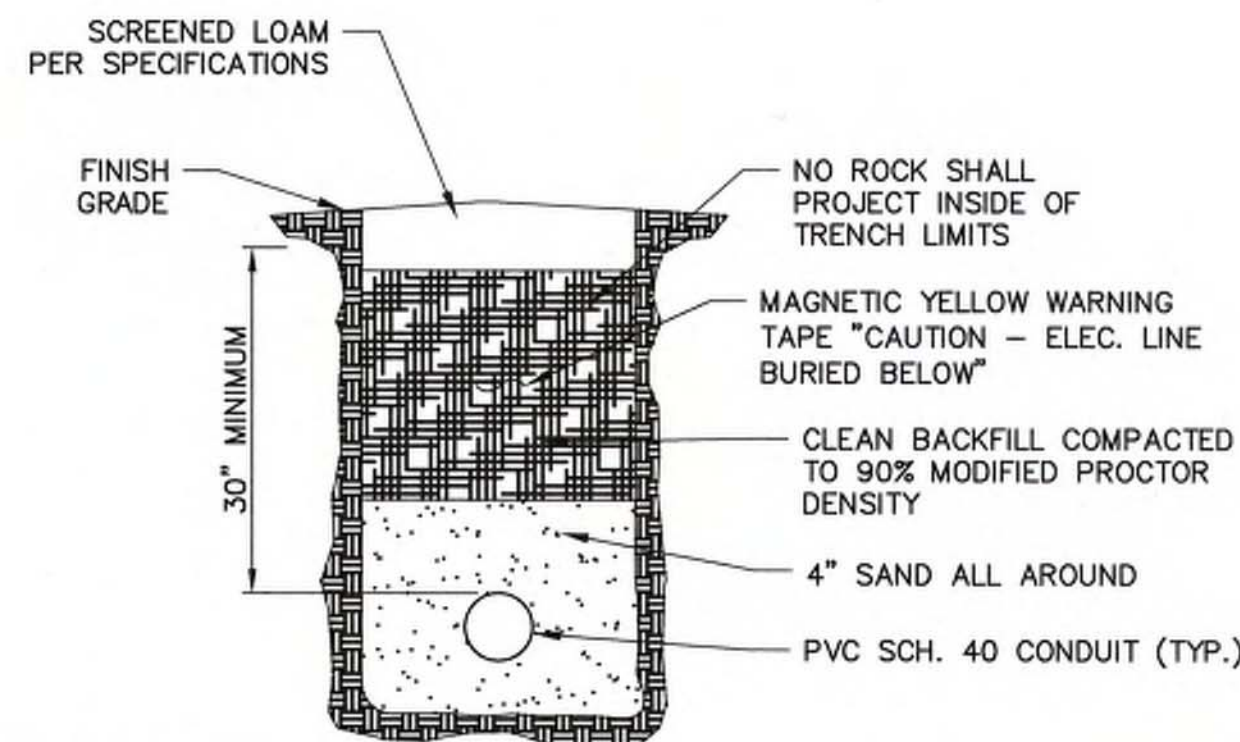
FOR REGISTRY USE ONLY:

T&H NO.: 5328		DATE: NOVEMBER 2018		SCALE: AS NOTED	
C-3		TATA & HOWARD 67 FOREST STREET MARLBOROUGH, MA 01752 (508) 303-9400		11-19-18	
PROPOSED GRADING NOT FOR CONSTRUCTION		MINOR SITE PLAN APPLICATION		OWNER/APPLICANT: MEDWAY COMMUNITY CHURCH 11 SLOCUMB PLACE MEDWAY, MA 02053	
7/24/18		Planning & Econ. Dev. Board Submittal		PROPERTY ADDRESS: 9 & 11 SLOCUMB PLACE MEDWAY, MA 02053	
8/22/18		Planning & Econ. Dev. Board Re-submittal		ASSESSORS MAP 47 LOTS 079 & 078	
9/9/18		Planning & Econ. Dev. Board Re-submittal		Designed By: MB	
11/19/18		Planning & Econ. Dev. Board Re-submittal		Checked By: SL	
Rev.	Date	Description		Approved By: JAG	



- LIGHTING PLAN NOTES:**
- EXISTING BUILDING MOUNTED FLOOD LIGHT SWITCH SHALL HAVE MANUAL ON - AUTOMATIC OFF TIMERS.
 - LIGHTING SHALL BE CONTROLLED MANUALLY FROM WITHIN EACH BUILDING.
 - REPLACE ALL EXISTING FLOOD LIGHT LAMPS WITH PHILIPS PAR38 LED 120V 11W 3000K LAMPS.
 - ALL LAMP POSTS SHALL BE WIRED TO THE BUILDING ON THE PARCEL THAT THE POSTS ARE LOCATED. COORDINATE WITH LICENSED ELECTRICIAN FOR SIZING OF CONDUIT AND WIRES IN ACCORDANCE WITH STATE AND LOCAL ELECTRICAL CODE REQUIREMENTS.
 - LIGHT SHIELDS SHALL BE INSTALLED ON EXISTING AND PROPOSED FLOOD LIGHTING AS INDICATED ON THE DRAWINGS.

LIGHTING PLAN
SCALE: 1" = 20'



SUBSURFACE WORK NOTE:

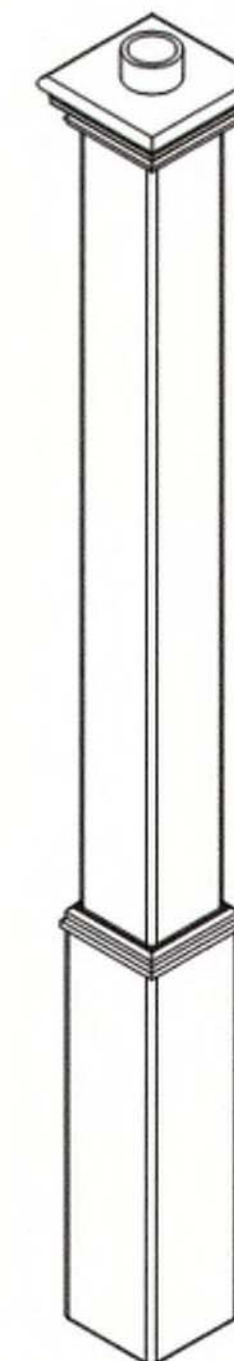
THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN APPROXIMATE LOCATIONS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTACT DIG-SAFE AND COORDINATE ACTIVITIES PRIOR TO ANY EXCAVATIONS.

BURIED ELECTRICAL CONDUIT
NOT TO SCALE

OUTDOOR LUMINAIRE SCHEDULE				
SYMBOL	QTY	DESCRIPTION	LUMENS	
⊛	1	BUILDING MOUNTED OUTDOOR TWO HEAD FLOOD LIGHT WITH PHILIPS PAR38 LED 120V 11W 3000K LAMPS	950	
☆	9	NEW ENGLAND ARBORS TRINITY LAMP POST WITH FEIT ELECTRIC T14 LED 120V 4.5W 2100K LAMP	200	
—	7	LANDSCAPE LIGHT SHIELD BY PROGRESS LIGHTING OR EQUAL	N/A	



LANTERN DETAIL
NOT TO SCALE



LAMP POST DETAIL
NOT TO SCALE

- DETAIL NOTES:**
- LANERN AND POST SHALL BE BRONZE IN COLOR.
 - SEE OUTDOOR LUMINAIRE SCHEDULE.

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67 FOREST STREET
MARLBOROUGH, MA 01752
(508) 303-9400

T&H NO.: 5328
DATE: NOVEMBER 2018
SCALE: AS NOTED

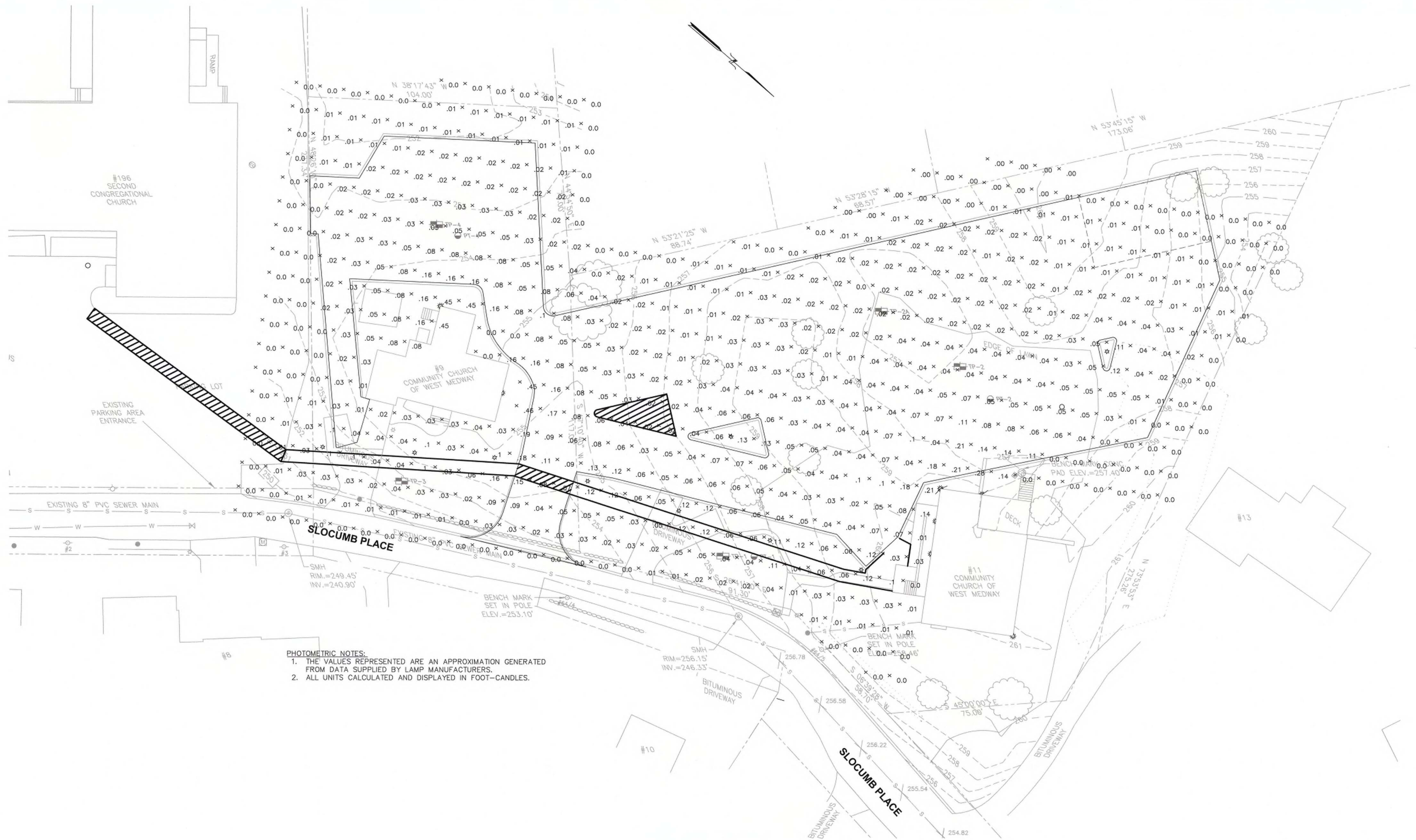
C-5

MINOR SITE PLAN APPLICATION

OWNER/APPLICANT:
MEDWAY COMMUNITY CHURCH
11 SLOCUMB PLACE
MEDWAY, MA 02053

PROPERTY ADDRESS:
9 & 11 SLOCUMB PLACE
MEDWAY, MA 02053
ASSESSORS MAP 47 LOTS 079 & 078

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Drawn By: MSB
Designed By: MSB
Created By: JAC



PHOTOMETRIC NOTES:
1. THE VALUES REPRESENTED ARE AN APPROXIMATION GENERATED FROM DATA SUPPLIED BY LAMP MANUFACTURERS.
2. ALL UNITS CALCULATED AND DISPLAYED IN FOOT-CANDLES.

PHOTOMETRIC PLAN
SCALE: 1" = 20'

MINOR SITE PLAN APPLICATION

OWNER/APPLICANT:
MEDWAY COMMUNITY CHURCH
11 SLOCUMB PLACE
MEDWAY, MA 02053

PROPERTY ADDRESS:
9 & 11 SLOCUMB PLACE
MEDWAY, MA 02053
ASSESSORS MAP 47 LOTS 079 & 078

Planning & Econ. Eval. Report Submitted	7/24/16
Planning & Econ. Eval. Board Re-submitted	8/22/16
PHEDB Supplemental Information Submitted	9/2/16
Planning & Econ. Eval. Board Endorsement	11/19/16
Description	
Date	
Rev.	

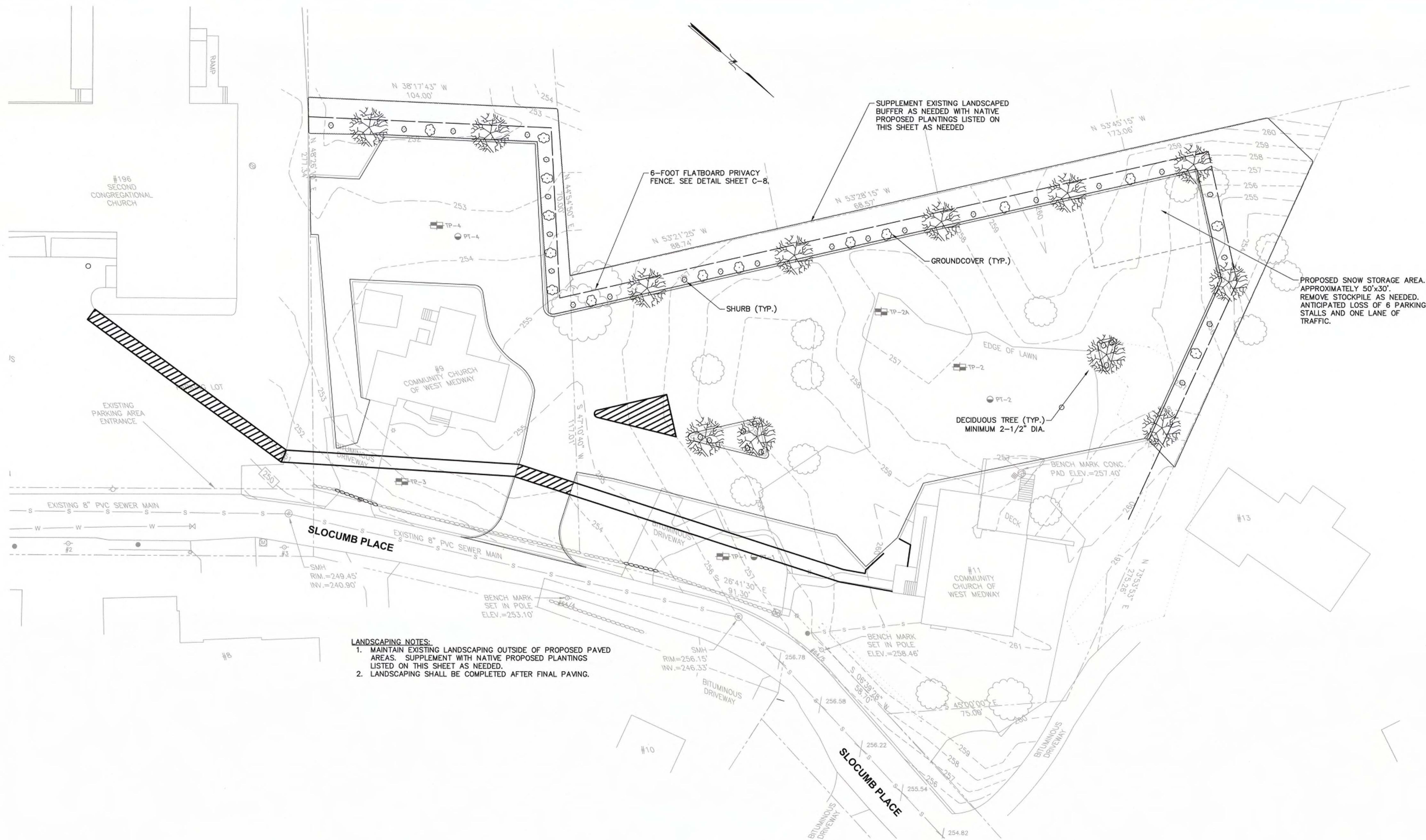
PHOTOMETRIC PLAN
NOT FOR CONSTRUCTION



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MARLBOROUGH, MA 01752
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T&H NO.: 5328
DATE: NOVEMBER 2018
SCALE: AS NOTED

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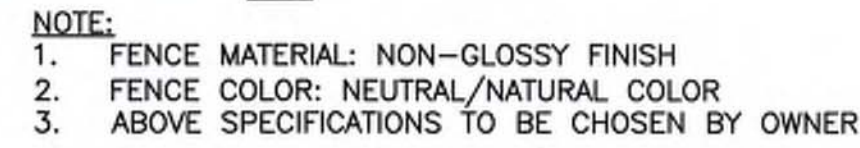


- LANDSCAPING NOTES:
1. MAINTAIN EXISTING LANDSCAPING OUTSIDE OF PROPOSED PAVED AREAS. SUPPLEMENT WITH NATIVE PROPOSED PLANTINGS LISTED ON THIS SHEET AS NEEDED.
 2. LANDSCAPING SHALL BE COMPLETED AFTER FINAL PAVING.

PROPOSED PLANTINGS (NATIVE)	
LATIN NAME	COMMON NAME
JUNIPERUS VIRGINIANA	EASTERN RED CEDAR
THUJA OCCIDENTALIS	ATLANTIC WHITE CEDAR (NOT DEER RESISTANT)
TSUGA CANADENSIS	EASTERN WHITE HEMLOCK
PINUS STROBUS	WHITE PINE
PICEA SPP.	SPRUCE
ILEX VERTICILLATE	WINTERBERRY (GROUNDCOVER)
TAXUS CANADENSIS	CANADA YEW (SHRUB)

LANDSCAPING PLAN
SCALE: 1" = 20'

MINOR SITE PLAN APPLICATION		PROPERTY ADDRESS: 9 & 11 SLOCUMB PLACE MEDWAY, MA 02053 ASSESSORS MAP 47 LOTS 079 & 078	
OWNER/APPLICANT: MEDWAY COMMUNITY CHURCH 11 SLOCUMB PLACE MEDWAY, MA 02053		THIS DOCUMENT IS THE PROPERTY OF TATA & HOWARD, INC. AND ITS CLIENT. REPRODUCTION OR ADAPTATION WITHOUT WRITTEN CONSENT IS PROHIBITED.	
Planning & Econ. Dev. Board Submittal	7/24/18	Planning & Econ. Dev. Board Review	8/22/18
Planning & Econ. Dev. Board Review	9/6/18	Planning & Econ. Dev. Board Review	11/19/18
Description		Date	
LANDSCAPING PLAN NOT FOR CONSTRUCTION		TATA & HOWARD 67 FOREST STREET MARLBOROUGH, MA 01752 (508) 303-9400	
FOR REGISTRY USE ONLY:		T&H NO.: 5328 DATE: NOVEMBER 2018 SCALE: AS NOTED	
C-7			



BIKE RACK DETAIL

SCALE : NONE



- NOTES:**
1. SLOPE TOLERANCE FOR CONSTRUCTION: $\pm 0.5\%$
 2. ADJUST THE HIGH AND LOW SIDE TRANSITION LENGTHS AS REQUIRED IN THE FIELD SO THE CURB REVEAL AT THE LIMIT OF THE HANDICAP RAMP MATCHES THE EXISTING CURB REVEAL. SLOPE OF TRANSITION AREAS SHALL NOT EXCEED $7.5\% \pm 0.5\%$.
 3. WHEELCHAIR RAMP SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE MASSACHUSETTS ARCHITECTURAL ACCESS BOARD AND THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT.



CATCH BASIN SILTATION CONTROL INSERT
SCALE: NONE



FOR REGISTRY USE ONLY:

DETAIL SHEET 1

NOT FOR CONSTRUCTION



TATA & HOWARD
67 FOREST STREET
MARLBOROUGH, MA 01752
(508) 303-9400

Q&H NO.:	5328
DATE:	NOVEMBER 2018
SCALE:	AS NOTED

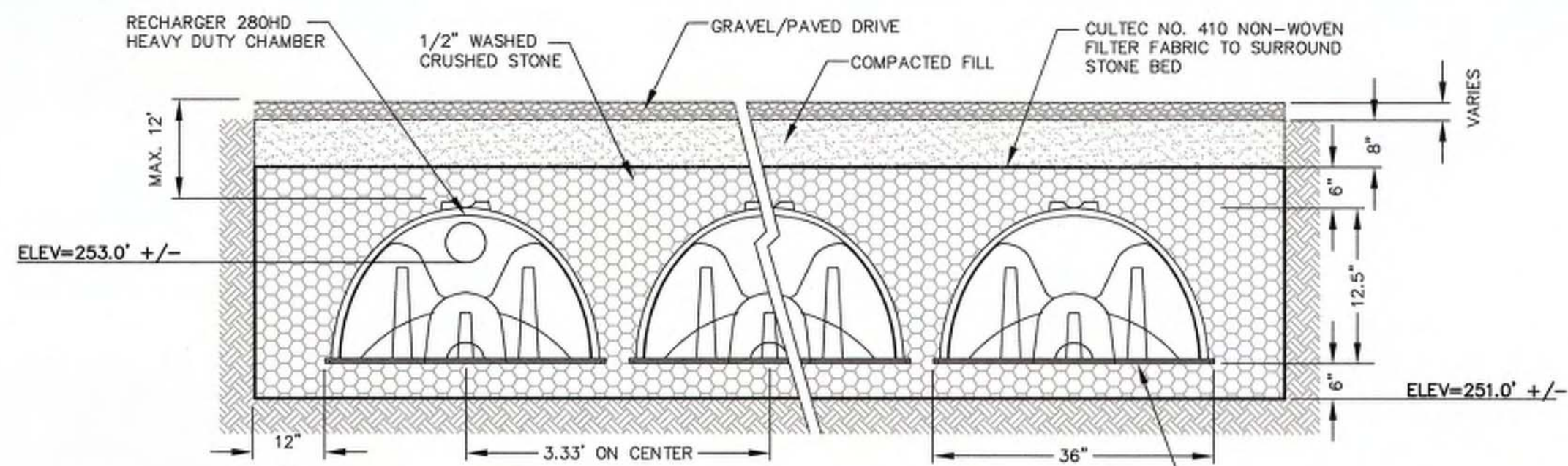
C-8

MINOR SITE PLAN APPLICATION

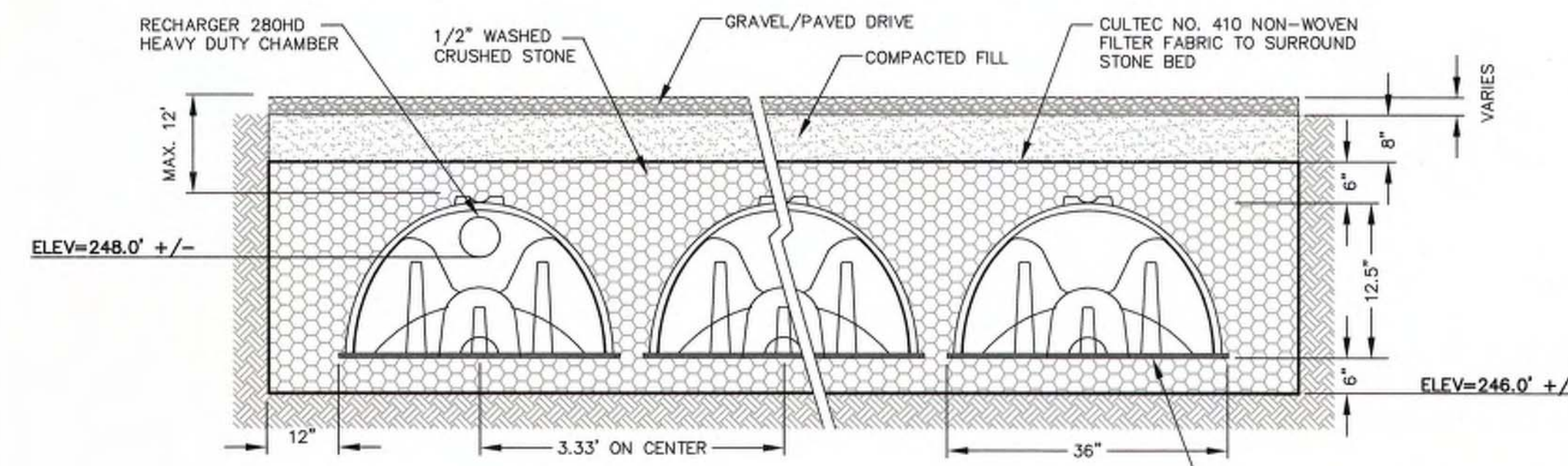
OWNER/APPLICANT:
MEDWAY COMMUNITY CHURCH
11 SLOCUMB PLACE
MEDWAY MA 02053

PROPERTY ADDRESS:
9 & 11 SLOCUMB PLACE
MEDWAY, MA 02053
ASSESSORS MAP 47 LOTS 079 & 078

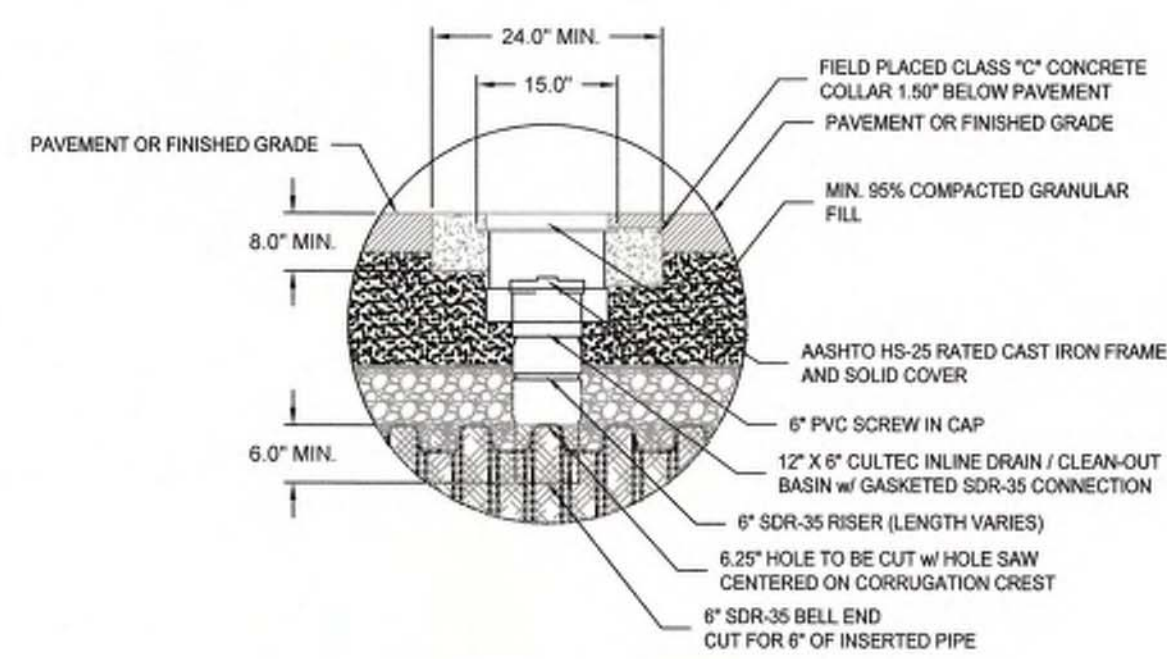
Approved by JMS



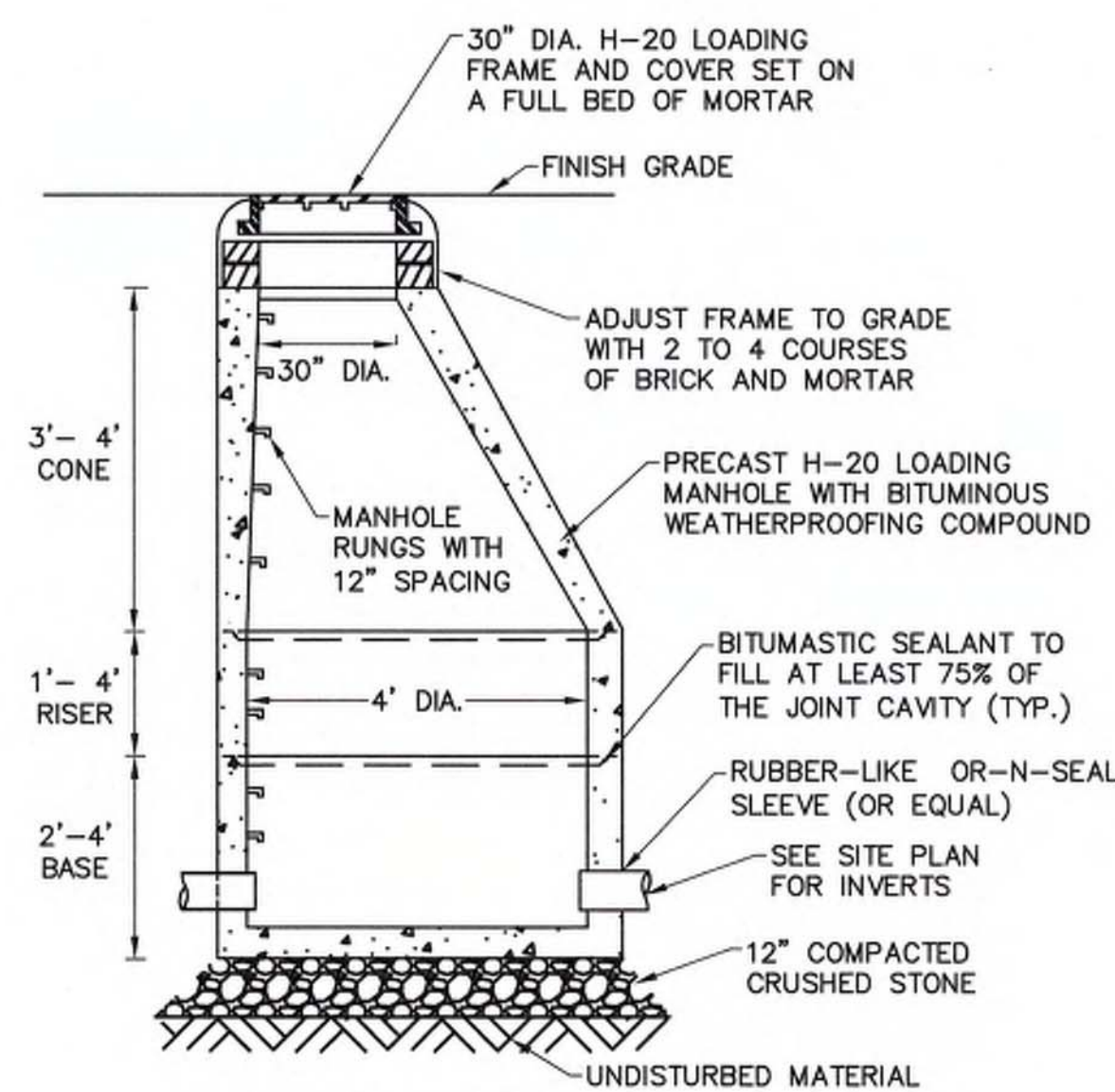
UNDERGROUND DRAINAGE BASIN NO. 1
NOT TO SCALE



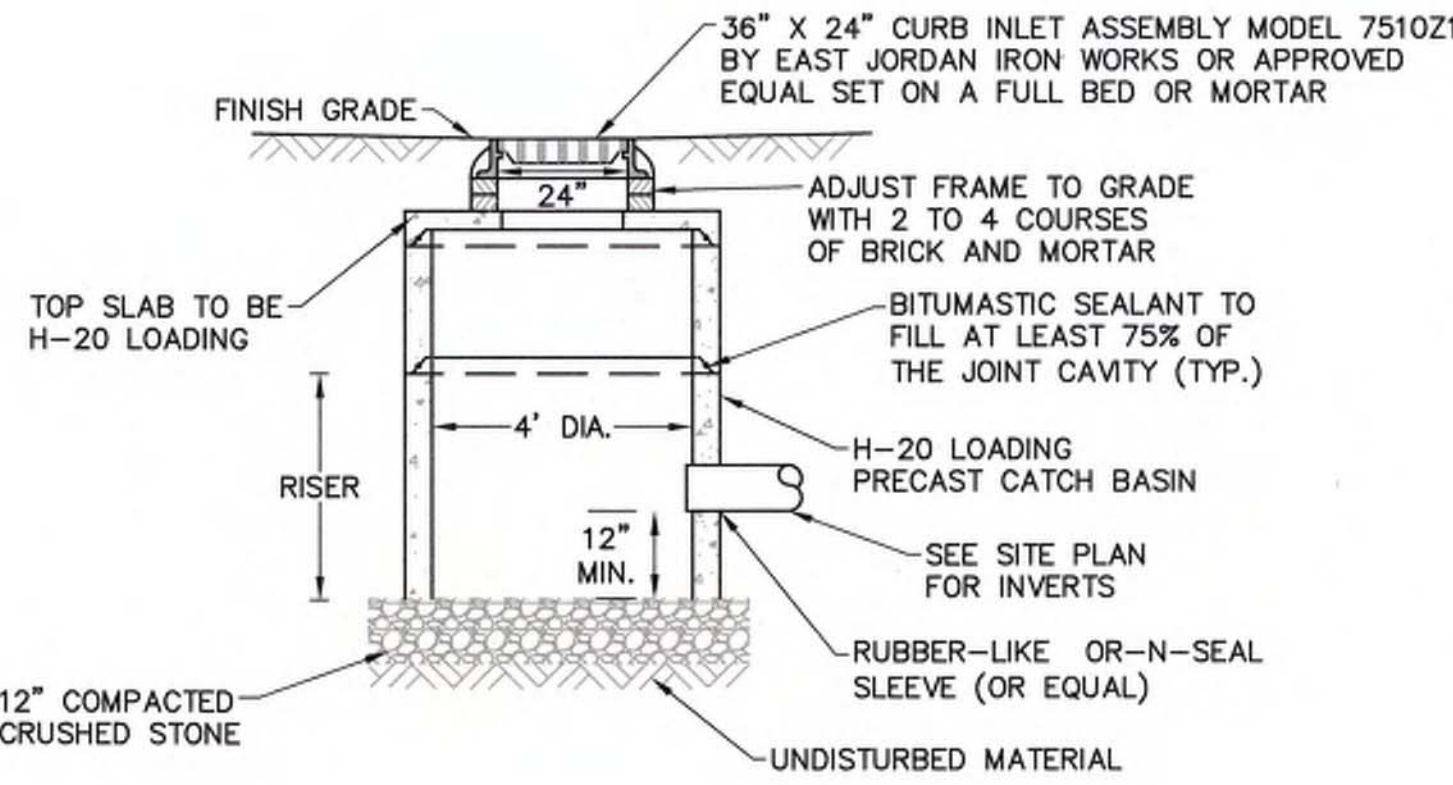
UNDERGROUND DRAINAGE BASIN NO. 2
NOT TO SCALE



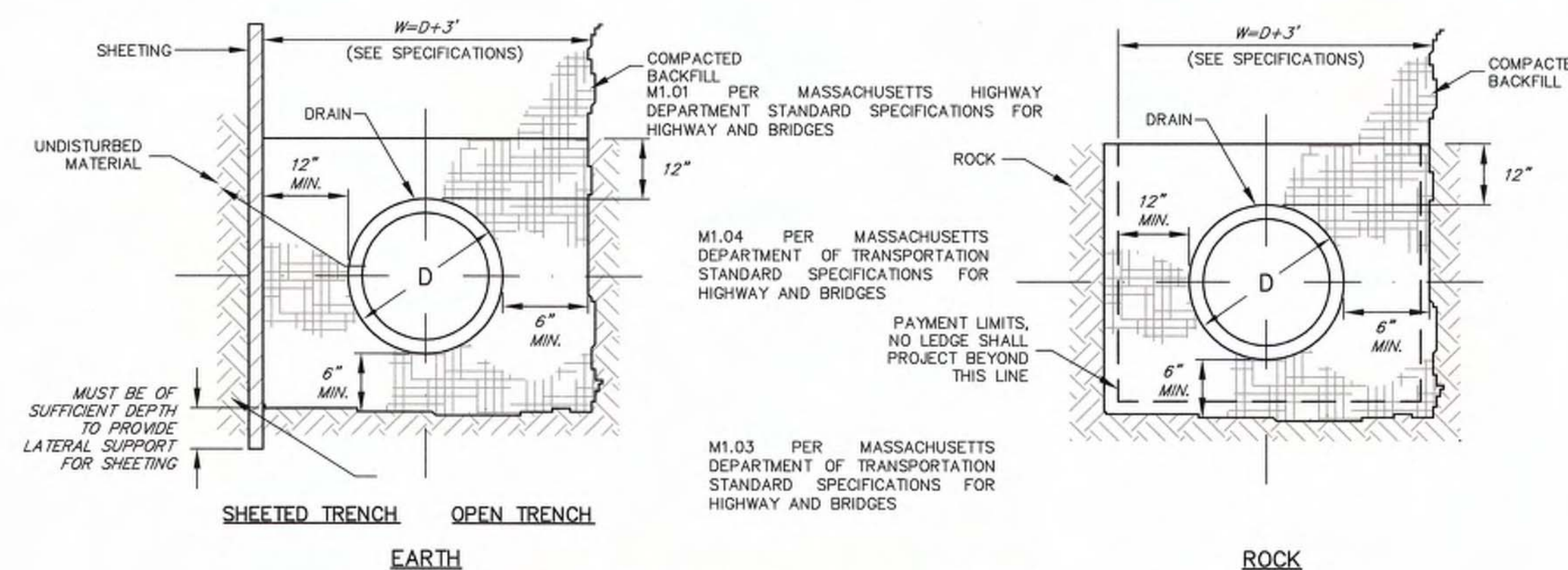
INSPECTION PORT
NOT TO SCALE



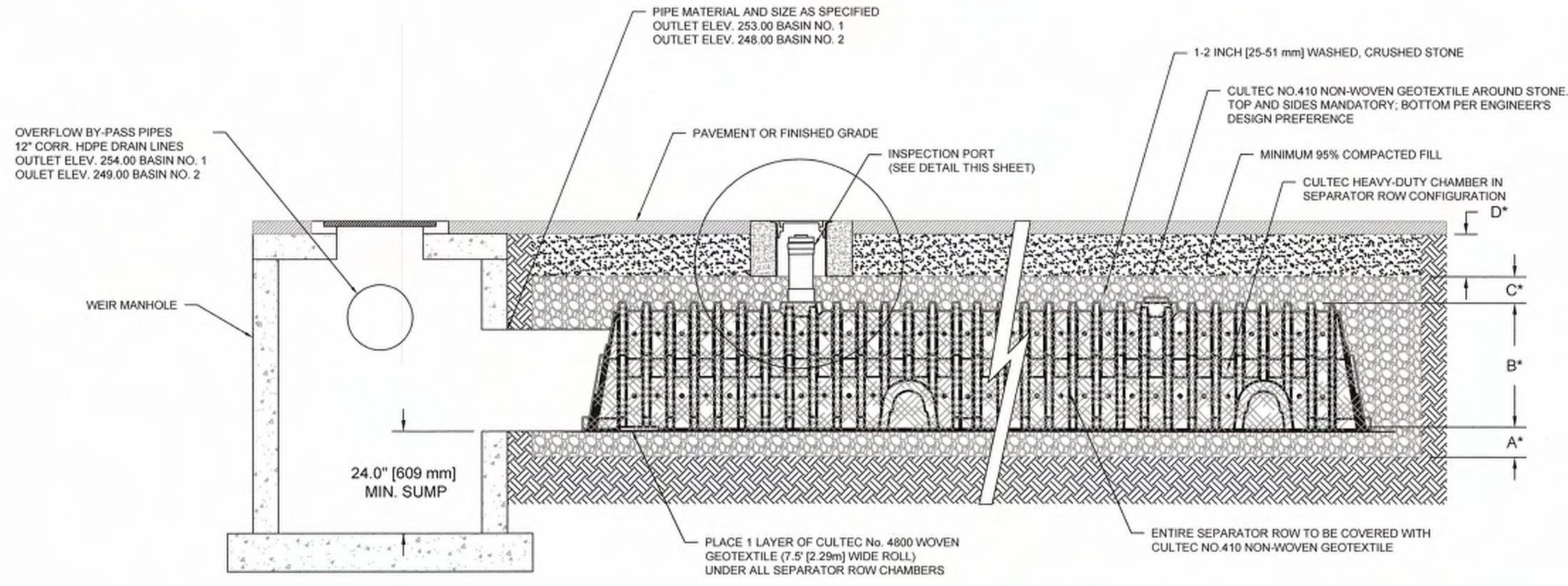
PRECAST DRAIN MANHOLE
SCALE: NONE



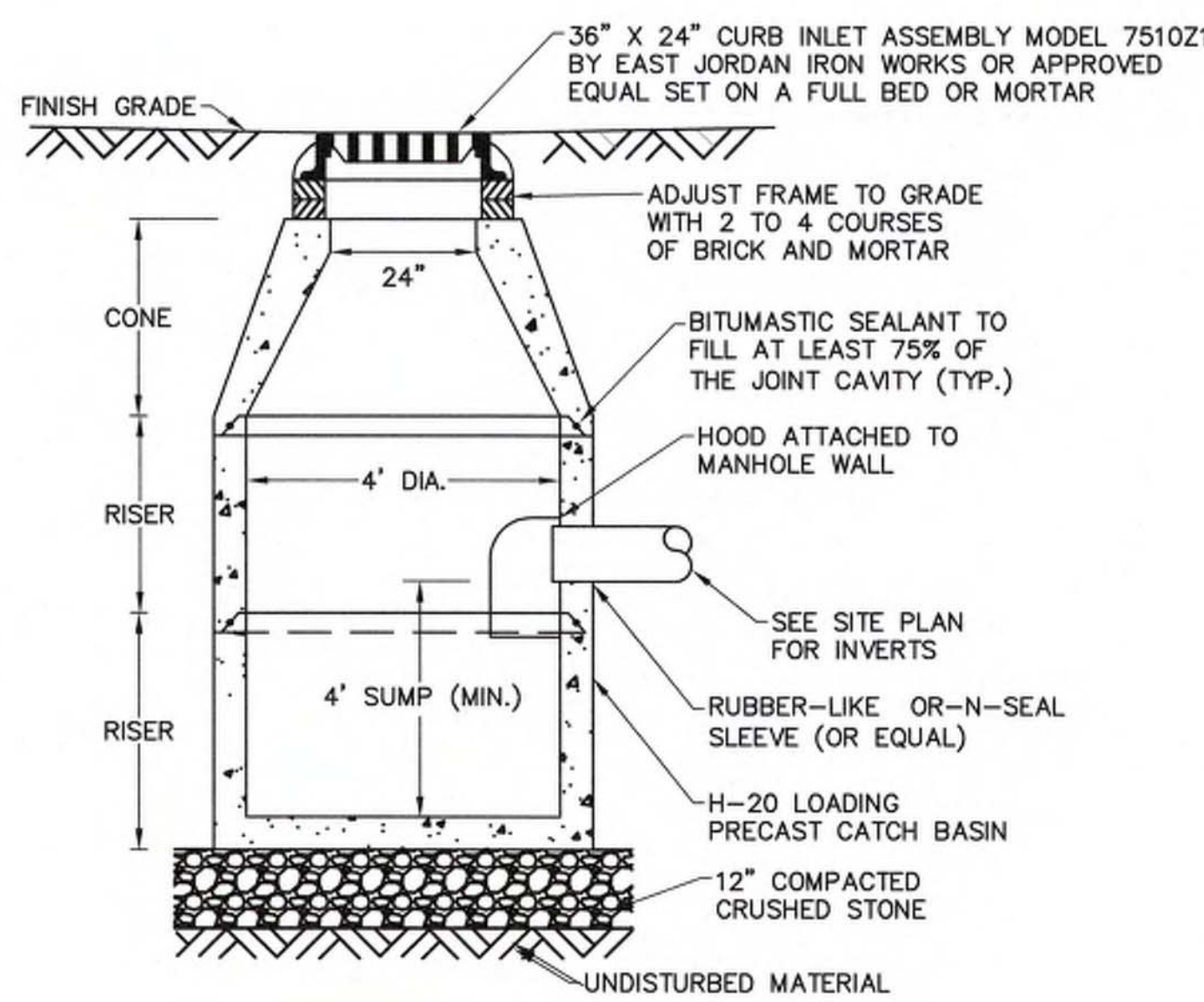
OPEN-BOTTOM PRECAST CATCH BASIN
SCALE: NONE



CORR. HDPE DRAINAGE LINE TRENCH SECTIONS
NOT TO SCALE

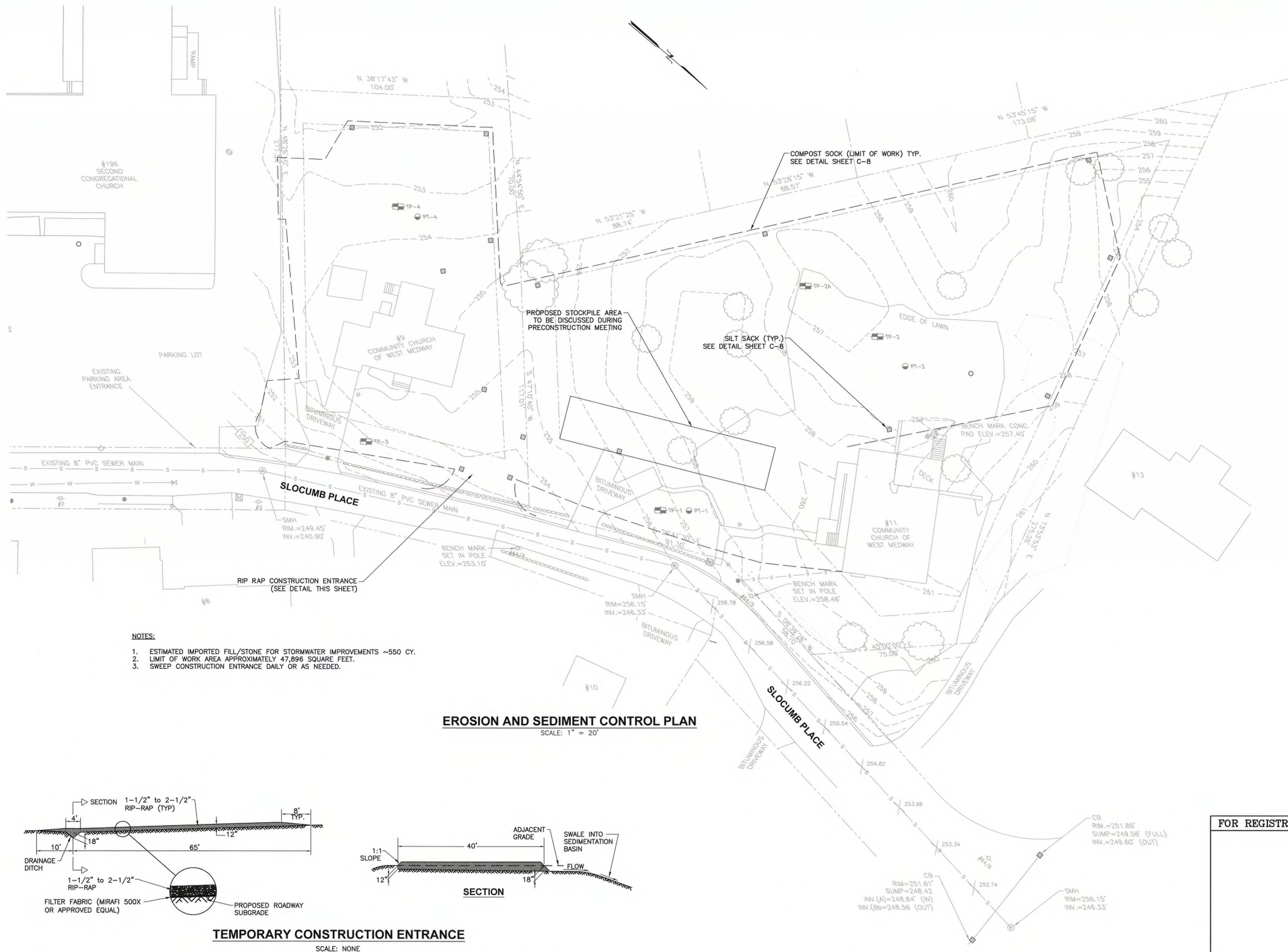


TYPICAL SEPARATOR ROW CONFIGURATION CROSS SECTION WITH INSPECTION PORT
NOT TO SCALE



PRECAST CATCH BASIN
SCALE: NONE

MINOR SITE PLAN APPLICATION		OWNER/APPLICANT: MEDWAY COMMUNITY CHURCH 11 SLOCUMB PLACE MEDWAY, MA 02053	PROPERTY ADDRESS: 9 & 11 SLOCUMB PLACE MEDWAY, MA 02053 ASSESSORS MAP 47 LOTS 079 & 078
Planning & Econ. Dev. Board Submitter 7/24/18	Planning & Econ. Dev. Board Review 8/22/18	Planning & Econ. Dev. Board Information Session 9/1/18	Planning & Econ. Dev. Board Decision 11/19/18
DETAIL SHEET 2 NOT FOR CONSTRUCTION		FOR REGISTRY USE ONLY:	
T&H NO.: 5328 DATE: NOVEMBER 2018 SCALE: AS NOTED		C-9	



T&H NO.: 5328		DATE: NOVEMBER 2018		SCALE: AS NOTED		EC-1				
		TATA & HOWARD		671 FOREST STREET MARLBOROUGH, MA 01752 (508) 303-3400						
		NOT FOR CONSTRUCTION		EROSION AND SEDIMENT CONTROL PLAN		11-19-18				
						Rev.				
						Date				
						Description				
Planning & Econ. Dev. Board Submittal		7/24/18	Planning & Econ. Dev. Board Review	8/22/18	Planning & Econ. Dev. Board Supplemental Information Submittal	9/6/18	Planning & Econ. Dev. Board Supplemental Information Submittal	11/19/18		
MINOR SITE PLAN APPLICATION		OWNER/APPLICANT: MEDWAY COMMUNITY CHURCH 11 SLOCUMB PLACE MEDWAY, MA 02053		PROPERTY ADDRESS: 9 & 11 SLOCUMB PLACE MEDWAY, MA 02053 ASSESSORS MAP 47 LOTS 079 & 078		THIS DOCUMENT IS THE PROPERTY OF TATA & HOWARD, INC. AND ITS CLIENT. REPRODUCTION WITHOUT PERMISSION IS PROHIBITED.		DESIGNED BY: JMB	CHECKED BY: SA	APPROVED BY: JMB

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Monday, March 29, 2021 12:58 PM
To: Susan Affleck-Childs
Subject: Medway Community Church Project Completion

Hi Susy,

We have reviewed the site against the endorsed plans titled "Medway Community Church, 9 & 11 Slocumb place Site Improvements" dated November 19, 2018, stamped and signed by Jon W Gregory, P.E. from Tata & Howard, Inc. on November 19, 2018 and drainage modification dated May 28, 2019. The site was also reviewed against the PEDB Decision dated September 11, 2018.

We last inspected the site on May 14, 2020 with landscaping being the only remaining item to be completed at the site. Landscaping was subsequently brought up during PEDB meeting and we believe the item remains outstanding as we do not believe discussion on the item has been finalized.

Please let me know if you need anything else, thanks.

Steve

Steven M. Bouley, P.E. | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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100 Nickerson Road, Suite 200 | Marlborough, MA 01752 | tetrattech.com

While we are operating remotely in response to COVID-19, Tetra Tech teams remain fully connected and hard at work servicing our clients and ongoing projects. We would also like to wish health and wellness to you and your family.

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Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Monday, June 28, 2021 3:13 PM
To: Susan Affleck-Childs
Subject: MCC As-Built Review

Hi Susy,

We have reviewed the as-built plan titled "Utility Plan, Record Drawing" dated March 2021, revised March 18, 2021, stamped and signed by Jon W. Gregory, P.E. from Tata & Howard on March 18, 2021. The Plans were reviewed against and meet the requirements of Section 6.7 of the PEDB Rules and Regulations Chapter 100 – Land Subdivision and all comments have been addressed by the Applicant. Please let me know if you need anything else, thanks.

Steve

Steven M. Bouley, P.E. | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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TOWN OF MEDWAY
Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio

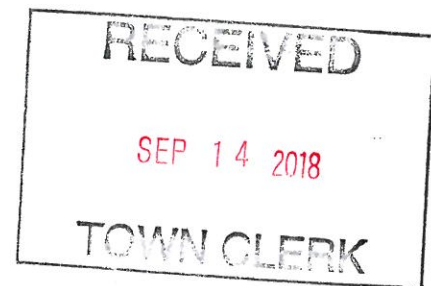
September 11, 2018

***Minor Site Plan Review Decision and
Stormwater Management and Land Disturbance Permit
Medway Community Church – Parking Expansion
9 & 11 Slocumb Place
APPROVED with Waivers and Conditions***

Decision Date: September 11, 2018

Name/Address of Applicant: Medway Community Church
11 Slocumb Place
Medway, MA 02053

Name/Address of Property Owner: Medway Community Church
11 Slocumb Place
Medway, MA 02053



Project Location: 9 & 11 Slocumb Place
Assessors' Reference: 47-078 and 47-079
Zoning District: Agricultural Residential II and Village Residential

Engineer: Tata and Howard, Inc.
67 Forest Street
Marlborough, MA 01752

Site Plan: *Medway Community Church - 9 & 11 Slocumb Place Site
Improvements*
Dated July 24, 2018, last revised August 22, 2018



TOWN OF MEDWAY
Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

*Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio*

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Engineer: Tata and Howard, Inc.
67 Forest Street
Marlborough, MA 01752

Site Plan: *Medway Community Church - 9 & 11 Slocumb Place Site
Improvements
Dated July 24, 2018, last revised August 22, 2018*

NOTE – Religious facilities are exempt under the Massachusetts Zoning Act, Chapter 40A, Section 3. Therefore, this site improvement project can be constructed at this location, despite its inclusion in the Agricultural-Residential II and Village Residential zoning districts. However, the statute also specifies that religious facilities are 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.*” Those aforementioned “reasonable regulations” provide the framework for the Planning and Economic Development Board’s review and decision. Minor site plan review is the process by which the Board considers exempt use developments pursuant to Section 3.4.3.A. 2.d. of the Medway *Zoning Bylaw*.

I. PROJECT DESCRIPTION – The proposed project pertains to the development of a 78 space parking area including site clearing and grubbing, excavation, installation of stormwater management facilities, paving, curbing, walkways, lighting, landscaping and fencing, all in support of the operation of Medway Community Church’s main facility at 196 Main Street.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public review process, the Medway Planning and Economic Development Board, on September 11, 2018, on a motion made by Richard Di Iulio and seconded by Matthew Hayes, **voted to approve with WAIVERS and CONDITIONS** as specified herein, a site plan and a stormwater management and land disturbance permit for the construction of a 78 space parking area with associated site improvements and amenities as shown on *Medway Community Church, 9 & 11 Slocumb Place Site Improvements*, prepared by Tata & Howard, Inc. of Marlborough, MA dated July 24, 2018, last revised August 22, 2018, to be further revised as specified herein.

The motion was approved by a roll call vote of four in favor and none opposed.

Planning & Economic Development Board Member	Vote
Richard Di Iulio	Yes
Matthew Hayes	Yes
Thomas A. Gay	Yes
Andy Rodenhiser	Absent
Robert Tucker	Yes

III. PROCEDURAL HISTORY

- A. July 25, 2018 - Site plan application and associated materials filed with the Medway Planning & Economic Development Board.
- B. July 26, 2018 – Site plan public review notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. July 26, 2018 – Site plan information distributed to Town boards, committees and departments for review and comment.
- D. July 27, 2018 – Site plan application and associated materials field with the Medway Town Clerk
- E. July 27, 2018 – Site plan public review notice mailed to abutters by first class mail.
- F. August 14, 2018 - Site plan public review process commenced during the Planning and Economic Development Board meeting. The public review was

continued to August 28 and September 11, 2018 when a decision was rendered and the public review process was closed.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application for the proposed Medway Community Church parking expansion project included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application were filed:
1. Minor Site Plan Application dated May 23, 2017 with Project Description, Waiver Requests, certified abutters' list and property access authorization.
 2. *Medway Community Church 9 & 11 Slocumb Place Site Improvements* site plan July 24, 2018 prepared by Tata & Howard of Marlborough, MA.
 3. *9 & 11 Slocumb Place Site Improvements Stormwater Drainage Evaluation, July 2018*, prepared by Tata and Howard of Marlborough, MA.
- B. During the course of the review, a variety of other materials were submitted to the Board by the Applicant and its representatives:
1. Letter dated August 14, 2018 from Jon Gregory, P.E. of Tata & Howard in response to the Tetra Tech site plan review letter dated August 10, 2018
 2. Letter dated August 14, 2018 from Jon Gregory, P.E. of Tata & Howard in response to the PGC site plan review letter dated August 8, 2018.
 3. *Medway Community Church 9 & 11 Slocumb Place Site Improvements* site plan dated July 24, 2018, **revised** August 22, 2018 prepared by Tata & Howard of Marlborough, MA
 4. Letter dated September 6, 2018 from Jon Gregory, P.E. of Tata & Howard in response to the Tetra Tech site plan review letter dated August 24, 2018, with various attachments including pipe/grate sizing calculations, construction period stormwater pollution prevention plan, leaching basin analysis, TSS removal calculation sheets, and a peak hour (Sunday morning) traffic flow plan.
- C. All documents and exhibits received during the public review are contained in the Planning and Economic Development Board's project file.

- V. TESTIMONY** - In addition to the site plan application materials as submitted and provided during the course of the Board's review, the Board also received verbal or written testimony from:
- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated August 10, August 24 and September 10, 2018 and commentary throughout the public process.
 - Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters dated August 8 and August 24, 2018 and commentary throughout the public review process.
 - Matthew Barry, project engineer, Tata & Howard

- Email communication dated July 27, 2018 from Fire Chief Jeff Lynch
- Memorandum dated August 11, 2018 from Medway Police Sergeant/Safety Officer Jeffrey Watson
- Letter dated August 14, 2018 from Medway Police Lieutenant Kingsbury
- Review letter dated August 27, 2018 from the Medway Design Review Committee
- Email communication dated August 27, 2018 from Medway Building Commissioner Jack Mee re: exemption from the *Zoning Bylaw's* "impervious lot coverage" requirements
- Pastor Carl Schultz, Medway Community Church
- Peter Simmons, President, Corporation of Medway Community Church
- Email dated August 12, 2018 from residents Eli Rosinha and Rosalea Moore, 4 Highland Street
- Email and attached letter dated August 11, 2018 from Joseph and Bernadette Kobierecki, 2 Highland Street
- Letter dated August 5, 2018 from Mary Liscombe, 8 Highland Street
- Email dated August 1, 2018 from Mathew Holt, 6 Highland Street
- Residents Shawn and Shannon Montana, 13 Slocumb Place
- Resident James Moniz, 6 Highland Street
- Resident Ian Grossman, 15 Slocumb Place
- Resident Eli Rosinha, 4 Highland Street

VI. FINDINGS – In making its findings and reaching the decision described herein, the Board is guided by Board's *Site Plan Rules and Regulations*, and the *Medway Zoning Bylaw*. The Board also considered evidence and testimony presented at the public hearings and comments submitted by Town departments, boards and committees as well as the Board's peer review consultants and residents placed in the public record during the course of the hearings.

The Planning and Economic Development Board, at its meeting on September 11, 2018, on a motion made by Matthew Hayes and seconded by Richard Di Iulio, voted to approve the following **FINDINGS** regarding the proposed parking expansion project at 9 & 11 Slocumb Place for Medway Community Church. The motion was approved by a roll call vote of four in favor and none opposed.

A. 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 *Site Plan 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?

Internal circulation was a major issue in the review of this project. The church's existing parking lot entrance is located on Slocumb Place where it is wider and further away from abutters on that street. The new parking lot is connected to the existing lot in a manner that allows 2-way traffic flow through the lot. Both of the existing driveways to 9 and 11 Slocumb Place have been eliminated and replaced

by a single curb cut to the new parking area. The use of traffic islands, signage and striping helps control internal circulation. Finally, The Church's "parking team" will continue to operate for Sunday services to guide traffic and further control circulation.

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 site currently has 2 residential buildings on it. Both buildings will be retained in substantially the same form as they are so the character, materials and scale of the buildings will not change. 11 Slocumb Place will be used as the church office and 9 Slocumb Place will serve as a parsonage for one of the church pastors.

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 used and zoned.

No new buildings are proposed. The existing buildings, a proposed fence around almost the entire perimeter of the parking lot, and existing and added vegetation adequately screen the parking lot for abutters. No outside storage is planned. As a result of this project, the church's primary dumpster is being repositioned away from its current location to a less intrusive area, away from an abutter.

4. Is adequate access to each structure for fire and service equipment provided?

The construction of the parking lot improves access to the existing structures for fire and service equipment as access will now be provided from the rear and sides of the buildings as well as the front. The Fire Chief has reviewed the plans and has not noted any issues.

5. Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

- a) the volume of cut and fill;
- b) the number of trees to be removed with particular care taken with mature trees and root systems;
- c) the visual prominence of man-made elements not necessary for safety;
- d) the removal of existing stone walls;
- e) the visibility of building sites from existing streets;
- f) the impacts on waterways and environmental resource areas;
- g) soil pollution and erosion;
- h) noise.

The volume of cuts and fills is minimal since no significant grade changes are planned or needed. Two trees greater than 18 inches in diameter will be removed from the area of the new parking lot. However, most of the trees greater than 18 inches in diameter within the 15-foot buffer area around the perimeter of the site will be retained and new trees and shrubbery will be added where needed to improve screening for the abutters. Care will be taken to minimize damage to the roots of these existing trees and the location of drainage structures has been

selected to minimize root disturbance. New trees will also be added to the two traffic islands within the parking lot for shade and aesthetics.

Fencing, existing and planned vegetation minimize the visual prominence of the parking lot, and the existing buildings are not changed. The existing stone wall at the new driveway entrance will be removed. However, the stones will be used to fill in the gaps across the two existing driveways which are being filled in.

There are no wetlands or waterways or environmental resources on the site. However, there will be a 10-foot buffer area between the new fence and the property line at the rear of the parking lot that will be kept in its natural state and be available for wildlife migration (as well as a buffer for abutters). Proper erosion controls will be used during construction and precautions will be taken during construction to prevent soil pollution. The planned subsurface stormwater management system will prevent post-construction pollution. Construction noise is unavoidable but will be minimized through the specified operating hours. No unreasonable noise will be generated by the normal use of the parking lot.

6. Is pedestrian and vehicular safety both on the site and egressing from it maximized?

The parking lot entrances, signage, traffic islands and striping are designed for vehicular safety. A walkway, separate from the parking, lot will provide a safe pathway between the lot and the Church for pedestrians. The Church's "parking team" will provide another active means of providing safety to supplement the passive elements of the site design. The reconstruction of Route 109 also improves safety or accessing and egressing the site.

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?

The Church is a significant historic resource for Medway. The construction will not detract from it and the project integrates the new parking with the existing parking on the Church site. Many of the trees along the perimeter of the parking lot will be retained and supplemented with additional trees and shrubs.

8. Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

A photometric plan was provided documenting that there would be no light cast onto adjoining properties. Also, the perimeter fence will prevent vehicle headlight glare on abutters. The lighting is designed with cut-off lenses to prevent light pollution within the Town in accordance with the lighting provisions of the Zoning Bylaw

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 proposed limit of work is the minimum necessary to construct the parking lot, and the erosion and sedimentation control plan will prevent environmental damage during construction. The stormwater management system and its operation and maintenance plan will prevent damage to the environment post-construction.

B. Other Findings

1. **Impervious Coverage** – As a result of the parking expansion project, the amount of impervious surface on 11 Slocumb Place is expected to be 57.7%. This exceeds the allowable amount (40%) per the *Zoning Bylaw*, Section 6.1, Table 2. Dimensional and Density Regulations for the AR-II zoning district. Building Commissioner Jack Mee has determined that the impervious coverage zoning requirement is not within the scope of “reasonable regulations” for a religious facility as specified in the Massachusetts Zoning Act. Consequently, the *Zoning Bylaw’s* regulation for impervious coverage does not apply to this particular project.
2. **Land Disturbance Area** - The total land disturbance area for this project is expected to be 7,739 sq. ft. for 9 Slocumb Place and 26,447 sq. ft. for 11 Slocumb Place for a total of 34,186. This amount of land disturbance triggers the applicability of Medway General Bylaws, Section 26. Stormwater Management and Land Disturbance.

VII. WAIVERS – At its September 11, 2018 meeting, the Planning and Economic Development Board, on a motion made by Richard Di Iulio and seconded by Matthew Hayes 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 Planning and Economic Development 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 roll call vote of four in favor and none opposed.

- A. Section 204-3, 7. Development Impact Statement** - A written *Development Impact Statement* which shall 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. The *Development Impact Statement* shall consist of the following four elements: Traffic Impact, Environmental Impact, Community Impact and Parking Impact.

The Applicant has requested a waiver from the requirement for a Development Impact statement. This project is being undertaken to specifically address current parking difficulties and inadequacies that are evident on Sunday mornings for worship services. A traffic impact report is not needed as the existing traffic conditions are not expected to change due to the expanded parking. Community impacts are discussed in the project narrative. The site does not include any wetland resources and thus there is no review needed by Conservation. Strict compliance with this regulation could be considered to be a burdensome and unreasonable regulation of this religious organization’s development plan. Therefore, the Board APPROVES this waiver request.

B. Section 204-4 B Site Plan Scale - Site plans shall be drawn at a scale of 1" = 40'

The Applicant has requested a waiver from this requirement and has provided plans at a scale of 1" = 20 feet. The Town's Consulting Engineer has opined that the plans as provided at the alternative scale are sufficient to adequately show the proposed work. Therefore, the Board APPROVES this waiver request.

C. 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 the full extent of this requirement. An inventory of trees with a diameter of 18" or greater on the property has been provided; the inventory was prepared by personnel from Tata & Howard, the Applicant's project engineer. This variation is consistent with past waiver requests and approvals for other site plan projects approved by the Board within the last two years. The reduced scope of the inventory is acceptable since most of the site has to be cleared for the planned parking expansion. Trees within the setback area around the perimeter of the site are begin retained as part of the screening measures. Therefore, the Board APPROVES this waiver request.

D. 204-5, D, 7. Landscape Architecture Plan – 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 the regulation specifying that a Landscape Architect prepare the Landscape Plan. Instead, the Landscape Plan was prepared by Tata and Howard personnel. See sheet C-7. The plan is limited in scope since so much of the site is being converted to parking. The plan shows a thorough and thoughtful approach to the use of existing vegetation and stone walls and proposed supplemental landscaping around the perimeter of the properties to screen the parking area from the abutters. Therefore, the Board APPROVES this waiver request.

E. Section 205-3, B, 2) Internal Site Driveways - No part of any driveway shall be located within fifteen (15) feet of a side property line.

The Applicant has asked for a waiver from this regulation. The proposed new curb cut from Slocumb Place to access the new parking area will be located

within 15 feet of the side property line between 9 and 11 Slocumb Place. This driveway location was selected to allow for the best use of the public right-of-way to access the site and to eliminate the choke point to the north of the proposed curb cut where the paved roadway narrows. Because both parcels are owned by Medway Community Church, the need for the driveway setback regulation does not apply in this particular case. Therefore, the Board APPROVES this waiver request.

- F. **Section 205-3, C, 1 Traffic Flow Slope** - The slope of the paved entrance way shall not exceed two (2) percent for the first twenty-five (25) feet measured perpendicular from the front property line. Plantings should be evaluated to ensure adequate sight distance is not affected. The maximum height of vegetation, except trees, at full growth or any other physical object shall not exceed three (3) feet in height to assure sight distance visibility from a vehicle. The entrance shall be clearly delineated by granite curbing or other approved material along the entire radius of the opening and extend at least twelve (12) feet beyond each side along the gutter line of the road, and sloped at the end to prevent a vertical obstruction to exist.

The Applicant has requested relief from this requirement. Due to site constraints and the existing site topography, a 2% grade within the first 25 feet of the driveway entrance from Slocumb Place cannot be met. The driveway grade will be 6%. Strict compliance with this regulation could be considered to be a burdensome and unreasonable regulation of this religious organization's development plan. Therefore, the Board APPROVES this waiver request.

- G. **Section 205-6 H. Curbing** – The perimeter of the parking area shall be bounded with vertical granite curb or similar type of edge treatment to delineate the parking lot.

The Applicant has requested a waiver to allow for the use of bituminous Cape Cod berm on the perimeter of the new parking areas. Vertical granite curbing will be used along the proposed curb cut and driveway entrance from Slocumb Place and along the back of all catch basins. Sloped granite curbing is planned for the landscaped parking islands. Strict compliance with this regulation could be considered to be a burdensome and unreasonable regulation of this religious organization's development plan. Therefore, the Board APPROVES this waiver.

- H. **Section 205-6 G. 4. b)** – Parking spaces and stalls shall not be located within 15' of the front, side or rear property lines.

The Applicant has requested a waiver from the full extent of this requirement. This regulation is met for the parking spaces to be constructed on the 11 Slocumb Place parcel. The setback for the parking area on the 9 Slocumb Place parcel is 15 feet except for the area of the driveway connection between the two parking lots. A waiver is needed from the setback requirement to achieve an adequate two way traffic flow. Therefore, the Board APPROVES this waiver.

- I. **Section 205-9 C. Parking Areas** - Internal landscape planted divisions (*islands and peninsulas*) shall be constructed within all parking lots to provide shading and buffering. At least one deciduous tree of a minimum two and one-half (2 1/2)

inches caliper in diameter shall be provided for every six (6) parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement. This requirement may be waived in lieu of the preservation of existing trees subject to approval by the Planning Board.

The Applicant has requested a waiver from this regulation. With 78 parking spaces proposed, 13 trees are required. Two landscaped islands are included on the plan. However, the construction of additional landscaped islands is not practical due to the location of the two sub-surface stormwater infiltration facilities. The revised site plan dated August 24th, shows 12 new trees to be planted around the perimeter of the parking areas and within the parking islands. Further, the Applicant has committed to retaining existing trees on the perimeter of the parking lots to the greatest extent possible. Therefore, the Board APPROVES this waiver.

- J. **Section 205-9, F. Tree Replacement** - The total diameter of all trees over ten (10) inches in diameter that are removed from the site shall be replaced with trees that equal the total breast height diameter of the removed trees. The replacement trees may be placed on or off site as recommended by the Planning Board.

The Applicant has requested relief from this regulation. Due to the extensive number of trees to be cleared from the middle of the site for the parking areas, the required replacement of all trees over ten inches in diameter is not feasible. According to the revised site plan dated August 22, 2018, two trees over 18" in diameter will be removed from the site. The Applicant has committed to preserving the natural environment of the site to the greatest extent possible. The site plan shows the installation of twelve new shade trees. Strict compliance with this regulation could be considered to be a burdensome and unreasonable regulation of this religious organization's development plan. Therefore, the Board approves this waiver.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board's approval of this site plan is consistent with the *Site Plan Rules and Regulations*, 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 review process have been carefully considered

SPECIFIC CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the site plan for the Medway Community Church parking expansion project at 9 and 11 Slocumb Place, dated July 24, 2018, last revised August 22, 2018, prepared by Tata & Howard of Marlborough, MA shall be further revised to reflect all Conditions and required revisions, including those as follows, and submitted to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). The Applicant shall provide a revised Plan in its final form to the Board for its signature/endorsement. All plan sheets shall be bound together in a complete set.

- B. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the August 22, 2018 site plan set shall be revised to:
1. List the APPROVED waivers from the *Site Plan Rules and Regulations* as specified herein.
 2. Remove the signature box for the Board of Selectmen and replace with a signature box for the Planning and Economic Development Board including spaces for decision date and endorsement date.
 3. Include a statement for the Town Clerk's signature to certify that no appeals were filed during the 20 day period following the filing of the decision with the Town Clerk's office.
 4. Include a final plan date.
- C. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the August 22, 2018 Site Plan set.
1. Per the 8-11-18 plan review letter from Police Sergeant/Safety Office Jeff Watson, a stop sign shall be added at the parking lot exit onto Slocumb Place along with a painted stop line.
 2. A detail for the "New England style" light pole shall be included. The color for the light poles and fixtures shall be specified.
 3. A detail describing and illustrating the paving material for the new pedestrian walkway shall be added. Additionally, a continuation of the pedestrian walkway from 9 Slocumb Place through the existing church parking lot shall be striped on the pavement to provide safe pedestrian passageway from the new parking area through the existing parking lot to the church entrance.
 4. The detail for the 6' high privacy fence on Sheet C-8 shall be revised to specify that the fencing material is not shiny and will be of a neutral or natural color.
 5. The plan shall be revised to include a detail for a bicycle rack to comply with the bicycle parking requirements as specified in Section 7.1.1. I. 1. Bicycle Parking of the *Zoning Bylaw*.
 6. The areas comprising the existing driveways for 9 & 11 Slocumb Place which are to be abandoned shall be fully removed and grassed over.
 7. "No Parking" striping shall be included on the pavement at the southern end of the central parking area within the large new parking lot.
 8. Per Tetra Tech's review letter dated August 24, 2018, the plan shall be revised to show the location of the inspection ports to access the isolator row portion of the sub-surface stormwater drainage system
 9. Per Tetra Tech's review letter dated September 10, 2018 the plan shall be revised to show:

- a) Erosion and Sediment Control Plan consistent with the provisions of Section 26.7 of the Medway General Bylaws, Stormwater Management and Land Disturbance Permit. See Tetra Tech review letter dated 9-10-18 (Item #21). This shall include construction entrances and specific erosion control details.
 - b) details of the weir manholes
 - c) locations of final inspection ports for the sub-surface Cultec system.
- D. **Stormwater Management During Construction** – Before site construction commences, the Applicant will install and maintain silt sacks in all of the catch basins in the Slocumb Place cul-de-sac to protect the Town's drainage system during the construction period in the event of intense stormwater runoff from the site. The silt sacks shall be removed at the conclusion of construction.
- E. **Other Documentation to Be Provided Prior to Plan Endorsement** – The Applicant shall provide the following information for review to the satisfaction of the Board's Consulting Engineer for compliance with Medway Bylaws and Rules and Regulations.
1. Calculations for total phosphorus removal at the site.
 2. Proof of recording, at the Norfolk County Registry of Deeds, of the approved Long Term Stormwater Operations and Maintenance Plan prepared by Tata and Howard.
- F. **Use Limitations**
1. Parking or use of the parking area at 9 and 11 Slocumb Place shall be limited only to vehicles for the Medway Community Church, its employees, parishioners, visitors, and deliveries. The parking area may not be leased or made available to any other entity for any purpose.
 2. 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.
- G. **Existing Vegetation**
1. The existing vegetation in the buffer area shall be evaluated during the winter of 2019 to determine where the vegetation is sparse and does not provide suitable buffering. Additional landscaping measures beyond what is shown on Sheet C-7 may be required to be installed in the spring of 2019 to fill in where appropriate.
 2. The Applicant shall direct its contractors to preserve the existing vegetation in the buffer area around the parking lots to the greatest extent possible during site preparation and construction.
- H. **Design of Stormwater Management Facilities**
1. As recommended by Tetra Tech, the Applicant's engineering consultant shall observe, during construction, additional test pits in the location of the Underground Drainage Basin #1 subsurface chamber system to verify that soil types and estimated seasonal high groundwater are consistent with the previous test pits and design parameters. The results of this test shall be provided to the Board and its engineering consultant to determine whether

any changes are needed to the stormwater design.

2. First flush and lower intensity storm events shall be routed through the Separator Row. The addition of a weir structure shall provide for the water from high intensity storm events to be diverted to the remaining portions of the sub-surface system
- I. **Site Access** – Access to the Church’s existing and new parking areas is provided from Slocumb Place and Highland Street. The Applicant shall instruct its employees, delivery companies, parishioners and guests to use Slocumb Place to access the Medway Community church property. Any printed or electronic marketing materials that provide directions to the MCC shall indicate the Slocumb Place parking areas and access. Deliveries shall occur only between 7 am and 6 pm.
 - J. **Long Term Stormwater Management Operations and Maintenance Plan** - The Applicant has ongoing responsibility and obligation to carry out the Long Term Stormwater Operations and Maintenance Plan prepared by Tata and Howard, including specified reporting. See Appendix M, pages 1-4, of the 9 & 11 Slocumb Place Site Improvements Stormwater Drainage Evaluation Report, dated July 2018.
 - K. **Lighting**
 1. Lighting shall not result in any light spillage off the property pursuant to Section 7.1.2 of the *Zoning Bylaw*. This may be accomplished through the addition of light shields, the lowering and/or relocating of light fixtures, and other suitable measures.
 2. LED lights shall be of a lower color temperature [2700-3000K] to provide a more natural appearance.
 - L. **Traffic Flow and Parking Management** – Within one year after completion of the parking lot construction project, Medway Community Church shall provide a report evaluating the traffic flow and parking management measures, including review comments and recommendations from the Medway Police Department, to the Board for consideration of further traffic management measures that may be needed.
 - M. **Fencing** – Permanent fencing is planned along most of the perimeter of the site to screen the parking areas from abutters. Until the permanent fencing can be installed, green, temporary construction fencing shall be put into place surrounding the perimeter of the site to buffer site construction for the abutters.
 - N. **Snow Storage and Removal**
 1. Snow storage shall be limited to the 6 parking spaces shown on Sheet C-5.
 2. The Applicant shall make the fullest possible effort to remove accumulated snow which exceeds the capacity of the designated on-site snow storage areas from the premises within 48 hours after the conclusion of a storm event.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to site plan endorsement by the Planning and Economic Development Board, the Applicant shall pay:
1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering, planning or other consultants; and
 2. any construction inspection fee that may be required by the Planning and Economic Development Board; and
 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property.

The Applicant's failure to pay these fees in their entirety shall be reason for the Planning and Economic Development Board to withhold plan endorsement.

- B. **Other Permits** – This permit does not relieve the Applicant from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the Applicant or assigns shall obtain, pay 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 Applicant 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 Inspector of Buildings.
2. **Neighborhood Relations** – The Applicant 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 Applicant 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 Applicant 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 Applicant is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris and trash may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Planning and Economic Development 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 7.3.C.2. Environmental Standards.

E. ***Landscape Maintenance***

1. The site's landscaping shall be maintained in good condition throughout the life of the facility and to the same extent as shown on the endorsed Plan. Any shrubs, trees, bushes or other landscaping features shown on the Plan that die shall be replaced by the following spring.
2. Within 60 days after two years after project completion, the Town's Consulting Engineer or the Inspector of Buildings shall conduct an inspection of the landscaping to determine whether and which landscape items need replacement or removal and provide a report to the Board. At any time subsequent to this initial inspection, the Town's Consulting Engineer, the Inspector of Buildings, a Board member, or the Board's designee may conduct further inspections of the landscaping to determine whether and which landscaping items need replacement or removal and provide a report to the Board. The Board may seek enforcement remedies with the Inspector of Buildings/Zoning Enforcement Officer to ensure that the comprehensive landscaping plan is maintained.

F. ***Construction Oversight***

1. 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 Applicant shall establish a construction account with the Planning and Economic Development 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 Applicant shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Planning and Economic Development 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 Applicant shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Applicant.
- 2. Pre-Construction Meeting - Prior to the commencement of any work on the Property, the Applicant and the site general contractor shall attend a preconstruction conference with Planning and Economic Development Coordinator, the Building Commissioner, Department of Public Services Director, the Conservation Agent, the Town's Consulting Engineer and other Town staff or Applicant's representatives as may be determined. The general contractor shall request such conference at least one week prior to commencing any work on the property by contacting the Planning and Economic Development office.
 - 3. Planning and Economic Development 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 Services 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 Applicant 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 Planning and Economic Development Board within 5 days of inspection.

G. Modification of Plan and/or Decision

- 1. This site plan 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 Planning and Economic Development Board for review as site plan modifications.

2. Any work that deviates from the approved site plan or this Decision shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Planning and Economic Development Board.
3. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public review including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.

H. ***Compliance with Plan and Decision***

1. The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and this Decision and any modifications thereto.
2. The Town reserves the right to periodically inspect the site during and after construction to ensure compliance with these conditions.
3. The Planning and Economic Development 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.
4. The Conditions of Approval are enforceable under Section 3.1. F. of the *Medway Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

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. Approved site plans shall be completed by the Applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the Applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development 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, review and decision.
2. The Applicant shall secure a ***Certificate of Site Plan Completion*** from the Planning and Economic Development Board and provide the ***Certificate*** to the Inspector of Buildings. The ***Certificate*** serves as the Planning and Economic Development 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 Applicant shall:

- a) provide the Planning and Economic Development Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict 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 Planning and Economic Development 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 final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.

J. ***Performance Security***

1. If performance security is needed, the Applicant shall propose a form of performance security which shall be of a source and in a form acceptable to the Planning and Economic Development 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 developer and the performance guarantee company including:
 - a) the date by which the developer shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Planning and Economic Development Board
 - c) procedures for collection upon default.
2. 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, parking, pedestrian facilities and all site amenities as specified in the endorsed Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
3. The security amount shall be approved by the Planning and Economic Development 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 developer fails to adequately perform such and the cost for the preparation 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 twenty-five percent (25%) contingency.

4. Final release of performance security is contingent on project completion.

K. **Construction Standards** - All construction shall be completed in full compliance with all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.

L. **Conflicts** – If there is a conflict between the endorsed site plan and the Decision's Conditions of Approval, the Decision shall rule. If there is a conflict between this Decision and/or site plan and the Medway *Zoning Bylaw*, the *Bylaw* shall apply.

IX. APPEAL – Appeals if any, from this Decision shall be made to the court within twenty (20) days of the date the Decision is filed with the Town Clerk.

After the appeal period has expired, the Applicant must obtain a certified notice from the Town Clerk that no appeals have been made and provide such certification to the Planning and Economic Development Board before plan endorsement.

###

**Medway Planning and Economic Development Board
SITE PLAN DECISION & LAND DISTURBANCE PERMIT
Medway Community Church, 9 & 11 Slocumb Place**

APPROVED with Waivers and Conditions by the Medway Planning & Economic Development Board: September 11, 2018

AYE:

NAY:

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

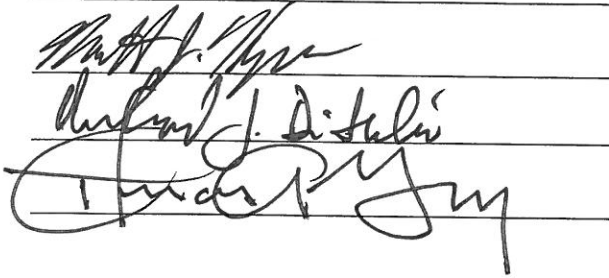
COPIES TO: Michael Boynton, Town Administrator
David D'Amico, DPS Director
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Inspector of Buildings and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community & Economic Development
Jeff Watson, Police Department Safety Officer
Matthew Barry, Tata and Howard
Peter Simmons, Medway Community Church
Rev. Carl Schultz, Medway Community Church
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

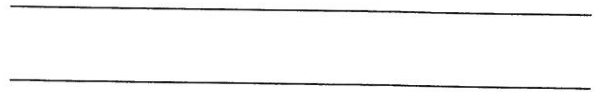
**Medway Planning and Economic Development Board
SITE PLAN DECISION & LAND DISTURBANCE PERMIT
Medway Community Church, 9 & 11 Slocumb Place**

APPROVED with Waivers and Conditions by the Medway Planning & Economic Development Board: September 11, 2018

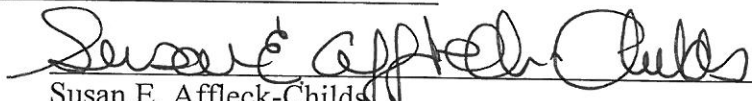
AYE:

NAY:





ATTEST:


Susan E. Affleck-Childs
Planning & Economic Development Coordinator

9-12-2018
Date

COPIES TO: Michael Boynton, Town Administrator
David D'Amico, DPS Director
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Gino Carlucci, PGC Associates



TOWN OF MEDWAY
Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio

July 31, 2019

FIELD CHANGE
Medway Community Church Parking Expansion Site Plan
9 and 11 Slocumb Place

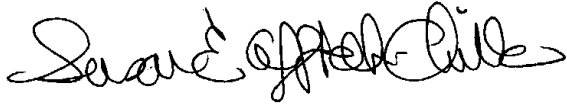
At its duly posted meeting held on July 30, 2019, the Medway Planning and Economic Development Board discussed the continuing installation of subsurface stormwater management systems for the Medway Community Church parking lot project at 9 and 11 Slocumb Place.

Steve Bouley, P.E. of Tetra Tech, the Town's consulting engineer, conducted a site visit on July 15, 2019 to observe excavation for the planned subsurface stormwater system in basin #1 as shown on the endorsed site plan. See attached Tetra Tech Field Report #13 of that site visit. During the course of excavation, the contractor hit ledge. Mr. Bouley directed that ledge rock be removed to provide a minimum of 2' of separation from the top of ledge to the bottom of the sub-surface drainage system and that the depth be backfilled with sand. The removed rock was to be stockpiled on site for later export off-site.

By unanimous vote, the Planning and Economic Development Board affirmed that the above described field change was a suitable remedy for the given situation, subject to the following conditions as recommended by Tetra Tech.

Conditions

1. The changes shall be reflected in the as-built plan to be provided to the Board as part of project completion.
2. The applicant's engineer shall revise the project's long-term stormwater operation and maintenance plan to include additional post construction monitoring of the system for a minimum of one year after the project is complete to determine if the stormwater basins are functioning as designed. The additional monitoring should occur in a dry period a minimum of 72 hours after a .5" storm event to determine if the basins are properly dewatering. The revised long-term stormwater operation and maintenance plan shall be submitted to the Board for review and approval by Tetra Tech.

A handwritten signature in black ink, appearing to read "Susan E. Affleck-Childs". The signature is fluid and cursive, with the first name "Susan" being the most prominent.

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

cc: Jack Mee, Building Inspector/Zoning Enforcement Officer
Matthew Barry, Tata and Howard
Rev. Carl Schultz, Medway Community Church
Steve Bouley, Tetra Tech

Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project Medway Community Church	Date 7/15/2019	Report No. 13
Location 9 & 11 Slocumb Place, Medway, MA	Project No. 143-21583-18009	Sheet 1 of 2
Contractor Rodenhiser Excavating, Inc. (Site Contractor)	Weather A.M. SUNNY P.M.	Temperature A.M. 75°F P.M.

FIELD OBSERVATIONS

On Monday, July 15, 2019, Steven Bouley, P.E. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and observe construction progress. The report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Site is dry and undulating and in the process of being filled to subgrade elevation. Construction entrance from Slocumb Place appears to be functioning as designed. Straw wattle is installed around the site perimeter and is in good condition.
- B. Contractor has begun excavation for proposed Basin 1 and has hit ledge in the eastern portion of the excavation. It appears the rock is fractured and easily removed by ripping method and is being removed in boulder sized pieces and stockpiled on-site for later export off-site. Additionally, water not visible in the excavation. TT asked the design engineer Matt Barry with Tata & Howard to provide minimum two feet separation from top of ledge to bottom of system, backfill that depth with sand and to also provide updated mounding analysis to determine if the groundwater mound below the basin will extend into the basin during the 100-year event. TT also recommends the PEDB require additional post-construction monitoring of the system after project is complete to determine if the basins are functioning as designed since the impact of the ledge is unknown at this time. Monitoring should occur in a dry period a minimum 72 hours after 0.5"+ storm events to determine if basin is properly dewatering. We recommend a minimum one-year time period after final completion of the Project for this monitoring.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer			
Laborers	2	Loader	1	Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	3	Screener	1		
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Steven Bouley, P.E.	10:00 AM – 11:00 AM

NOTE: Please use reverse side for remarks and sketches

Project Medway Community Church	Date 7/15/2019	Report No. 13
Location 9 & 11 Slocumb Place, Medway, MA	Project No. 143-21583-18008	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- C. Contractor in process of installing drain infrastructure on the northern portion of the site. Structures are being installed on crushed stone for proper bedding. Pipe is being bed and backfilled with crushed stone where possible due to current grades at the site. Site is in the process of being filled with suitable, screened on-site material, processed material will be imported for completion of the parking lot base.
- D. Basin 2 remains in a state where the filter fabric at the top of the system is exposed. The contractor should backfill this area to decrease likelihood of UV degradation of the fabric (if the fabric is not UV resistant). TT asked the design engineer regarding UV resistance of the fabric.

2. Schedule

- A. Contractor plans to continue installing drainage infrastructure throughout the project site. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. New Action Items

- A. Design engineer to provide updated information regarding basin changes for the record.
- B. TT recommends the PEDB require post-construction Monitoring of both basins. Monitoring should occur in a dry period a minimum 72 hours after 0.5"+ storm events to determine if basin is properly dewatering. We recommend a minimum one-year time period after final completion of the Project for this monitoring.
- C. Design engineer to provide documentation of filter fabric UV resistance.

4. Previous Open Action Items

- A. N/A

5. Materials Delivered to Site Since Last Inspection

- A. N/A

\\filer-ma\Project_Files\Medway Community Church\Medway Community Church\3-2-2021.dwg 3/19/2021 12:43 PM MBARRY

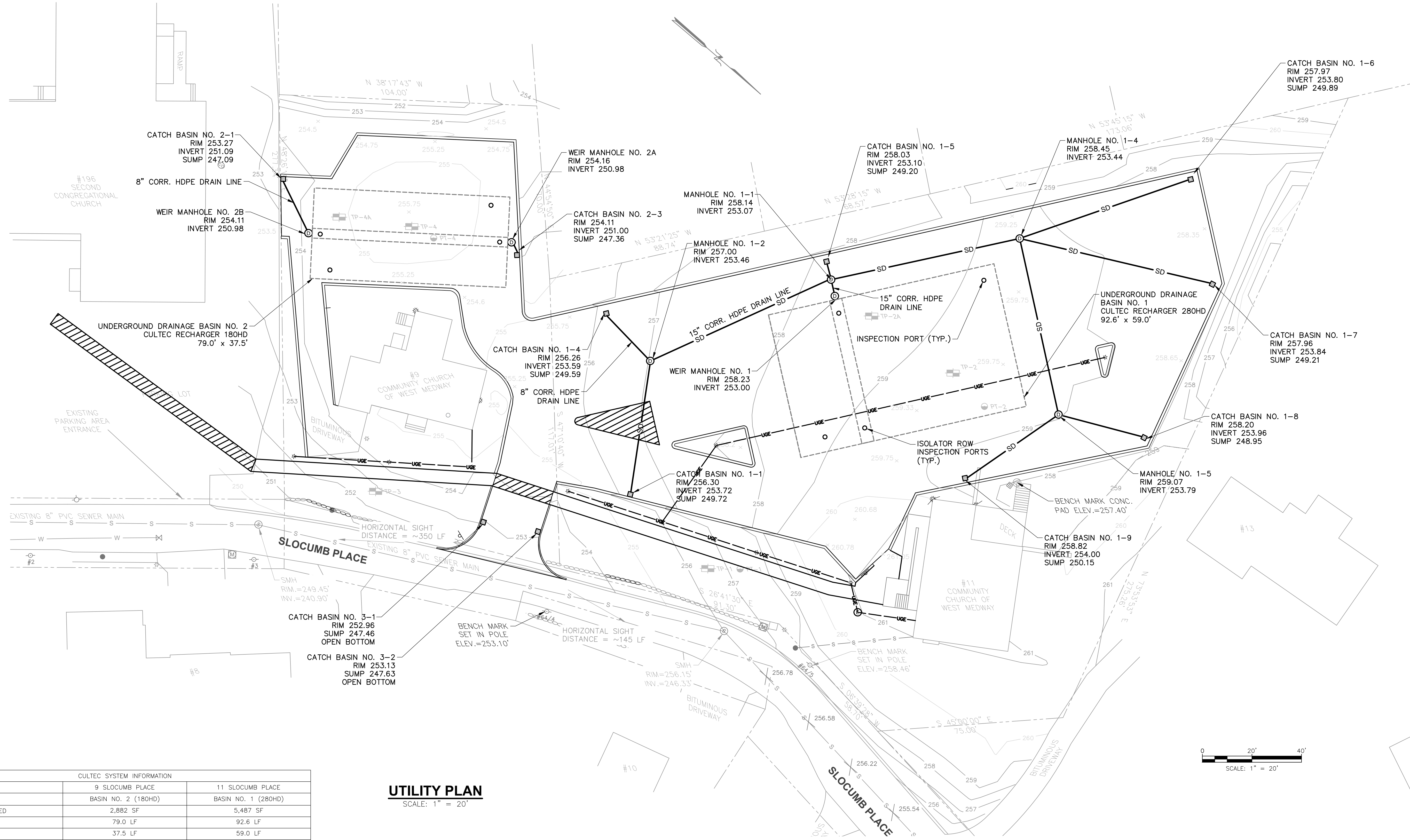
CULTEC SYSTEM INFORMATION		
ADDRESS	9 SLOCUMB PLACE	11 SLOCUMB PLACE
DESCRIPTION	BASIN NO. 2 (180HD)	BASIN NO. 1 (280HD)
BED AREA REQUIRED	2,882 SF	5,487 SF
BED LENGTH	79.0 LF	92.6 LF
BED WIDTH	37.5 LF	59.0 LF
NUMBER OF ROWS	11	21
CHAMBERS PER ROW	12	8
ELEVATIONS		
BOTTOM OF STONE	250.48	252.50
BOTTOM OF CHAMBERS	250.98	253.00
TOP OF CHAMBERS	252.69	255.21
TOP OF STONE	253.19	255.71

UTILITY PLAN

SCALE: 1" = 20'

NOTES:

- ALL PROPOSED DRAIN LINES ARE 12" CORRUGATED (CORR.) HDPE WITH 0.5% SLOPE UNLESS OTHERWISE NOTED.
- REFERENCE SITE PLAN REVIEW DECISION SEPTEMBER 11, 2018.
- REFERENCE ENDORSED SITE PLANS DATED NOVEMBER 19, 2018 (ENDORSED ON NOVEMBER 27, 2018).
- SITE PLAN REVIEW DECISION RECORDED AT NORFOLK REGISTRY OF DEEDS, NOVEMBER 8, 2018, BOOK: 36420, PAGE 521, INST#:100261 @12:01pm.
- BUILDING MOUNTED FLOOD LIGHT SWITCHES HAVE MANUAL ON - AUTOMATIC OFF TIMERS.
- ALL LIGHTING CONTROLLED MANUALLY FROM WITHIN EACH BUILDING.
- ALL FLOOD LIGHTS EQUIPPED WITH PHILIPS PAR38 LED 120V 11W 3000K LAMPS.
- LIGHT SHIELDS INSTALLED ON ALL FLOOD LIGHTING AS INDICATED.
- ALL LAMP POSTS BY NEW ENGLAND ARBORS, TRINITY STYLE, 6-FOOT, 9 TOTAL.
- ALL POST LANTERNS BY PORTFOLIO, MODEL #AL0344MORB, WITH FEIT ELECTRIC T14 LED 120V 4.5W 2100K LAMPS.
- ALL LIGHTING INSTALLED BY PERKINS ELECTRIC.
- THE LOCATION OF THE EXISTING UTILITIES AS SHOWN ON THE PLANS ARE APPROXIMATE AND ARE INTENDED ONLY TO ADVISE OF THEIR PRESENCE. CALL "DIG SAFE" (1-888-344-7233) FOR FIELD LOCATIONS OF ALL EXISTING UTILITIES.



0 20' 40'
SCALE: 1" = 20'

FOR REGISTRY USE ONLY:

MINOR SITE PLAN APPLICATION		OWNER/APPLICANT: MEDWAY COMMUNITY CHURCH 11 SLOCUMB PLACE MEDWAY, MA 02053		PROPERTY ADDRESS: 9 & 11 SLOCUMB PLACE MEDWAY, MA 02053 ASSESSORS MAP 47 LOTS 079 & 078	
Planning & Econ. Dev. Board Submittal	7/24/18	MBR Supplemental Information Submittal	8/22/18	Planning & Econ. Dev. Board Submittal	9/27/18
Planning & Econ. Dev. Board Submittal	11/19/18	Approved Field Changes	2/28/19	Approved Field Changes	8/14/19
Record Drawing	3/19/21	Record Drawing	3/19/21	Record Drawing	3/19/21
UTILITY PLAN RECORD DRAWING					
TATA & HOWARD 67 FOREST STREET MARLBOROUGH, MA 01752 (508) 303-9400					
T&H NO.: 5328 DATE: MARCH 2021 SCALE: AS NOTED					
C-4					

LONG TERM OPERATION AND MAINTENANCE PLAN

9 & 11 Slocumb Place
Site Improvements
Medway, Massachusetts

This long-term Drainage Operations and Maintenance (O&M) Plan shall be implemented at 9 & 11 Slocumb Place, Medway to ensure that the Stormwater management system functions as designed and in accordance with DEP Stormwater Management Standard No. 9. This Operations and Maintenance Plan is intended to cover all on-site drainage structures, conveyances, and outfalls. The Property Owner, Medway Community Church possesses the primary responsibility for overseeing and implementing the O&M Plan and designating a person who will be responsible for the proper operation and maintenance of the Stormwater structures. In case of transfer of property ownership, future property owners shall be notified of the presence of the Stormwater management system and the requirements for proper implementation of the O&M Plan.

O&M Plan Implementation Manager Contact Information:

Medway Community Church
11 Slocumb Place
Medway, Massachusetts 02053
(508) 533-7032

Components of the Operations and Maintenance Plan include:

- Post construction monitoring.
- Removal of all trash and litter debris from entire site, particularly parking lots, road access leaching basins, catch basins, drain manholes, oil/grit separator units, underground storage units, and wooded areas.
- Pavement sweeping of paved parking lots and road access.
- Removal of sediment and pollutants trapped in oil/grit separator units (water quality treatment units).
- Snow Management Plan-Winter Roadway Maintenance and snow storage.

Post Construction Monitoring

The Stormwater management system shall be monitored for a period of one year after the project is complete to determine if the stormwater basins are functioning as designed. The additional monitoring shall occur in a dry period a minimum of 72 hours after a 0.5-inch event to determine if the basins are properly dewatering.

Stormwater Runoff Quality

The Stormwater management system protects and enhances the Stormwater runoff water quality through the removal of sediment and pollutants, and source control significantly reduces the amount of pollutants entering the system. Preventive maintenance of the system will include a comprehensive source reduction program of regular sweeping and litter removal, and maintenance of the roadway area. These measures are described below.

Drainage System

Stormwater runoff collected from off-site sub-watershed and parking lots is discharged into proposed deep sump (hooded) catch basins and then discharged into underground storage units. Maintenance and cleaning of stormwater drainage system will assure adequate performance.

Maintenance Program

The Property Owner will conduct the operation and maintenance program set forth in this document. The Owner will ensure that inspections and record keeping are timely and accurate and that cleaning and maintenance are performed at least on a biannual basis. Inspection & Maintenance Log Forms (attached) shall include the date and the amount of the last significant storm event in excess of 1" of rain in a 24-hour period, physical conditions of the structures, depth of sediment in structures, evidence of overtopping or debris blockage and maintenance required of each structure. *Records of maintenance will be kept on file at the Property Manager's office and copies of Inspection & Maintenance Log sheets indicating all work and inspections will be available to the Town upon request.*

All Stormwater management structures will be inspected two times per year, with cleaning typically occurring in Spring and Fall and possibly more often, as site conditions warrant. Concurrent with inspection and cleaning, all litter shall be picked up and removed from the parking areas, grass, landscaped and wooded areas.

Pavement Sweeping Program

Pavement sweeping is a highly effective source control measure for reducing pollutant loading in stormwater. Hand sweeping, and/or Mechanical air blowers may be utilized to facilitate collecting and removing sediment. All sweepings will be disposed of in a legal manner.

Long-term management practices include monthly sweeping of the parking areas during Spring and Fall months. The sweeping program will remove sand and contaminants directly from paved surfaces before they become mobilized during rain events and transported to the drainage system.

Snow Management Plan

1. Snow shall be managed in accordance with MA DEP *Snow Disposal Guidance* No. BWR G2015-01.
2. No deicing materials shall be stored within the Parking Areas.
3. Every effort should be made to plow and store snow on vegetated pervious surfaces to allow the snowmelt to filter through the soil, leaving behind sand and debris that can be collected and removed in the springtime.
4. Snow shall not be stored in swale/infiltration areas.
5. Plowed snow should not block drainage collection areas, and conveyance channels, as this may cause flooding.
6. The Property Owner is responsible for all snow clearing on parking areas at 9 & 11 Slocumb Place. It is the responsibility of the Owner to notify contractors as to permissible areas for the storage of snow, according to the restrictions described.

Maintenance Schedule

The following is a general maintenance schedule that can be used as a reference by the Property Owner. This schedule includes the maintenance action to be taken and when the action is to occur.

Site Component	Action to be Taken	Timeline for Completion
Parking Areas	Inspection/Sweeping	Monthly
Open-Bottom Catch Basins	Inspection/Cleaning	Bi-Annually
Deep Sump (hooded) Catch Basins	Inspection/Cleaning	Bi-Annually
Underground Storage Units No. 1 & 2	Inspection	Annually

Illicit Discharge Compliance Statement

Per Standard No. 10 of the MassDEP Stormwater Management Standards, there shall be no illicit discharges to the Stormwater management system. The Property Owner is responsible for implementing the Operation and Maintenance Plan and overseeing activities at the facility to prevent illicit discharges to the drainage system from occurring.

It is strictly prohibited to discharge any products or substances onto the ground surface or into any drainage structures, such as catch basin inlets, manholes, water quality units, swales or drainage outlets.

Should a spill occur, immediate action steps must be implemented to contain the spill, cordon off the area, clean it up immediately and dispose of it properly to prevent an illicit discharge to the Stormwater management system.

Drainage Operation and Maintenance Log

Maintenance Supervisor: _____ Date: _____
 _____ Routine _____ Response to Rainfall Event _____ Other

BMP	Frequency	Date Performed	Comments
Parking Area Sweeping			
Open-Bottom Catch Basins			
Deep Sump (hooded) Catch Basins			
Underground Storage Units No. 1 & 2			

Site Component	Rate	Annual Total
Parking lots and roadway Sweeping		
Leaching basins		
Deep Sump (hooded) Catch Basins		
Underground Storage Units No. 1 & 2		
Estimated Annual Total		



January 14, 2021

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

Subject: Construction Certification
Slocumb Place Site Improvements

Dear Ms. Affleck-Childs:

As required by the Minor Site Plan Review Decision and Stormwater Management and Land Disturbance Permit with a Decision Date of September 11, 2018, Tata & Howard, Inc. has observed and reviewed the work of Rodenhiser Excavating of Holliston, MA, and its subcontractors as it relates to the construction of the Slocumb Place Site Improvements for the Medway Community Church. To the best of our knowledge, information and belief, the work performed by Rodenhiser Excavating is in accordance with the project plans, as well as the applicable regulations, guidelines, and policies of the Town of Medway. It has been determined that the construction has complied with the approved and endorsed site plan and approved field changes (Field Change dated June 10, 2019 and Field Change dated July 31, 2019). The long-term stormwater operation and maintenance plan has been revised and is attached to this letter.

Should you have any questions or concerns regarding this information, please contact our office.

Sincerely,

TATA & HOWARD, INC.

Jon W. Gregory, P.E.
Associate

Enclosure

cc: Medway Community Church
Mr. Carl Schultz, Associate Pastor



Truitt Corporation
PO Box 2186
Pawtucket, MA 02862

Invoice

Date	Invoice #
08/30/2020	10179

Bill To
Medway Community Church
11 Riverside Place
Medway, MA

Project		P.O. No.		Drawings	
Drill in Access Pipe Under					
Invoice Date	Invoice Period	Description of work	Quantity	Rate	Amount
08/20/2020	08/20/2020	Service Address: 11 Riverside Place Medway, MA 1" Sawdust Track with Operator to close crack holes on one end and dig out back end material	10	123.00	1,230.00
				Total	\$1,230.00
Phone #	Fax #	Web Site			
781.333.1111	781.333.1111	www.buaxinc.com			

Susan Affleck-Childs

From: tag70c3@verizon.net
Sent: Wednesday, July 08, 2020 3:43 PM
To: Susan Affleck-Childs
Cc: Bouley, Steven
Subject: RE: Medway Community Church project completion
Attachments: 20200708_112544.jpg; 20200708_112536.jpg

I stopped by the church late this morning and things look good.

From my perspective the plan as approved has essentially been executed. The only thing missing is the trees in the islands in the parking lot. From Carl's perspective there is some concern about trees growing up and interfering with the light poles. I explained the purpose of the trees (not just aesthetic) which seemed to help him understand the requirement. From my perspective, I don't think it's a big deal if they are left out. I did tell Carl the PB could talk that out Tuesday evening.

Fence looks real good.

Stone walls have been filled in.

Entrances have been dressed up and look nice.

Pavement and striping looks good.

Although it's been dry it does appear drainage system is doing its job.

Buffer beyond fence is thick and filling in. There are some dead trees that will be coming out in the next month at the request of a neighbor... that should further promote growth of natural undergrowth. My personal opinion is that additional plantings in the buffer will be challenging and difficult to maintain as overcrowding might be all that's accomplished... I don't think additional is needed.

I think overall result (after all it is a parking lot) is positive.

Attached are some pictures.... will send additional pictures as size dictates.

TAG

On Jul 8, 2020 3:04 PM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Pastor Carl says he doesn't believe any additional landscaping is needed. I really want both of your thoughts on whether any supplemental landscaping is needed to provide suitable buffer to the neighbors. Thanks.

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Wednesday, July 08, 2020 2:23 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Cc: Tom Gay <tag70c3@verizon.net>
Subject: RE: Medway Community Church project completion

I believe we only have the final inspection remaining. I suggest they finish everything to substantial completion, including landscaping, and we can take a look.

Steven M. Bouley, P.E. | Senior Project Engineer | Tetra Tech
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | steven.bouley@tetrattech.com

While we are operating remotely in response to COVID-19, Tetra Tech teams remain fully connected and hard at work servicing our clients and ongoing projects. We would also like to wish health and wellness to you and your family.

This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Monday, July 6, 2020 8:15 AM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: Tom Gay <tag70c3@verizon.net>
Subject: FW: Medway Community Church project completion

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. **⚠**

Hi Steve,

See note below from Pastor Carl Schultz.

Tom, when you are back in town, could you visit the site and see what you think about project completion?

Steve, what do you think about another site inspection?

Susy

From: Carl Schultz <pastor.carl@medwaycc.org>
Sent: Wednesday, July 01, 2020 1:38 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: Re: MCC project completion

Hi Susy,

Sorry I was away last week. I think from our perspective - only some landscaping remains. We have planted grass around the perimeter of the parking lot and added some plantings. The plan specified "supplement existing landscaped buffer as needed" but from our perspective this isn't really any more needed.

Thanks,

Carl

On Jun 16, 2020, at 7:50 AM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Carl,

Thanks very much for the update. I will forward your note to Steve Bouley.

From your perspective, what else remains to be completed?

Susy

From: Carl Schultz <pastor.carl@medwaycc.org>
Sent: Monday, June 15, 2020 7:58 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: Re: MCC project completion

Hi Susy,

Just to give you an update, in addition to the Clover repairs that Tetrattech was onsite for, the following items have been completed:

Rock wall sections were rebuilt to close up the two driveways that we discontinued the use of.

A total of seven bollards that were specified in the plan have been put in place.

Required signage - (Stop Sign and No left turn) has been installed.

We have hydroseeded/mulched the islands and surrounding areas bordering the parking lot.

Added to our landscaping contract monthly sweeping of the parking lot.

Best Regards,

Carl

On Jun 15, 2020, at 4:31 PM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Carl,

Check received. Thanks very much.

Take care,

Susy

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Carl Schultz <pastor.carl@medwaycc.org>
Sent: Thursday, June 04, 2020 1:04 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: Re: MCC project completion

Hi Susy,

I submitted a check request and it should be processed by our bank tomorrow. Depending on the US mail, it should arrive early next week.

Thank You,

Carl

From: Susan Affleck-Childs
<sachilds@townofmedway.org>

Subject: RE: MCC project completion

Date: June 3, 2020 at 1:23:25 PM EDT

To: Carl Schultz <pastor.carl@medwaycc.org>

Cc: "Steve Bouley " <steven.bouley@tetrattech.com>

Hi Carl,

Hope you and yours and MCC are doing well. Challenging but interesting times we are in. Doing church in new ways must be fascinating!

Attached is an updated project accounting sheet which reflects the partial payment you provided in March and the invoice we received from Tetra Tech for its recent inspection. The account now has a balance of -\$910.98.

Please forward a check for \$910.98 made payable to the Town of Medway to us. Please let me know when you believe it will arrive and I will alert the Treasurer's office to expect it and direct it to me upon receipt. If you need an invoice, please advise.

Thanks. Take care.

Best regards,

Susy

Susan E. Affleck-Childs

**Planning and Economic Development
Coordinator**

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Susan Affleck-Childs
Sent: Monday, February 10, 2020 1:05 PM
To: Carl Schultz <pastor.carl@medwaycc.org>
Subject: RE: MCC project completion

Hi Carl,

The letter and invoice I sent you reflected Tetra Tech's services provided through the end of November, 2019. They have not provided any services since then. So the invoice is primarily to cover their last bill for \$679 and to be ahead of the game come the spring when work will resume.

All communication to applicants regarding invoices, etc. comes from this office. The timing of invoices rests with me and fitting that work in among my other duties.

Would you like to see the Tetra Tech invoices? I can certainly scan them and email to you.

Best regards,

Susan E. Affleck-Childs

**Planning and Economic Development
Coordinator**

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Carl Schultz [<mailto:pastor.carl@medwaycc.org>]
Sent: Monday, February 10, 2020 11:28 AM
To: Susan Affleck-Childs
Subject: [BULK] Re: MCC project completion
Importance: Low

Hi Susy,

I'm a bit puzzled and disappointed at the timing of this invoice. The last communication we had with Tetrattech was on Nov. 14, when we told Steve that the remaining punch list items would need to wait until spring, to which he agreed to. I would think it would be appropriate for the project owner to receive ongoing updates & notifications of billable hours by Tetrattech, instead of receiving an invoice a couple of months after work had stopped until spring.

Regards,

Carl Schultz

From: Susan Affleck-Childs
<sachilds@townofmedway.org>
Date: Tuesday, February 4, 2020 at 8:49 AM
To: Carl Schultz <pastor.carl@medwaycc.org>
Subject: FW: MCC project completion

Good morning,

Just wanted to follow-up on this. Please let me know when you are processing this for payment and I will alert the Medway Treasurer/Collector's office to be on the lookout. I want to make sure it gets deposited correctly this time around.

Thanks.

Susan E. Affleck-Childs

**Planning and Economic Development
Coordinator**

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Susan Affleck-Childs
Sent: Tuesday, January 28, 2020 8:34 AM
To: 'Carl Schultz'
Subject: RE: MCC project completion

Good morning,

Hope the winter season is going well for everyone
at MCC!

See attached letter and yes, another construction
services invoice.

Let me know if you have any questions.

Best regards

Susan E. Affleck-Childs

**Planning and Economic Development
Coordinator**

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Carl Schultz [<mailto:pastor.carl@medwaycc.org>]
Sent: Friday, January 03, 2020 8:41 AM
To: Susan Affleck-Childs; Matthew Barry
(mbarry@tataandhoward.com)
Subject: [BULK] Re: MCC project completion
Importance: Low

Happy New Year. We have an open "punch list" with Rodenhiser. We were not able to complete the project before the colder weather arrived and the remaining items will need to wait for spring. The stone walls are included in the list.

From: Susan Affleck-Childs
<sachilds@townofmedway.org>
Date: Thursday, January 2, 2020 at 11:49 AM
To: Carl Schultz <pastor.carl@medwaycc.org>, "Matthew Barry (mbarry@tataandhoward.com)" <mbarry@tataandhoward.com>
Subject: FW: MCC project completion

Hi there.

Happy New Year!

See attached photos of the stone rubble along Slocumb Place. Clearly the stone wall infill has not

been completed. Hopefully, this can be attended to in the near future.

Thanks.

Susan E. Affleck-Childs

**Planning and Economic Development
Coordinator**

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: tag70c3@verizon.net [mailto:tag70c3@verizon.net]
Sent: Thursday, January 02, 2020 11:29 AM

To: Susan Affleck-Childs

Subject: MCC project completion

As discussed, I don't know that the stone piles in old curb cuts comply with the definition of or requirement to "fill" the openings....

TAG



TOWN OF MEDWAY
Planning and Economic Development Board

Certificate of SITE PLAN Completion
Medway Community Church Parking Expansion

DRAFT – July 8, 2021

Project Location: 9 & 11 Slocumb Place
Assessor's Map/Parcel Numbers: Map 47, Lots 78 and 79
Applicant's Name: Medway Community Church
Applicant's Address: 11 Slocumb Place, Medway, MA 02053

Title of Site Plan: *Medway Community Church – 9 & 11 Slocumb Place Site Improvements*
Drawn by: Tata and Howard, Marlborough, MA
Plan date: November 19, 2018

Date of Site Plan Decision: September 11, 2018
Date of Site Plan Endorsement: November 27, 2018
Date of Approved Field Change: July 31, 2019

As-Built Plan: *Utility Plan, Record Drawing* for Medway Community Church
Drawn by: Jon. W. Gregory, P.E. Tata and Howard, Marlborough, MA
Plan date: March 18, 2021

Project Status

- ☒ Applicant's Project Engineer's Statement of Completion & Compliance for site plan work and stormwater management facilities: Jon W. Gregory, P.E., Tata and Howard, January 14, 2021
- ☒ Town's Consulting Engineer's Project Completion Sign-off: Steve Bouley, P.E. Tetra Tech, March 29, 2021 (except for possible additional landscaping)
- ☒ As-Built Plan reviewed and accepted by Town's engineer: Steve Bouley, P.E., Tetra Tech, June 28, 2021
- ☒ Updated Long-Term Stormwater and Operation Plan (January 2021) provided pursuant to the authorized Field Change
- _____ PEDB vote of project completion and release of performance security: _____

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Date



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

UPDATED – July 13, 2021

**Phytopia, 6 Industrial Park Road –
Public Hearing Continuation**

FOCUS TOPIC – NOISE

- Public hearing continuation notice dated June 25, 2021
- Noise mitigation plan for Phytopia, prepared by Acentech (applicant's noise consultant), dated April 12, 2021
- Review letter from Jeff Komrower, Noise Control Engineering (Board's noise consultant) dated July 7, 2021
- Email from abutter Leigh Knowlton dated June 21, 2021
- Email from abutter John Lally dated June 7, 2021
- **Updated Noise Mitigation Plan by Acentech dated July 9, 2021. NOTE – This was received 7-12-21 and has not yet been reviewed by the Board's noise consultant.**

NOTE – The next topic for discussion will be parking and the applicant's request for a reduced parking special permit. The Board should continue the hearing to July 27, 2021.

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Matthew Hayes, P.E., 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
JUN 25 '21 AM 10:54

MEMORANDUM

June 25, 2021

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 Phytopia, Inc
Marijuana Special Permit, Major Site Plan, Groundwater Protection Special
Permit, and Reduced Parking Special Permit
Continuation Date – Tuesday, July 13, 2021 at 8:15 p.m.*

At its June 22, 2021 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Phytopia, Inc. of Peabody, MA for approval of special permits to operate a non-retail Registered Medical Marijuana cultivation and processing establishment and a Recreational Marijuana (adult-use) cultivation and processing establishment, a major site plan, a groundwater protection district special permit, and a reduced parking special permit for a proposed development at 6 Industrial Park Road to Tuesday, June 22, 2021 at 8:00 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.

The applicant proposes to use the existing 53,128 sq. ft. industrial manufacturing building at 6 Industrial Park Road and construct a 66,238 sq. ft., 2-story addition to the existing building for the cultivation, manufacturing, processing, and packaging of marijuana for medical use and adult recreational use and the delivery of such products off site to retail marijuana establishments in other communities. A retail marijuana operation is NOT proposed.

The planned scope of work includes interior renovations to the existing building, construction of the addition, improvements to the access/egress driveways, installation of curbing, parking area improvements, landscaping, lighting, and installation of and improvements to stormwater drainage facilities. The planned work is shown on a plan titled *Industrial Park Road*, dated April 1, 2021 prepared by Williams & Sparages Engineers, Planners and Surveyors of Middleton, MA. The architectural drawings dated April 6, 2021, last revised June 2, 2021 were prepared by Anderson Porter Design of Cambridge, MA. Noise and odor mitigation plans have also been provided. The project is also subject to the Conservation Commission for an Order of Conditions and a Land Disturbance Permit.

The application, site plan and supporting documentation were filed with the Town on May 12, 2021 and are on file with the Medway Town Clerk and the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA. Project

information including the revised site plan has been posted to the Planning and Economic Development Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/phytopia-inc-6-industrial-park-road-marijuana-facility>.

The Board welcomes review comments from Town staff, boards and committees. *The July 13th public hearing will address the applicant's noise mitigation plan.* Subsequent public hearings will focus on parking and reviewing a forthcoming revised site plan.

Please do not hesitate to contact me if you have any questions.



April 12, 2021

Brian Anderson
Anderson Porter Design
875 Main Street
Cambridge, MA

Phone 617-354-2501
Email brian@andersonporter.com

Subject Noise Mitigation Plan, 65 dBA property line criteria
Phytotherapy Cannabis Cultivation Facility – Medway, MA
Acentech Project No. 634341

Dear Brian,

Phytotherapy has retained Acentech to conduct a study of community noise produced by mechanical equipment serving the proposed cannabis cultivation and processing facility located at 6 Industrial Park Road in Medway, Massachusetts (the facility).

SUMMARY

Acentech has worked with Phytotherapy to develop this Noise Mitigation Plan, which is required as part of the Town of Medway's Special Permit Process. This Noise Mitigation Plan has been reviewed by an acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification.

We have reviewed submitted project drawings and sound data for noise-producing equipment to develop a community noise model. From the results of this modeling, we have developed concept noise-control recommendations. With the implementation of these controls, facility sound is expected to achieve the limits on sound discussed in this report.

PROJECT NOISE REQUIREMENTS

PHYTOTHERAPY PROPOSED NOISE LIMITS

The project team has directed us to develop concept noise controls to achieve 65 dBA at facility property lines with other industrial uses. This is an industrial-to-industrial limit similar to those found in the noise codes of similar municipalities in the region.

The proposed 65 dBA limit would apply only to other industrial uses, and the developers intend to fully comply with the MassDEP noise policy at all nearby residential structures as described in the following section.

MASSDEP NOISE POLICY

The Massachusetts Department of Environmental Protection (MassDEP) has a noise policy which applies to facility sound¹. Our current engagement does not include measurement of ambient sound levels in connection with this noise policy. However, we have previously measured nighttime ambient background sound levels (L_{A90}) as low as 27 dBA in the Medway community. Therefore, we recommend that noise levels at the nearest residences not exceed 37 dBA during nighttime hours.

¹ <https://www.mass.gov/files/documents/2018/01/31/noise-interpretation.pdf>

The MassDEP noise policy also contains language prohibiting tonal noise. We have evaluated compliance with the tonal requirements of the MassDEP noise policy assuming a nighttime ambient background level (L_{A90}) of 27 dBA, with corresponding background spectra decreasing at a linear rate of 4 dB/octave.

COMMUNITY NOISE MODELING

NOISE SOURCES

The facility has noise-producing equipment located on-grade that includes one two-cell cooling tower for Phase 1, and a second two-cell cooling tower for Phase 2. The mechanical equipment is identified schematically in FIGURE I, and shown in greater detail in the project mechanical drawings.

The sound power levels of the equipment are given in TABLE II in APPENDIX A. Currently, we have assumed that all equipment will run at all hours at maximum capacity. We have modeled noise levels at nine residential receptors (17 ft receptor height, R01 – R09), twelve ground-level receivers (5 ft receptor height) along the facility property line (5 ft height, PLI01 – PLI12), and six residential property lines (PLR01 – PLR06), as shown in FIGURE 2.

MODEL DESCRIPTION

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software that considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 “Attenuation of sound during propagation outdoors -- Part 2: General method of calculation”. FIGURE 2 presents the receptor locations used in computer modeling.

ASSUMPTIONS

The results presented in this report describe Phase 2 sound levels, and depend to a large degree on the Phase 2 building for acoustic shielding.

NOISE CONTROL

RECOMMENDATIONS AND RESULTS

You have asked that we determine the noise controls required to achieve 65 dBA at the facility's industrial property lines, and to comply with the MassDEP noise policy.

No noise controls are required to achieve 65 dBA at the facility property line. However, controls are required to not exceed the MassDEP noise policy at the nearest residences to the south. These controls include an L-shaped sound barrier wall of 10' height. FIGURE 3 shows community sound levels with the recommended control measures, with octave-band estimates shown in TABLE 3 (APPENDIX A).

INSET 1 shows the configuration of the sound barrier in greater detail.



INSET 1. Barrier configuration for 65 and 60 dBA facility property line design goals

BARRIER DESIGN REQUIREMENTS

Sound barriers should be solid and continuous, and should achieve a minimum STC rating of 30. If STC data are not available for a given product you may wish to consider, the barrier should be at least 4 lbs/sq ft surface weight in order to be sufficiently-massive for the task at hand. The undercut at the bottom of the barrier should not exceed 6 inches if possible.

For this project, the barriers do not require a sound absorptive treatment on either face. Suitable products for this application include Tuf-Barrier by AIL Sound Walls² or similar.

MODEL RESULTS, NOISE CONTROLS

With the noise controls recommended in this report, we expect that sound produced by the proposed equipment will comply with the criteria described above.

It is possible that some equipment will have reduced fan speeds during nighttime operation, leading to reduced sound levels. Currently, we have assumed that all equipment will run at all hours at maximum capacity. Nighttime sound data for major equipment could influence the noise control recommendations.

* * * * *

² <https://www.ailsoundwalls.com/product/tuf-barrier-reflective/>

I trust this report provides the information you need at this time. Please contact us if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy C.", with a stylized flourish at the end.

Andy Carballeira, INCE Bd Cert
Principal Consultant
617-499-8025

CC: none
Encl: FIGURES
APPENDIX A: Model Inputs and Results

FIGURES



FIGURE 1. Facility layout in computer model (see project mechanical drawings for source locations)



FIGURE 2. Computer model receptor points at residences (R01 – R09), at facility property lines (PLI01 – PLI12), and at residential property lines (PLR01 – PLR06)



FIGURE 3. Estimated Phase 2 community sound levels, noise controls for 65 dBA facility property line limit

APPENDIX A

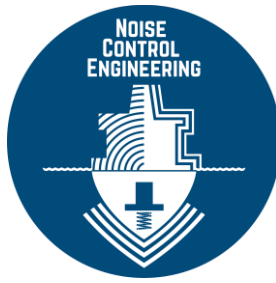
MODEL INPUTS AND RESULTS

TABLE II. Equipment sound power levels used in computer modeling

Description	Sound power level (dB re: 1pW)								
	63	125	250	500	1000	2000	4000	8000	dBA
Octave-band center frequency (Hz)									
Evapco 2-cell ATWB 24-7020, 3400 gpm	102	98	91	87	86	83	81	82	92
Evapco 2-cell ATWC 12-3M36-Z, 2200 gpm	98	94	88	85	85	83	81	82	90

TABLE III. Estimated nighttime octave-band sound levels with mitigation for 65 dBA goal (dB re: 20 µPa)

Receptor	63	125	250	500	1000	2000	4000	8000	dBA
Residence NW, R01	24	19	9	4	1	0	0	0	8
Residence W, R02	26	21	12	7	5	0	0	0	11
Residence W, R03	25	19	10	6	12	8	0	0	15
Residence W, R04	28	22	13	12	16	12	0	0	19
Residence S, R05	41	38	33	32	31	29	22	4	36
Residence S, R06	42	39	32	32	30	28	21	2	35
Residence S, R07	38	35	29	27	25	22	13	0	30
Residence S, R08	25	19	10	7	5	1	0	0	11
Residence N, R09	28	21	11	7	3	0	0	0	11
Industrial PL 1, PLI01	41	34	24	21	20	18	14	7	26
Industrial PL 2, PLI02	37	31	22	21	20	18	15	8	25
Industrial PL 3, PLI03	37	31	22	21	22	19	14	5	26
Industrial PL 4, PLI04	36	31	22	19	19	16	11	1	24
Industrial PL 5, PLI05	39	34	25	22	20	18	14	6	26
Industrial PL 6, PLI06	43	38	29	25	25	23	19	11	30
Industrial PL 7, PLI07	50	47	40	40	39	38	34	28	45
Industrial PL 8, PLI08	59	56	50	49	48	46	44	43	54
Industrial PL 9, PLI09	60	57	51	50	49	48	46	44	55
Industrial PL 10, PLI10	61	57	50	49	49	48	46	43	55
Industrial PL 11, PLI11	64	60	53	52	52	51	49	47	58
Industrial PL 12, PLI12	46	39	29	26	25	23	20	15	31
Residential PL N, PLR1	49	45	37	36	36	35	31	21	41
Residential PL S, PLR2	42	39	33	32	31	30	24	6	36
Residential PL S, PLR3	40	37	30	27	25	22	16	0	31
Residential PL S, PLR4	34	30	22	19	17	21	12	0	25
Residential PL W, PLR5	29	23	14	13	17	13	2	0	20
Residential PL W, PLR6	28	23	13	9	7	3	0	0	13



NCE JOB MEMO 2021-023

TO: Susan E. Affleck-Childs
COMPANY: Town of Medway PEDB
FROM: Jeffrey M. Komrower
DATE: July 7, 2021
SUBJECT: Review of Noise Mitigation Plan – Phytotherapy (6 Industrial Park Road)

This memo provides review of the community noise study and noise mitigation plan performed by Acentech for the proposed cannabis cultivation and processing facility located at 6 Industrial Park Road in Medway, MA.

- 1) Phytotherapy Proposed Noise Limits: concept noise controls were developed to achieve a 65 dBA noise level at facility property lines. This limit is not consistent with the current environmental standards as given in Section 7.3 of the Town of Medway Zoning Bylaws (see Table 1 below). The standards state that the limits in Table 1 are to be met “at the property line nearest to the noise source for noise radiated continuously from the source between 10 PM and 7 AM.”

Table 1. Current Town of Medway Noise Ordinance

Current		
Octave Band Center Frequency (Hz)	Daytime (dB)	Nighttime (dB)
63	72	67
125	60	55
250	53	48
500	47	42
1000	43	38
2000	40	35
4000	37	32
8000	33	28
OA (dBA)	52	47


- 2) MassDEP Noise Policy: NCE agrees with an ambient background sound level limit of 37 dBA during nighttime hours based on the previously measured nighttime ambient levels (L_{A90}) of 27 dBA in the Medway community. If equipment meets this level, it will meet the Town of Medway overall dBA requirement of 47 dBA as indicated in Table 1. However, a check should still be performed to verify that equipment will meet the nighttime octave band requirements as given in Table 1, even if they meet the MassDEP overall and tonal requirements.
- 3) Community Noise Modeling: NCE agrees with the modeling approach taken by Acentech. The approach using CadnaA is the acceptable methodology in the industry and the analysis is appropriate and appears to be accurate based on the information provided. It should be noted that in the source level table, the overall level for the 2200 gpm source is shown as 901 dBA – it is suspected that this is a typo.
- 4) Model Results: Based on the model predictions, noise levels predicted at all residence receptor locations are at or below the Town of Medway requirements and also would meet the MassDEP requirements based on the previously established background noise level (L_{A90}) of 27 dBA resulting in a MassDEP limit of 37 dBA. There are two anomalies in the 1000 Hz octave band for receptors R03 and R04 where the level is more than 3 dB above the neighboring octave bands. Even though the levels are low (12 and 16 dB) it technically meets the pure tone definition of MassDEP. Based on the source input levels, which do not show any tone in this frequency band, this would not be expected. It should be noted that the overall levels at R05 and R06 are 36 and 35 dBA respectively. These numbers are not above the ordinances, but previous studies have recommended that noise levels at the nearest residences should not exceed ~ 30 dBA during nighttime hours¹

Noise levels at all the residential property lines meet the Town of Medway criteria, however, at the industrial property lines, even with the proposed noise barrier, many values for both the overall and octave band levels exceed the levels in Table 1, particularly at receptors PLI08 through PLI11 (see Table 2).
- 5) Additional Equipment? The noise plan was only developed for two cooling towers. Is there going to be any additional outside equipment such as backup generators which are typical for these types of facilities. If there is going to be any additional equipment, they should be included in the noise plan.

¹ “Noise Mitigation Plan – Neo-Organics Cannabis Cultivation Facility – Medway, MA”, Acentech Project No. 632403 Memo dated September 25, 2019.

Table 2. Predicted noise levels that exceed Town of Medway Noise Ordinance

Receptor	Octave Band Center Frequency (Hz)								dBA
	63	125	250	500	1000	2000	4000	8000	
Industrial PL 1, PLI01	41	34	24	21	20	18	14	7	26
Industrial PL 2, PLI02	37	31	22	21	20	18	15	8	25
Industrial PL 3, PLI03	37	31	22	21	22	19	14	5	26
Industrial PL 4, PLI04	36	31	22	19	19	16	11	1	24
Industrial PL 5, PLI05	39	34	25	22	20	18	14	6	26
Industrial PL 6, PLI06	43	38	29	25	25	23	19	11	30
Industrial PL 7, PLI07	50	47	40	40	39	38	34	28	45
Industrial PL 8, PLI08	59	56	50	49	48	46	44	43	54
Industrial PL 9, PLI09	60	57	51	50	49	48	46	44	55
Industrial PL 10, PLI10	61	57	50	49	49	48	46	43	55
Industrial PL 11, PLI11	64	60	53	52	52	51	49	47	58
Industrial PL 12, PLI12	46	39	29	26	25	23	20	15	31

 Exceed requirements as given in Table 1

Susan Affleck-Childs

From: Leigh Knowlton <knowlton@gmail.com>
Sent: Monday, June 21, 2021 5:54 PM
To: Susan Affleck-Childs; Planning Board
Subject: Phytopia
Attachments: Noise_Control_(LK-notes).pdf; Bylaw_Noise_Limits_Converted.pdf

Hi Susan,

I am sending this email with respect to the Planning and Economic Development Board meeting scheduled on 22 June 2021 which will include a public hearing continuation regarding Phytopia, Inc.'s Noise Mitigation Plan for the proposed facility at 6 Industrial Park Road.

Based on my review of this plan, I would like to bring to the Board's attention the following objective observations:

- The plan does not appear to address the spectral noise limits present in the Medway Zoning Bylaws, Section 7.3.
- Based on their model, the Zoning Bylaws noise limits will be exceeded at the East and North property lines plus the nearest residential property line to the North (see page 11).

Attached is a marked up copy of the Noise Mitigation Plan memorandum prepared by Acentech, dated 12 April 2021, with my notes in yellow.

Also attached is a sheet showing conversion of the Medway Zoning Bylaws into modern standards, as a refresher for what was discussed two years ago regarding CommCan, and in case this consultant again speciously claims the bylaws are unenforceable because they use older octave bands.

Respectfully,
Leigh Knowlton

April 12, 2021

Brian Anderson
Anderson Porter Design
875 Main Street
Cambridge, MA

Phone 617-354-2501
Email brian@andersonporter.com

Subject Noise Mitigation Plan, 65 dBA property line criteria
Phytotherapy Cannabis Cultivation Facility – Medway, MA
Acentech Project No. 634341

Dear Brian,

Phytotherapy has retained Acentech to conduct a study of community noise produced by mechanical equipment serving the proposed cannabis cultivation and processing facility located at 6 Industrial Park Road in Medway, Massachusetts (the facility).

SUMMARY

Acentech has worked with Phytotherapy to develop this Noise Mitigation Plan, which is required as part of the Town of Medway's Special Permit Process. This Noise Mitigation Plan has been reviewed by an acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification.

We have reviewed submitted project drawings and sound data for noise-producing equipment to develop a community noise model. From the results of this modeling, we have developed concept noise-control recommendations. With the implementation of these controls, facility sound is expected to achieve the limits on sound discussed in this report.

PROJECT NOISE REQUIREMENTS

No reference to the noise limits in the Medway Zoning Bylaws, Section 7.3 (Page 110).

PHYTOTHERAPY PROPOSED NOISE LIMITS

The project team has directed us to develop concept noise controls to achieve 65 dBA at facility property lines with other industrial uses. This is an industrial-to-industrial limit similar to those found in the noise codes of similar municipalities in the region.

The proposed 65 dBA limit would apply only to other industrial uses, and the developers intend to fully comply with the MassDEP noise policy at all nearby residential structures as described in the following section.

MASSDEP NOISE POLICY

The Massachusetts Department of Environmental Protection (MassDEP) has a noise policy which applies to facility sound¹. Our current engagement does not include measurement of ambient sound levels in connection with this noise policy. However, we have previously measured nighttime ambient background sound levels (L_{A90}) as low as 27 dBA in the Medway community. Therefore, we recommend that noise levels at the nearest residences not exceed 37 dBA during nighttime hours.

Up to a 10 dB increase (27 dBA to 37 dBA) would be quite noticeable and not a very aggressive goal.

¹ <https://www.mass.gov/files/documents/2018/01/31/noise-interpretation.pdf>

The MassDEP noise policy also contains language prohibiting tonal noise. We have evaluated compliance with the tonal requirements of the MassDEP noise policy assuming a nighttime ambient background level (L_{A90}) of 27 dBA, with corresponding background spectra decreasing at a linear rate of 4 dB/octave.

COMMUNITY NOISE MODELING

NOISE SOURCES

The facility has noise-producing equipment located on-grade that includes one two-cell cooling tower for Phase 1, and a second two-cell cooling tower for Phase 2. The mechanical equipment is identified schematically in FIGURE 1, and shown in greater detail in the project mechanical drawings.

The sound power levels of the equipment are given in TABLE II in APPENDIX A. Currently, we have assumed that all equipment will run at all hours at maximum capacity. We have modeled noise levels at nine residential receptors (17 ft receptor height, R01 – R09), twelve ground-level receivers (5 ft receptor height) along the facility property line (5 ft height, PLI01 – PLI12), and six residential property lines (PLR01 – PLR06), as shown in FIGURE 2.

MODEL DESCRIPTION

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software that considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 "Attenuation of sound during propagation outdoors – Part 2: General method of calculation". FIGURE 2 presents the receptor locations used in computer modeling.

ASSUMPTIONS

The results presented in this report describe Phase 2 sound levels, and depend to a large degree on the Phase 2 building for acoustic shielding.

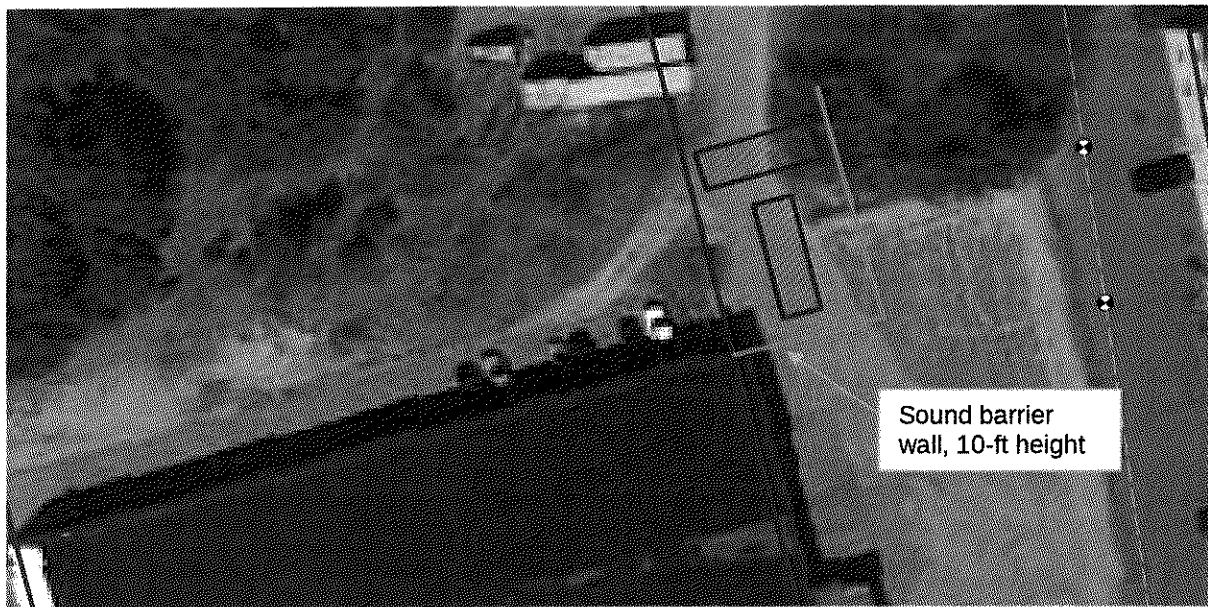
NOISE CONTROL

RECOMMENDATIONS AND RESULTS

You have asked that we determine the noise controls required to achieve 65 dBA at the facility's industrial property lines, and to comply with the MassDEP noise policy.

No noise controls are required to achieve 65 dBA at the facility property line. However, controls are required to not exceed the MassDEP noise policy at the nearest residences to the south. These controls include an L-shaped sound barrier wall of 10' height. FIGURE 3 shows community sound levels with the recommended control measures, with octave-band estimates shown in TABLE 3 (APPENDIX A).

INSET 1 shows the configuration of the sound barrier in greater detail.



INSET 1. Barrier configuration for 65 and 60 dBA facility property line design goals

BARRIER DESIGN REQUIREMENTS

Sound barriers should be solid and continuous, and should achieve a minimum STC rating of 30. If STC data are not available for a given product you may wish to consider, the barrier should be at least 4 lbs/sq ft surface weight in order to be sufficiently-massive for the task at hand. The undercut at the bottom of the barrier should not exceed 6 inches if possible.

For this project, the barriers do not require a sound absorptive treatment on either face. Suitable products for this application include Tuf-Barrier by AIL Sound Walls² or similar.

MODEL RESULTS, NOISE CONTROLS

With the noise controls recommended in this report, we expect that sound produced by the proposed equipment will comply with the criteria described above.

It is possible that some equipment will have reduced fan speeds during nighttime operation, leading to reduced sound levels. Currently, we have assumed that all equipment will run at all hours at maximum capacity. Nighttime sound data for major equipment could influence the noise control recommendations.

* * * * *

² <https://www.ailsoundwalls.com/product/tuf-barrier-reflective/>

I trust this report provides the information you need at this time. Please contact us if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy C.", with a stylized flourish at the end.

Andy Carballeira, INCE Bd Cert
Principal Consultant
617-499-8025

CC: none
Encl: FIGURES
APPENDIX A: Model Inputs and Results

FIGURES

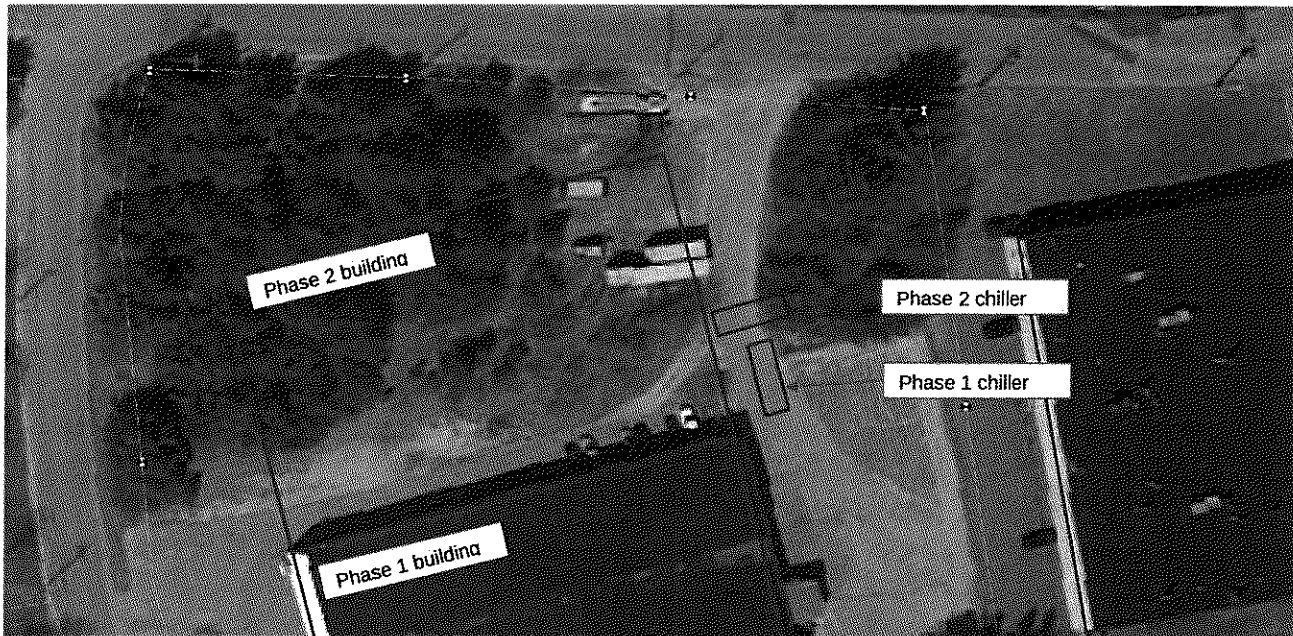


FIGURE 1. Facility layout in computer model (see project mechanical drawings for source locations)

R09 looks to be about 10 Green Valley Rd; there are many closer residences.

Brian Anderson – Anderson Porter Design
April 12, 2021
Page 7 of 11

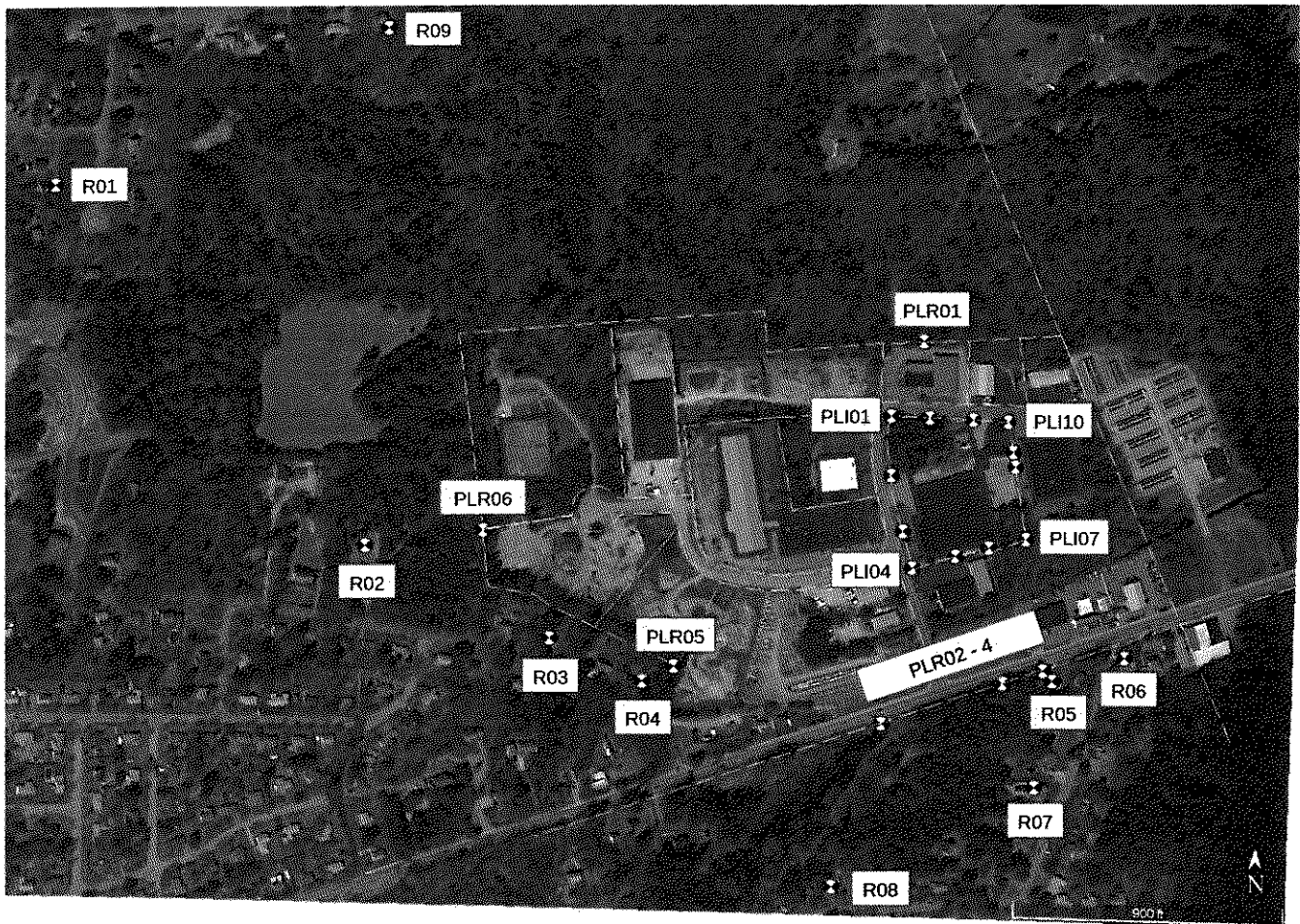


FIGURE 2. Computer model receptor points at residences (R01 – R09), at facility property lines (PLI01 – PLI12), and at residential property lines (PLR01 – PLR06)



FIGURE 3. Estimated Phase 2 community sound levels, noise controls for 65 dBA facility property line limit

APPENDIX A

MODEL INPUTS AND RESULTS

TABLE II. Equipment sound power levels used in computer modeling

Description	Sound power level (dB re: 1pW)								
	63	125	250	500	1000	2000	4000	8000	dBA
Octave-band center frequency (Hz)									
Evapco 2-cell ATWB 24-7020, 3400 gpm	102	98	91	87	86	83	81	82	92
Evapco 2-cell ATWC 12-3M36-Z, 2200 gpm	98	94	88	85	85	83	81	82	90

The broadband numbers provided here may be suitable for this attenuation model, but they do not address or help predict the issue of pure tone noise.

According to ASHRAE guidance, as well as ANSI S12.9-2005/Part 4, pure tones can be identified with 1/3 octave or narrowband analyses. In noise critical installations, HVAC engineers should mandate the submittal of 1/3 octave-band sound data from manufacturers.

While pure tone noise is not addressed in the Bylaws, given the particular history of noise from another business in this park (CommCan), including pure tone noise (and harmonics), it would be prudent to address this potential issue up front and early.

TABLE III. Estimated nighttime octave-band sound levels with mitigation for 65 dBA goal (dB re: 20 µPa)

Receptor	63	125	250	500	1000	2000	4000	8000	dBA
Residence NW, R01	24	19	9	4	1	0	0	0	8
Residence W, R02	26	21	12	7	5	0	0	0	11
Residence W, R03	25	19	10	6	12	8	0	0	15
Residence W, R04	28	22	13	12	16	12	0	0	19
Residence S, R05	41	38	33	32	31	29	22	4	36
Residence S, R06	42	39	32	32	30	28	21	2	35
Residence S, R07	38	35	29	27	25	22	13	0	30
Residence S, R08	25	19	10	7	5	1	0	0	11
Residence N, R09	28	21	11	7	3	0	0	0	11
Industrial PL 1, PLI01	41	34	24	21	20	18	14	7	26
Industrial PL 2, PLI02	37	31	22	21	20	18	15	8	25
Industrial PL 3, PLI03	37	31	22	21	22	19	14	5	26
Industrial PL 4, PLI04	36	31	22	19	19	16	11	1	24
Industrial PL 5, PLI05	39	34	25	22	20	18	14	6	26
Industrial PL 6, PLI06	43	38	29	25	25	23	19	11	30
Industrial PL 7, PLI07	50	47	40	40	39	38	34	28	45
Industrial PL 8, PLI08	59	56	50	49	48	46	44	43	54
Industrial PL 9, PLI09	60	57	51	50	49	48	46	44	55
Industrial PL 10, PLI10	61	57	50	49	49	48	46	43	55
Industrial PL 11, PLI11	64	60	53	52	52	51	49	47	58
Industrial PL 12, PLI12	46	39	29	26	25	23	20	15	31
Residential PL N, PLR1	49	45	37	36	36	35	31	21	41
Residential PL S, PLR2	42	39	33	32	31	30	24	6	36
Residential PL S, PLR3	40	37	30	27	25	22	16	0	31
Residential PL S, PLR4	34	30	22	19	17	21	12	0	25
Residential PL W, PLR5	29	23	14	13	17	13	2	0	20
Residential PL W, PLR6	28	23	13	9	7	3	0	0	13

Even without debating the quality of the model, what they are proposing exceeds the Zoning Bylaws at the property lines (appears to be East and North; all points are not labeled on the previous pages) and at the residential property line to the North.



Company Background

BLW Engineers, Inc.

311 Great Road
P.O. Box 1551
Littleton, MA 01460

Tel: 978.486.4301
Fax: 978.486.0067

Year Established: 1999

Year Incorporated: 1999

Years in Business: 22

OFFICERS OF THE FIRM

Kenneth R. Beck, P.E., LEED AP, MCPPO, CPHC, Principal	978.486.4301 x 13
William J. Scanlon, P.E., Principal	978.486.4301 x 14
John C. Pierga, P.E., Principal	978.486.4301 x 15
Michael J. Denommee, P.E., LEED AP, Principal	978.486.4301 x 83
Erik Gath, P.E., Associate Principal	978.486.4301 x 72
Daki Koutouvides, P.E., Associate Principal	978.486.4301 x 94

SIZE OF FIRM

MECHANICAL ENGINEERS: 29 ELECTRICAL ENGINEERS: 14 CAD DESIGNERS: 4 OFFICE PERSONNEL: 4

PERSONNEL

Principals/Owners

Kenneth R. Beck, P.E., LEED AP, MCPPO, CPHC, Principal
William J. Scanlon, P.E., Principal
John C. Pierga, P.E., Principal
Michael J. Denommee, P.E., LEED AP, Principal
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William J. Scanlon, P.E., Principal
Erik Gath, P.E., Associate Principal
Vincent Salemi, Engineer
Wayne Forte, CAD Designer
David Scibilia, Engineer
Daniel Crory, Engineer
John Pugh, P.E., Engineer
Rebekah Drehman, Engineer
Jeffrey Fleishman, Engineer
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Christopher Wilk, Engineer
Alec Nicotra, Engineer
Nick Kapuscinski, Engineer
John Benham, Engineer
Dylan Thombs, Engineer
Yovanny Duran, Engineer

BLW ENGINEERS, INC.

311 Great Road, Post Office Box 1551, Littleton, MA 01460

CONSULTANTS

T: 978.486.4301 F: 978.428.0067



Company Background

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Christopher Gada, Engineer
Cedric Mukania, Engineer
Leo Enrico, Engineer
Keith Young, Engineer
Tyler Allen, Engineer
Joshua A. Ritchie, Engineer
Justin Keene, Engineer
Dustin White, Engineer
Paul Danyliw, Engineer
Nicholas Foley, Engineer

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Daki Koutouvides, P.E., Associate Principal
Michael Gagne, Senior Engineer
Scott Daigneault, Engineer
Chadwick Nelson, Revit Designer
Joseph Saint Germain, Engineer
Mark Brodeur, Engineer
David Fitzgerald, Senior Engineer
Shane Wiebe, Designer
Juandiego Gonzalez, Engineer
Joshua Pierga, Designer
Jeremy Careau, P.E., Senior Engineer
Kevin Vanderhoof, Engineer
Chuck Mace, P.E., Senior Engineer
Jeffrey Martin, Engineer
Ethan Rong, Engineer
Jorge A. Elias, Engineer

Administration

Donna Hagens, Operations/Accounting
Maria Fini, Administrative Assistant
Beth Grande, Administrative Assistant
Lauren Opie, Administrative Assistant

OUR ENGINEERING SERVICES

- Feasibility Studies
- Analysis for Existing Facilities
- Energy Conservation/Green Build
- Engineered Designs:
 - Heating, Ventilating and Air Conditioning
 - Mechanical
 - Plumbing
 - Fire Protection
 - Electrical
 - Life Safety
 - Telecommunications
 - Security
 - Fire Alarm
- Construction Administration
- Project Management

BLW ENGINEERS, INC.

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CONSULTANTS

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Company Background

HISTORY AND EXPERIENCE

BLW Engineers is a consulting engineering firm providing design related services for HVAC, Plumbing, Fire Protection and Electrical building systems. Our services include feasibility studies, energy conservation evaluations, and engineered designs; cost estimating, construction administration and project management.

BLW Engineers, Inc. was founded in 1999 and has 51 employees, including electrical, mechanical, plumbing and fire protection engineers. BLW has extensive experience working within corporate environments and understands the special needs and time frames involved when working within occupied facilities. Our project managers are registered professional engineers that work on each project to ensure a complete and fully operable system will be provided.

Principals Kenneth R. Beck, William J. Scanlon, John C. Pierga and Michael J. Denommee have experience in the design of building systems for various size and types of projects. In addition, the firm is thoroughly experienced with the preparation of bidding documents for public bidding laws, including M.G.L. c.149 and c.30.

Kenneth R. Beck, Principal, William J. Scanlon, Principal and Erik Gath, Associate Principal are mechanical engineers and project managers for several multi-disciplined projects. Responsibilities include mechanical design, quality control, construction administration, client relations and personnel management.

John C. Pierga, Principal and Daki S. Koutouvides, Associate Principal are electrical engineers and project managers responsible for electrical engineering design, project coordination, construction administration and supervision and training of junior personnel.

Michael J. Denommee, Principal is a plumbing and fire protection engineer and project manager for several multi-disciplined projects. Responsibilities include plumbing and fire protection design, quality control, construction administration, client relations and personnel management.

Our Mechanical Engineering staff has extensive experience in the mechanical, plumbing and fire protection industry. The staff that will be assigned to this project will consist of a Project Manager, Senior Mechanical Engineer and additional mechanical engineers as needed. The Project Manager, Kenneth Beck is a Principal of the company with over 30 years of experience, is a Registered Professional Engineer in Massachusetts, LEED Certified for green build projects and is a Certified Passive House Consultant. Ken will oversee design and will be involved through construction right up to the final inspection.

Our Electrical Engineering staff has extensive experience in the electrical lighting and power industry and is up to date on all the latest standards, codes and guidelines for the Electrical Industry. The staff that will be assigned to this project will consist of a Senior Electrical Engineer and additional electrical engineers as needed. John Pierga, a Principal of the company and a Registered Professional Engineer in Massachusetts with over 30 years of experience will oversee the electrical design through construction right up to the final inspection.

BLW is dedicated to providing engineering services of the highest quality, innovative solutions and attention to detail for large projects to the most intricate design plans. Our firm realizes the importance of providing complete and coordinated designs that focus on the particular project requirements in a professional setting with complete client satisfaction; our reputation depends on it.

Medway Zoning Bylaws

Lower Band Edge (Hz)	Upper Band Edge (Hz)	Night limit, dB
2	72	69
75	150	54
150	300	47
300	600	41
600	1200	37
1200	2400	34
2400	4800	31
4800	10000	28

Converted to Modern Standards

Preferred Band Center Frequency (Hz)	Night limit, dB (1) (ANSI/ASA S1.11-1966)	Night limit, dB (2) (JPL TR 32-1052)	Night limit, dB (3) (Acentech, 1/8/2019)
63	65	68	66
125	52	53	52
250	46	46	45
500	40	41	40
1000	36	37	36
2000	33	34	33
4000	30	31	30
8000	28	28	29

References:

(1) ANSI/ASA S1.11-1966, American Standard Specification for Octave, Half-Octave, and Third-Octave Band Filter Sets.

Appendix A, "Conversion Between Octave Band Levels Measured with Filters Meeting American Standard Z24.10-1953 and Filters Meeting This Standard"

$$L_N = L_O + 0.237 (L_{OH} - L_O)$$

Where:

L_O = Level in any old octave band, O

L_{OH} = Level in next higher old octave band, OH

L_N = Level in corresponding new octave band, N, contained in O and OH, where N is 18 percent above O in frequency

(2) NASA JPL Technical Report 32-1052, Octave and One-Third Octave Acoustic Noise Spectrum Analysis, January 1967.

Section II, "Technique for Determining the Octave levels in a Second Octave Bandwidth System When the Levels in the First Octave System Are Known"

Equation 20 expanded with Equations 15 and 16b:

$$B_1 = A_1 + 10 \log_{10} \left[\left(\frac{2f_{O1} - f_{N1}}{f_{O1}} \right) + \left(1 - \left(\frac{2f_{O1} - f_{N1}}{f_{O1}} \right) \right) 10^{\frac{A_2 - A_1}{10}} \right]$$

Where:

A_1 = Sound Pressure Level in dB of lower octave band of 1st system

A_2 = Sound Pressure Level in dB of upper octave band of 1st system

B_1 = Sound Pressure Level in dB of octave band of 2nd system, which is contained in the two octave bands of the 1st system

f_{O1} = Lower frequency bound (in Hz) of octave band of the 1st system

f_{N1} = Lower frequency bound (in Hz) of octave band of the 2nd system

(3) Acentech memorandum, dated January 8, 2019, from Andrew Carballeira to Ellen Rosenfeld (CommCan), subject "Response to NCE Findings", provided to Medway Planning & Economic Development Board. Included to demonstrate ± 1 dB consistency (in the 125 to 8000 Hz bands) between these conversions and the consultant's conversion.

Morgan Harris

From: Susan Affleck-Childs
Sent: Monday, June 7, 2021 9:11 AM
To: Andy Rodenhiser; Andy Rodenhiser; Bob Tucker; Robert Tucker; Jessica Chabot; Matthew Hayes ; Rich Di Iulio; Tom Gay
Cc: Bouley, Steven; Amy Sutherland; Barbara Saint Andre; Morgan Harris
Subject: FW: 6 Ind Prk Rd (Phytopia) Comments from John Lally
Attachments: 2_MarcRd_MitigatedNoise.pdf; 6_IndPrkRd_noise_control.pdf; Acentech_to_Neo_4MarcRd.pdf; ATWB_MechDwg.pdf; DetrimentalNoise_CoffeeSt.pdf

FYI.

Susy

From: Lally, John - 0666 - MITLL [mailto:jlally@ll.mit.edu]
Sent: Monday, June 7, 2021 8:31 AM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: 6 Ind Prk Rd

Good morning Susy,

Below is my input to the public hearing for the 6 Industrial Park Rd facility, I ask that you please distribute this email and attachments to PEDB members for their consideration, and also to make sure they're included in the public record. Please feel free to distribute this email and attachments to others as you see fit.

Executive Summary: The documents submitted with the 6 Industrial Park Rd Special Permit Application(s) show the facility will be in violation of sections 7.3.C.2.a (Continuous Nighttime Noise) and 8.10.H (Prohibition against Nuisances) of the Medway Zoning Bylaw and therefore the facility should not be permitted as currently proposed. What follows are the supporting details and requests for the board's consideration which if granted, might at least in part, help to bring the application closer to a favorable decision for all stakeholders.

- 1.) ODOR- With regard to odor controls, I respectfully request:
 - a. The facility shall not produce any odor at or above the detection threshold of a person with normal olfactory sensitivity beyond the facilities property lines.
- 2.) NOISE- Questions, Issues, and Requests: NOTE- for Predicted Noise Levels & Locations please refer to Table III, and Figure 2 respectively within the Noise Control Memo from Acentech dated 12 April 2021, attached as "6_IndPrkRd_noise_control.pdf".
 - a. Is the 6 Industrial Park Rd facility proposed to operate before the Phase II addition is constructed?
 - i. If yes, I respectfully request noise level predictions without the Phase II addition, additional follow up likely when those predictions become known.
 1. The predicted noise levels submitted with the application depend to a large degree on the phase 2 building for acoustic shielding. See Pg 2 of attachment "6_indPrkRd_noise_control.pdf"
 - ii. If no, I respectfully request that a condition is added to the Special Permit Decision that does not allow operation of the facility before the construction of the Phase II addition is complete.
 - b. What are the noise specifications for the ERU's, (Energy Recovery Units)?

- i. If significant, I respectfully request noise predictions that include all the ERU's.
 - c. How tall are the proposed HVAC units, and how do those height(s) compare to the proposed sound barrier wall height(s)?
 - i. The noise modeling is described as done with a 10ft tall noise barrier, see highlighted text at bottom of Pg. 2 of "6_IndPrkRd_noise_control.pdf".
 - ii. The mechanical drawing for Evapco ATWB 24-7020 shows a height of ~18'-7", See ATWB_MechDwg.pdf attached.
 - iii. The architectural drawing shows a 20ft tall Acoustic Barrier.
 - iv. If the noise predictions used the incorrect noise barrier I respectfully request noise predictions are done using the correct noise barrier.
 - d. During phase 2 operation, noise levels at PLI08, PLI09, PLI10, and PLI11 are predicted to violate the limits in the existing Medway Zoning Bylaw Environmental Standards. I respectfully request that these predicted noise levels are not allowed to be produced.
 - e. During phase 2 operation, predicted noise levels at residences R05=36dBA, and at R06=35dBA, these are 9dBA and 8dBA above the nighttime community noise level of 27dBA as measured by the applicants noise consultant, see highlighted text on Pgs. 1 & 2 of "6_indPrkRd_noise_control.pdf" attachment. When a noise level reaches ~4dBA (~32% increase in loudness) above the background noise level it tends to be rather conspicuous. When noise is continuous and of an industrial nature e.g. from an HVAC source, it tends to be very harsh. Therefore, the noise levels at R05 and R06 from the 6 Industrial Park Rd facility are predicted to be conspicuous and very harsh, and to exist continuously throughout the night, this would be very detrimental to the residents at those locations. Consequently, I respectfully object to the facility generating the predicted noise levels at R05 & R06 during nighttime hours, and more generally at any residence. In addition:
 - i. It appears the applicant has directed their noise consultant to develop noise controls to be in compliance with the MassDEP noise policy. Please recall that prior to mitigation, 2 Marc Rd was in compliance with the MassDEP noise policy of Ambient + 10dBA at sensitive receptors, and there were noise complaints not only from Coffee St Residents but also from folks living ~1/2 mile away over on Green Valley Rd. This demonstrated the inadequacy of the MassDEP noise policy of Ambient + 10dBA to adequately protect Medway residents.
 - ii. Also please recall that nighttime noise levels were measured on Coffee Street by this applicant's noise consultant at 49 and 42 Coffee Street contemporaneous with numerous 2 Marc Rd noise complaints. These measurements were 36dBA and 30dBA respectively, see highlighted text on Pg 4 of attachment "DetrimentalNoise_CoffeeSt.pdf", these were presented at the 13Nov2018 PEDB meeting. This is compelling evidence that the 36dBA and 35dBA noise levels will no doubt be detrimental to the residents living at R05 & R06 and should not be allowed.
 - f. As described above, when continuous nighttime industrial noise approaches ~4dBA above the background noise level at residences, it is detrimental. I therefore, respectfully request that noise levels produced by this facility during the night at residences not exceed 3dBA above the background nighttime noise level of 27dBA, in other words not to exceed 30dBA
 - 1. Please recall this applicant's noise consultant during the 4 Marc Rd (Neo) public hearing process recommended that noise at residences should not exceed 30dBA. See highlighted text at the bottom of Pg. 1 of Acentech to Neo Organics Noise Mitigation memo dated 25Sep2019, attached as "Acentech_to_NEO_4MarcRd.pdf"
- 3.) Suggested continuous nighttime noise levels for 6 Industrial Park Rd property lines & Issues for further consideration:
- a. This application demonstrates how problematic it is to allow elevated noise levels at source property lines:

- i. The highest predicted noise level at the source property line closest to residents is PLI07=45dBA, 2dBA below the maximum nighttime level in the existing Environmental Standards Bylaw, which is 47dBA. Yet, noise levels at R05 and R06 which are at a significant distance from the noise source property line are predicted to be at detrimental levels.
 - ii. Furthermore, the 6 Industrial Park Rd facility will not exist in isolation, it will be part of a complex set of noise sources in the industrial park. Allowing a single facility to generate such loud noise at their property lines may leave little to no headroom for other facilities in the industrial park to generate continuous nighttime noise without compounding to detrimental levels at residences.
 1. This could seriously hamstring further development in the industrial park, unless of course the PEDB decides to allow noise to compound to detrimental levels. But that would be a rather troubling betrayal of the assurances the PEDB gave to residents that they would be protected from Noise & Odor during the public hearing process for the Recreational Marijuana Bylaw.
 - iii. In the event there are noise complaints, allowing elevated noise levels at source property lines will make it very difficult for the zoning enforcement officer to isolate which is the offending source. This is because with high noise levels allowed at source property lines the zoning enforcement officer can't rely on source property line noise measurements to isolate which is the offending source. The most likely outcome is a finger-pointing contest instead of resolution of the problem. This will be especially so, if turning off noise sources to isolate the offending source could compromise facility operations such as putting in jeopardy a valuable cannabis crop.
 1. You may recall early on in the 2 Marc Rd situation Ellen wasn't convinced the noise was coming from 2 Marc Rd. Due in part to considerable echoing from an adjacent building it wasn't obvious where the noise was coming from, and this was with no other obvious offending source. Now imagine how difficult it would be to sort out a noise problem with multiple potentially offending sources that are allowed to transmit elevated noise levels from their property lines, and won't cooperate with the zoning enforcement officer and refuse to turn off their noise source(s). The refrain heard from facility operators will likely be: "Hey, I comply at my property lines, I'm not responsible for that noise way over there..."
- b. In consideration of the foregoing, the following continuous nighttime noise limits for the 6 industrial park road facility property lines are offered for the boards consideration:
- i. 42dBA at all source property lines, an acceptable alternative might be:
 1. 47dBA at the East and North Property Lines, those property lines in furthest proximity to residences.
 2. 42dBA at the South & West Property Lines, those property lines in closest proximity to residences.
 - ii. For your reference, 2 Marc Rd with 2 x Rotary chillers each ~100dBA sound power level was predicted to achieve 39dBA at its property line and those HVAC units are about 3x closer to the 2 Marc Rd property line (~30ft) than the proposed HVAC units are at 6 Industrial Park Rd. (~90ft). See 2 Marc Rd mitigated predicted noise levels on Pgs. 15 & 16 of Acentech 2 Marc Rd modeling results dated 26Jun2019, attached as "2_MarcRd_MitigatedNoise.pdf".
 - iii. Also please recall that the Town's noise consultant has recommended that noise at facility property lines should not exceed 42dBA for a community like Medway.
 1. In addition 42dBA at source property lines was shown to be well correlated with reasonable sensitive receptor noise levels, see email from resident J. Lally to Susan Affleck-Childs dated 12Apr2021.

In summary:

The documents submitted with the 6 Industrial Park Rd facility application(s) show the facility as currently proposed will be in violation of sections 7.3.C.2.a and 8.10.H of the Medway Zoning Bylaw.

It is offered that these violations can be prevented by requiring the facility to:

- 1.) Not generate continuous nighttime noise at residences that exceeds 30dBA.
- 2.) Not generate continuous nighttime noise at its property lines that exceeds 42dBA or alternatively:
 - a. Not generate continuous nighttime noise at its South & West property lines that exceeds 42dBA
AND not generate continuous nighttime noise at its North and East property lines that exceeds 47dBA.
- 3.) Limit odors generated by the facility to below the detection threshold of a person with normal olfactory sensitivity beyond the facilities property lines.

Respectfully submitted,

John Lally, Resident

35 Coffee St

Medway, MA 02053.

Memorandum

TO Ellen Rosenfeld (CommCan)
FROM Andrew Carballeira
DATE June 26, 2019
PROJECT CommCan Medway Chiller Noise
SUBJECT Modeling Results
PROJECT NO 630410
CC Alex Odom (Acentech)

Dear Ellen,

This memo presents the results of our computer modeling of the chiller upgrades to the CommCan Medway facility.

Model Description

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software which considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 "Attenuation of sound during propagation outdoors -- Part 2: General method of calculation".

The facility has an existing chiller (Trane RTAC 225) on the southeast corner of the roof. In connection with the recent permit decision, the existing chiller will be relocated and a second chiller (Trane RTAF 310) will be added. Both chillers will be installed within a custom noise enclosure at ground level near the southwest corner of the facility. The chiller sound power levels as provided by Trane are given in TABLE I below.

TABLE I. Chiller sound power levels used in computer modeling

Description	Sound power level (dB re: 1pW)							
Octave-band center frequency (Hz)	63	125	250	500	1000	2000	4000	8000
RTAC 310 (new)	93	95	95	99	101	96	88	81
RTAC225 (existing)	103	104	100	101	98	93	88	85

APPENDIX A includes sound attenuation data from the enclosure vendor used in our computer model. The enclosure design as modeled includes 7-ft long attenuators on the air intakes (west face and roof of enclosure), and 4-ft long attenuators on the discharge (roof of enclosure). We have also considered sound transmission through the panels from which the north and south walls of the enclosure will be constructed. A 3D rendering of the modeled enclosure is shown in FIGURE 1 in APPENDIX B.

In addition to the enclosure, the chillers will be outfitted with source noise control treatments¹. These additional measures will be beneficial, but we have not included them in the model in order to make conservative predictions.

¹ BRD compressor and oil separator lagging wraps, as described in APPENDIX A

Model Results

We have reviewed the permit decision, which outlines the Medway noise ordinance in modern octave bands. We understand the noise ordinance to be applicable at the source property lines, the nearest of which is about 30 ft from the intake of the chiller enclosure.

Based on our computer model, we expect that the proposed equipment housed in the custom noise enclosure will comply with the Medway noise ordinance at all facility property lines. Further, the equipment will also comply with the ordinance at all nearby residential property lines. FIGURE 2 in APPENDIX B presents the receptor locations used in computer modeling, and TABLE II summarizes the calculated noise levels at the property lines. As shown in TABLE II, all estimated sound levels are below the octave-band provisions of the Medway noise regulation.

* * * * *

I trust this memo provides the information you need at this time. Please contact me with questions at 617-499-8025 or acarballeira@acentech.com.

Sincerely,



Andy Carballeira, INCE Bd Cert
Senior Consultant

APPENDIX A

NOISE ENCLOSURE SPECIFICATIONS

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com

Web: www.Hushcore.net

HD-48/H

High Pressure Silencer

Tag: Exhaust

Dimensions

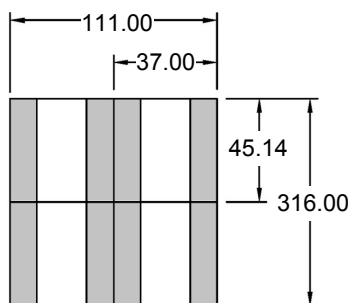
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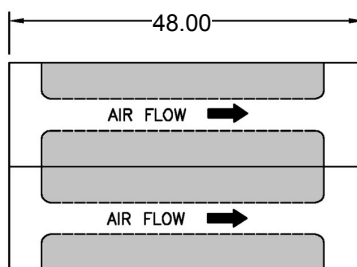
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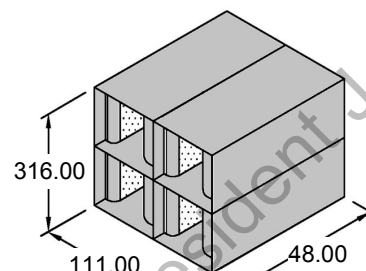
Quantity: 21
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END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 119725

Air Velocity (fpm): 492

Air Direction: Forward

Pressure Drop (in.w.g.): 0.09

Installed PD (in.w.g.): 0.12

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
9	15	25	39	47	44	33	23

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
56	33	40	49	48	44	34	27

Construction

Casing: 22 GA Galvanized

Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip

Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume fan at the silencer inlet and ideal at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCann
ENGINEER:
DESCRIPTION: High Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: DRAWING
REVISION:

HUSH DUCT Submittal

HD-48/H

High Pressure Silencer

Tag: Exhaust

Email: dan.burley@brd-nonoise.com

Web: www.Hushcore.net

Dimensions

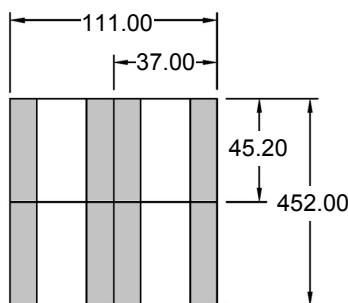
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Weight (lb): 7302

Bank

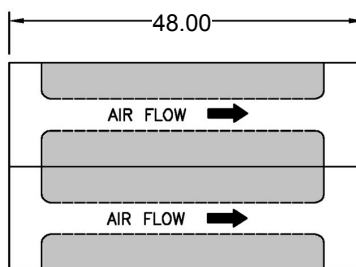
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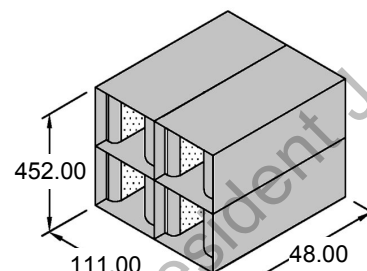
Quantity: 30
Width (in.): 37.00
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END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 154000
Air Velocity (fpm): 442
Air Direction: Forward
Pressure Drop (in.w.g.): 0.08
Installed PD (in.w.g.): 0.10

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
9	15	25	39	47	44	33	23

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
55	31	39	48	48	42	32	25

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip

Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume fan at the silencer inlet and ideal at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab. Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others.
 - Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCann
ENGINEER:
DESCRIPTION: High Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: DRAWING
REVISION:

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com
Web: www.Hushcore.net

HD-84/M
Medium Pressure Silencer
Tag: Intake

Dimensions

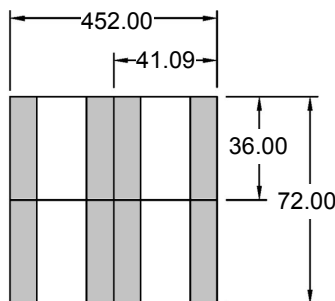
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Weight (lb): 8209

Bank

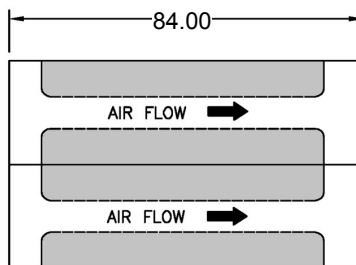
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Components

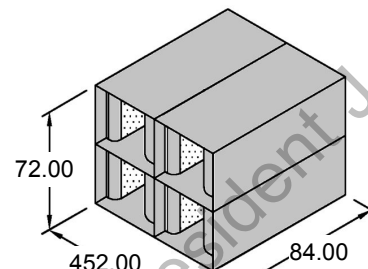
Quantity: 22
Width (in.): 41.09
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END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 77000
Air Velocity (fpm): 341
Air Direction: Reverse
Pressure Drop (in.w.g.): 0.03
Installed PD (in.w.g.): 0.07

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
11	21	36	50	55	53	46	29

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
41	34	40	47	43	38	22	16

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip
Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume ideal at the silencer inlet and abrupt plenum at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCan
ENGINEER:
DESCRIPTION: Medium Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: RAWING
REVISION:

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com
Web: www.Hushcore.net

HD-84/M
Medium Pressure Silencer
Tag: Intake

Dimensions

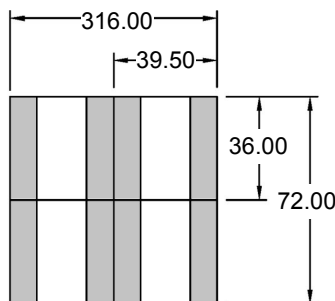
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Bank

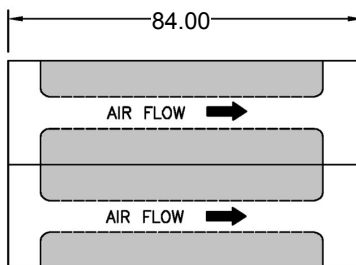
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Components

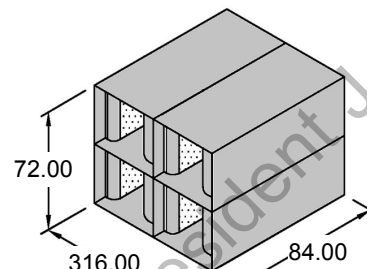
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Height (in.): 36.00



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 59862
Air Velocity (fpm): 379
Air Direction: Reverse
Pressure Drop (in.w.g.): 0.04
Installed PD (in.w.g.): 0.08

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
11	21	36	50	55	53	46	29

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
41	34	40	47	43	39	24	18

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip
Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume ideal at the silencer inlet and abrupt plenum at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT:
ENGINEER:
DESCRIPTION: Medium Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO:
DRAWING REVISION:

Product Data Section

Removable/Reusable Blanket Insulation For Sound Attenuation At The Source



Ball Mill Wrap with exposed liner bolts at a cement plant.



HUSH COVER™ Model HC-500S-1" blankets for air cooled screw chiller compressors.

Advantages:

- Completely removable and reusable
- Easy to install
- Can be reused after maintenance
- Custom-fit to existing conditions
- Guaranteed fit
- Predictable performance based on laboratory tests
- Suitable for harsh environments where solvents, acids, oils, and other contaminants are present
- Outdoor weather-resistant construction
- High temperature capability
- Self-contained insulation system
- Asbestos free
- Good combination of acoustic and thermal performance

Applications:

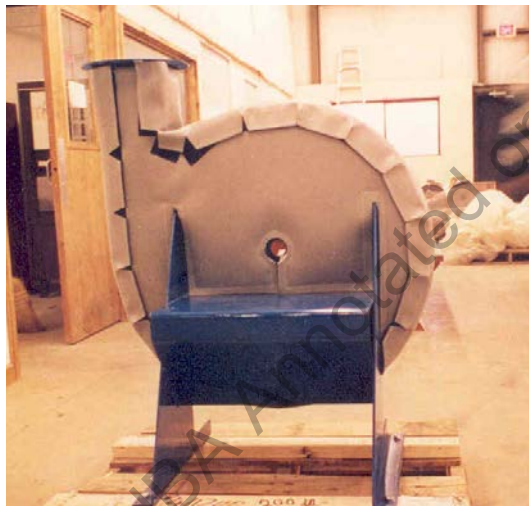
- Fans and blowers
- Compressor housings
- Gear boxes
- Valves
- Ejectors
- Steam and gas turbine casings
- Pumps
- Pipes and ducts
- Expansion joints
- Any hard to treat, irregular surface where removability is important
- Chillers and refrigeration equipment
- Engine exhaust systems
- Personnel protection (high temperature) for surfaces above 140°F
- Ball mills

GUARANTEED FIT ON ALL APPLICATIONS!

Product Data Section

About BRD HUSH COVER™ Acoustic Insulation:

BRD HUSH COVER™ acoustic blanket insulation is an extremely versatile and efficient solution to common industrial noise problems. It combines high density fiberglass mat with a mass-loaded vinyl sandwiched inside a weatherproof jacketing. The purpose of the fiberglass is to reduce reflected noise and to absorb noise energy, while the mass-loaded vinyl blocks transmitted noise. The fiberglass also has excellent thermal insulation qualities. Combining both an absorber material and a barrier material that are well matched yields a highly efficient and cost-effective means for solving industrial noise control problems.



Pressure blower housing treated with two-piece Velcro system.

Service:

The standard design (HC-450) can be used on equipment not exceeding 450°F (232°C). Other designs are available for equipment with temperatures exceeding 450°F.

Design Components For HC-500S

OUTER JACKET: 16 oz./yd.² PTFE
silicone impregnated
fiberglass cloth

ACOUSTIC BARRIER: Barium sulfate
loaded vinyl (1 lb. to 2 lb. density)

INSULATION: Fiberglass needle mat (11
lbs./ft.³ density)

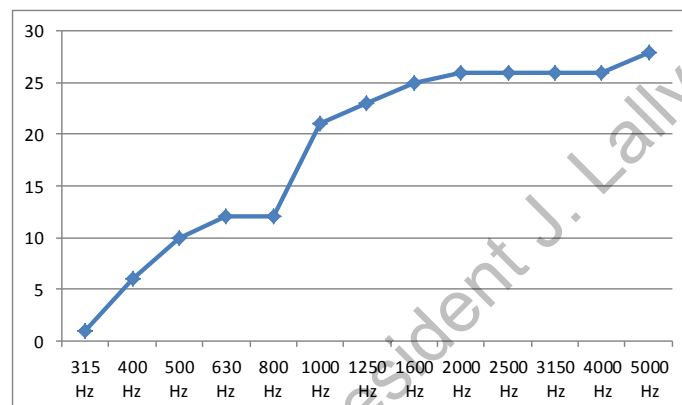
INNER JACKET: 16 oz./yd.² PTFE
silicone impregnated
fiberglass cloth



HC-800 is suitable for up to 800° F. HC-1200 is suitable for up to 1200° F. Design components for these and other custom HUSH COVERS™ are available upon request.

Product Data Section

Test Frequency (in Hz)	Noise Reduction (in dB)
315	1
400	6
500	10
630	12
800	12
1000	21
1250	23
1600	25
200	26
2500	26
3150	26
4000	26
5000	28



The above data is representative of ASTM test procedure E-1222-87 for the laboratory measurement of the insertion loss of pipe lagging systems. BRD will not be warranted for performance results of HUSH COVER™ blanket insulation expressed or implied. Additional test data is available for a variety of blanket constructions.



Liquid cooled screw chiller noise is tamed using HUSH COVER™ model HC-500S-1"

Acoustic Field Test Results

Based on previously tested installations, actual dBA reductions range between 3 – 5 dBA for HC-500S-1" and 4 – 6 dBA for HC-500S-2".



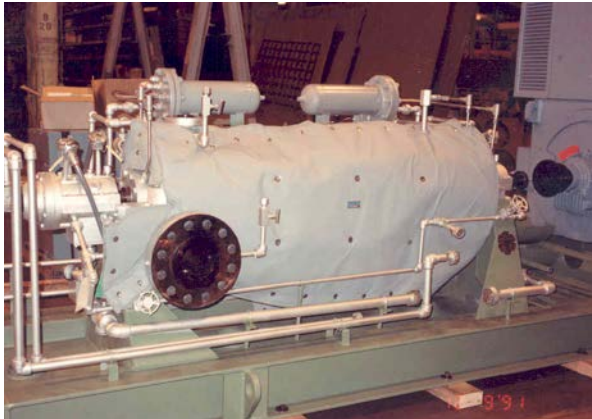
Ball mill HUSH COVER™ using HC-500S-1" with banding attachment.

True performance estimates must include field verification of dBA levels and frequency concentrations on an application basis.

Product Data Section

General Installation Instructions

1. Many of the blankets will have 2" flaps on the edges. These flaps are to be installed so that the flap on the upper blanket will cover over the edge of the lower blanket, creating a shingle effect.



Boiler feedwater pump at fit-up prior to lacing.

2. Blanket installation should follow the recommended order of installation provided on the assembly drawings. Most blankets will either seam at the horizontal or vertical centerlines. All panels are tagged for easy identification.

3. "D" Ring assemblies have been provided to ease installation. To use, simply lace the strap through the adjoining blankets "D" Ring assembly and secure. Velcro Flaps are provided to permanently secure closing seams and to lock material in place.

4. Occasionally, certain blankets may be difficult to install due to space limitations or obstructions. If this occurs, it may be necessary to modify the blanket's shape or size. Stainless steel staples are the recommended closure method for any modifications.

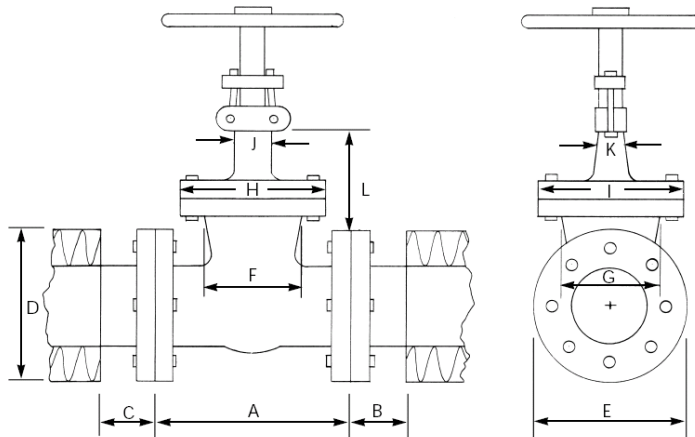
5. Generally, all tags should read from left to right and will be oriented horizontally. This will show the correct orientation of the acoustic blanket.

BRD Installation Services Available



Before and after views showing Velcro installation of HUSH COVER™ multi-piece design for a steam ejector.

Product Data Section



Valve Cover Take-Off Sheet

A	B	C	D
E	F	G	H
I	J	K	L

- HUSH COVER™ blankets can be quoted based on field sketches, equipment cut sheets or templates created in the field.
- Standard items such as valves, elbows, fittings, pumps, etc. can be quoted based on standardized take-off sheets such as the one shown above.
- Field measurements by a qualified BRD Representative may be required prior to fabrication.
- Fabrication techniques include computer aided design (CAD) capabilities to assure proper fit (see below).
- HUSH COVER™ designs are complete and require no additional tools or materials.
- When requesting a quotation, please supply the make and model of the equipment if known.
- For OEM applications, private labeling can be provided to meet customer specifications.



HUSH COVER™ on air cooled screw chiller suction lines, compressor, discharge line and oil separator.



Typical "D" ring and strap attachment feature

Product Data Section

Acoustic Performance Data:

Product	Sound Transmission Loss (dB) Frequency (Hz)						STC
	125	250	500	1000	2000	4000	
HG-200	17	23	34	47	55	57	37
HG-210	24	25	33	43	50	55	38
HG-400	21	28	39	48	56	58	40
HG-410	23	31	40	49	56	62	42
HG-420	27	34	41	46	53	59	44
HG-500	18	26	35	45	49	52	37

Product	Sound Absorption Coefficients Per Frequency (Hz)						NRC
	125	250	500	1000	2000	4000	
HG-200	0.15	0.66	1.07	1.06	0.97	0.86	0.95
HG-210	0.26	0.53	1.00	1.03	0.97	1.02	0.90
HG-400	0.60	1.13	1.12	1.09	1.03	0.91	1.00
HG-410	0.68	1.06	1.12	1.08	1.03	0.98	1.05
HG-420	0.45	0.96	1.15	1.10	1.05	0.97	1.05
HG-500	0.92	1.15	1.22	1.13	1.08	1.04	1.15

Panel Constructions:

	Thick- ness	Solid ¹ Skin	Perf. ¹ Skin ²	Weight per sq. ft.
HG-200	2"	18 ga.	22 ga.	4.0 lbs.
HG-210	2"	16 ga.	22 ga.	4.7 lbs.
HG-400	4"	18 ga.	22 ga.	5.0 lbs.
HG-410	4"	16 ga.	22 ga.	5.7 lbs.
HG-420	4"	16 ga.	22 ga.	9.6 lbs.
HG-500	5"	16 ga.	22 ga.	6.0 lbs.

1. Panel skins are all galvanized cold rolled steel.
2. Perf. skins have 3/32" holes on 3/16" staggered centers.
3. Optional aluminum and high density polyethylene constructions.
4. All stiffeners and panel channel framing is minimum 18 ga. steel with face sheets spot welded in place.
5. Panels are designed to withstand wind loads of 25 lbs/sq. ft., both negative and positive.
6. Panel fill is non-combustible high density semi-rigid non-hygroscopic HUSH BATT™ packed under 5% compression.

Panel Finishes:

1. Galvanized steel (std.)
2. Galvanneal "Paint Ready" steel
3. Air dried shop applied
4. Thermosetting TGIC Polyester Powder Coating in color selected by Architect
5. Custom as specified

Steel Finishes:

1. Prime Painted (standard)
2. Primer with air dried shop applied finish paint
3. Hot dip galvanized (availability dependent on final steel member sizing)
4. Colors available to match panels
5. Sand blasting prep only as specified by contractor
6. Custom as specified

APPENDIX B

MODELING RESULTS

Overall dBA Annotated on Pgs 15 & 16 by Resident J. Lally

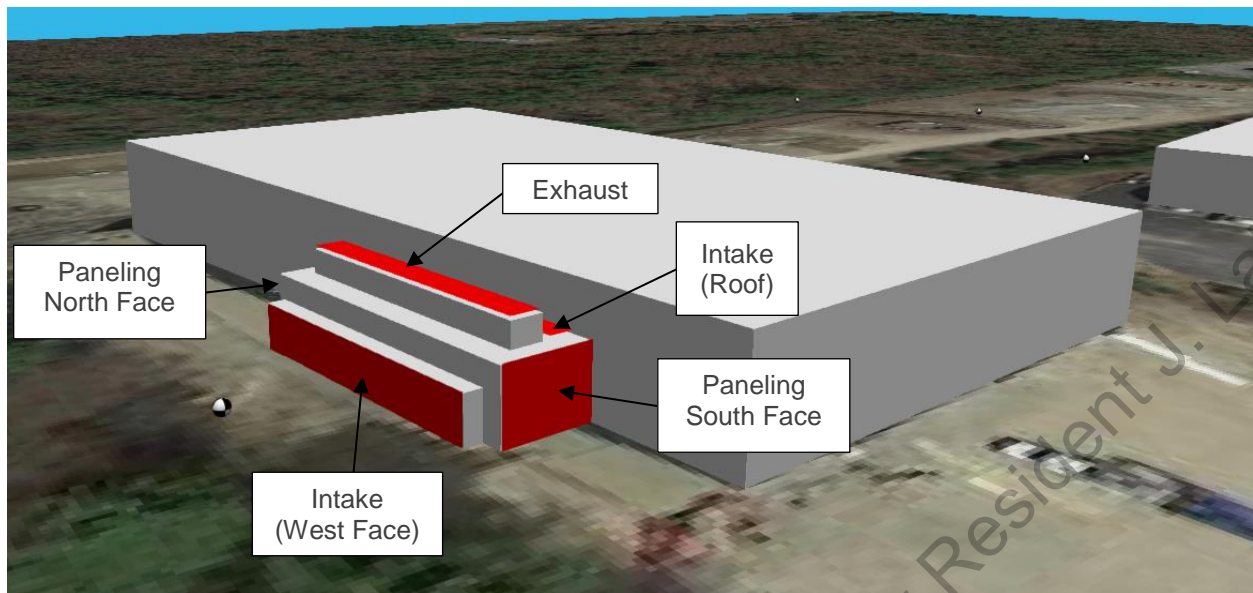


FIGURE 1. 3D Rendering of Modeled Enclosure, View from SW of Facility



FIGURE 2. Receptor points on source property line (see TABLE II)

TABLE II. Estimated octave-band sound levels at facility property lines (dB re: 20 µPa)

Property line location	63	125	250	500	1000	2000	4000	8000	Overall dB(A)
PL01	46	40	26	<20	<20	<20	<20	<20	<=29.4
PL02	54	47	35	26	<20	<20	<20	<20	<=34.6
PL03	61	52	35	22	<20	<20	<20	24	<=39.0
PL04	42	36	24	<20	<20	<20	<20	<20	<=28.1
PL05	28	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL06	25	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL07	26	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL08	26	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL09	29	20	<20	<20	<20	<20	<20	<20	<=26.9
PL10	32	22	<20	<20	<20	<20	<20	<20	<=26.9
PL11	34	24	<20	<20	<20	<20	<20	<20	<=27.0
PL12	35	25	<20	<20	<20	<20	<20	<20	<=27.0
PL13	40	32	<20	<20	<20	<20	<20	<20	<=27.4
PL14	41	34	21	<20	<20	<20	<20	<20	<=27.6
PL15	33	26	<20	<20	<20	<20	<20	<20	<=27.0
PL16	31	25	<20	<20	<20	<20	<20	<20	<=27.0
PL17	36	28	<20	<20	<20	<20	<20	<20	<=27.1
PL18	38	30	<20	<20	<20	<20	<20	<20	<=27.2
PL19	38	30	<20	<20	<20	<20	<20	<20	<=27.2
PL20	37	28	<20	<20	<20	<20	<20	<20	<=27.1
PL21	33	25	<20	<20	<20	<20	<20	<20	<=27.0
PL22	33	25	<20	<20	<20	<20	<20	<20	<=27.0
PL23	32	23	<20	<20	<20	<20	<20	<20	<=26.9
Medway Noise Ordinance	67	55	48	42	38	35	32	28	Max OdB(A)=39.0



33 Moulton Street
Cambridge MA 02138
617 499 8000
acentech.com

April 12, 2021

Brian Anderson
Anderson Porter Design
875 Main Street
Cambridge, MA

Phone 617-354-2501
Email brian@andersonporter.com

Subject Noise Mitigation Plan, 65 dBA property line criteria
Phytotherapy Cannabis Cultivation Facility – Medway, MA
Acentech Project No. 634341

Dear Brian,

Phytotherapy has retained Acentech to conduct a study of community noise produced by mechanical equipment serving the proposed cannabis cultivation and processing facility located at 6 Industrial Park Road in Medway, Massachusetts (the facility).

SUMMARY

Acentech has worked with Phytotherapy to develop this Noise Mitigation Plan, which is required as part of the Town of Medway's Special Permit Process. This Noise Mitigation Plan has been reviewed by an acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification.

We have reviewed submitted project drawings and sound data for noise-producing equipment to develop a community noise model. From the results of this modeling, we have developed concept noise-control recommendations. With the implementation of these controls, facility sound is expected to achieve the limits on sound discussed in this report.

PROJECT NOISE REQUIREMENTS

PHYTOTHERAPY PROPOSED NOISE LIMITS

The project team has directed us to develop concept noise controls to achieve 65 dBA at facility property lines with other industrial uses. This is an industrial-to-industrial limit similar to those found in the noise codes of similar municipalities in the region.

The proposed 65 dBA limit would apply only to other industrial uses, and the developers intend to fully comply with the MassDEP noise policy at all nearby residential structures as described in the following section.

MASSDEP NOISE POLICY

The Massachusetts Department of Environmental Protection (MassDEP) has a noise policy which applies to facility sound¹. Our current engagement does not include measurement of ambient sound levels in connection with this noise policy. However, we have previously measured nighttime ambient background sound levels (L_{A90}) as low as 27 dBA in the Medway community. Therefore, we recommend that noise levels at the nearest residences not exceed 37 dBA during nighttime hours.

¹ <https://www.mass.gov/files/documents/2018/01/31/noise-interpretation.pdf>

The MassDEP noise policy also contains language prohibiting tonal noise. We have evaluated compliance with the tonal requirements of the MassDEP noise policy assuming a nighttime ambient background level (L_{A90}) of 27 dBA, with corresponding background spectra decreasing at a linear rate of 4 dB/octave.

COMMUNITY NOISE MODELING

NOISE SOURCES

The facility has noise-producing equipment located on-grade that includes one two-cell cooling tower for Phase 1, and a second two-cell cooling tower for Phase 2. The mechanical equipment is identified schematically in FIGURE 1, and shown in greater detail in the project mechanical drawings.

The sound power levels of the equipment are given in TABLE II in APPENDIX A. Currently, we have assumed that all equipment will run at all hours at maximum capacity. We have modeled noise levels at nine residential receptors (17 ft receptor height, R01 – R09), twelve ground-level receivers (5 ft receptor height) along the facility property line (5 ft height, PLI01 – PLI12), and six residential property lines (PLR01 – PLR06), as shown in FIGURE 2.

MODEL DESCRIPTION

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software that considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 "Attenuation of sound during propagation outdoors – Part 2: General method of calculation". FIGURE 2 presents the receptor locations used in computer modeling.

ASSUMPTIONS

The results presented in this report describe Phase 2 sound levels, and depend to a large degree on the Phase 2 building for acoustic shielding.

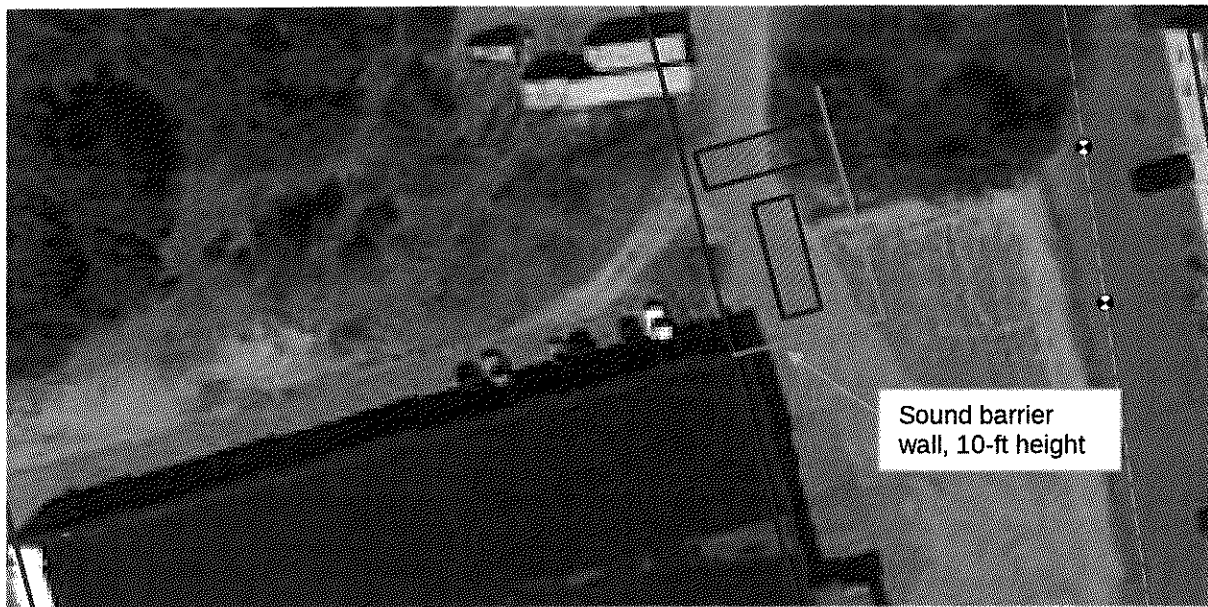
NOISE CONTROL

RECOMMENDATIONS AND RESULTS

You have asked that we determine the noise controls required to achieve 65 dBA at the facility's industrial property lines, and to comply with the MassDEP noise policy.

No noise controls are required to achieve 65 dBA at the facility property line. However, controls are required to not exceed the MassDEP noise policy at the nearest residences to the south. These controls include an L-shaped sound barrier wall of 10' height. FIGURE 3 shows community sound levels with the recommended control measures, with octave-band estimates shown in TABLE 3 (APPENDIX A).

INSET 1 shows the configuration of the sound barrier in greater detail.



INSET 1. Barrier configuration for 65 and 60 dBA facility property line design goals

BARRIER DESIGN REQUIREMENTS

Sound barriers should be solid and continuous, and should achieve a minimum STC rating of 30. If STC data are not available for a given product you may wish to consider, the barrier should be at least 4 lbs/sq ft surface weight in order to be sufficiently-massive for the task at hand. The undercut at the bottom of the barrier should not exceed 6 inches if possible.

For this project, the barriers do not require a sound absorptive treatment on either face. Suitable products for this application include Tuf-Barrier by AIL Sound Walls² or similar.

MODEL RESULTS, NOISE CONTROLS

With the noise controls recommended in this report, we expect that sound produced by the proposed equipment will comply with the criteria described above.

It is possible that some equipment will have reduced fan speeds during nighttime operation, leading to reduced sound levels. Currently, we have assumed that all equipment will run at all hours at maximum capacity. Nighttime sound data for major equipment could influence the noise control recommendations.

* * * * *

² <https://www.ailsoundwalls.com/product/tuf-barrier-reflective/>

I trust this report provides the information you need at this time. Please contact us if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy C.", with a stylized flourish at the end.

Andy Carballeira, INCE Bd Cert
Principal Consultant
617-499-8025

CC: none
Encl: FIGURES
APPENDIX A: Model Inputs and Results

FIGURES

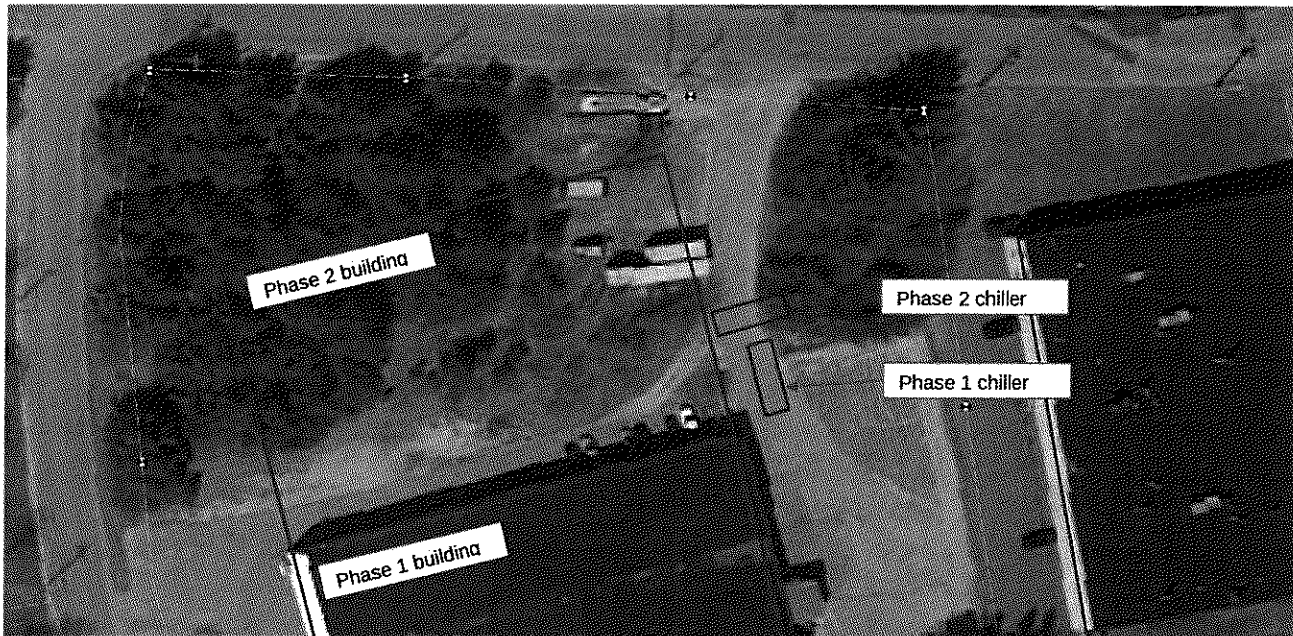


FIGURE 1. Facility layout in computer model (see project mechanical drawings for source locations)

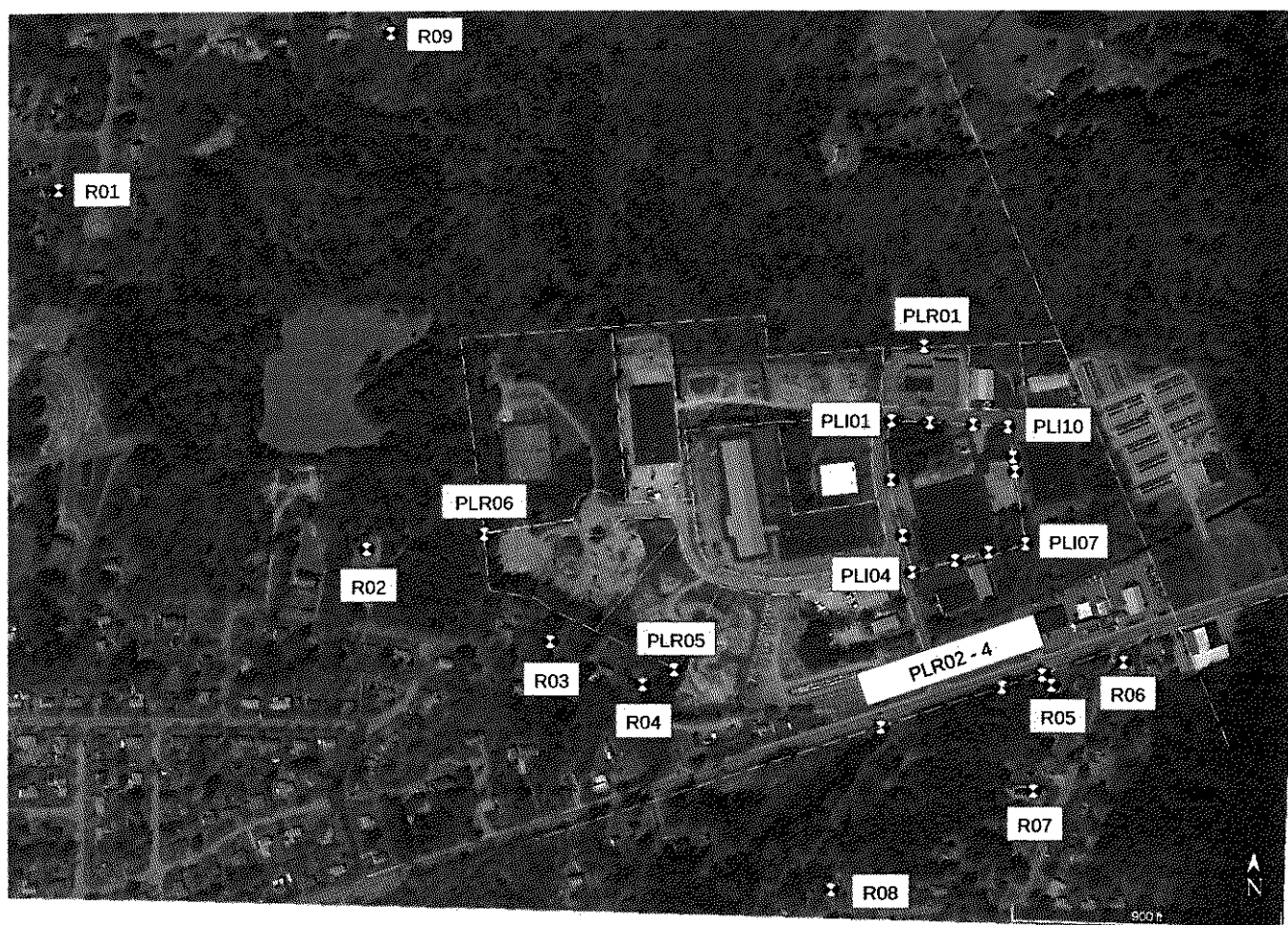


FIGURE 2. Computer model receptor points at residences (R01 – R09), at facility property lines (PLI01 – PLI12), and at residential property lines (PLR01 – PLR06)

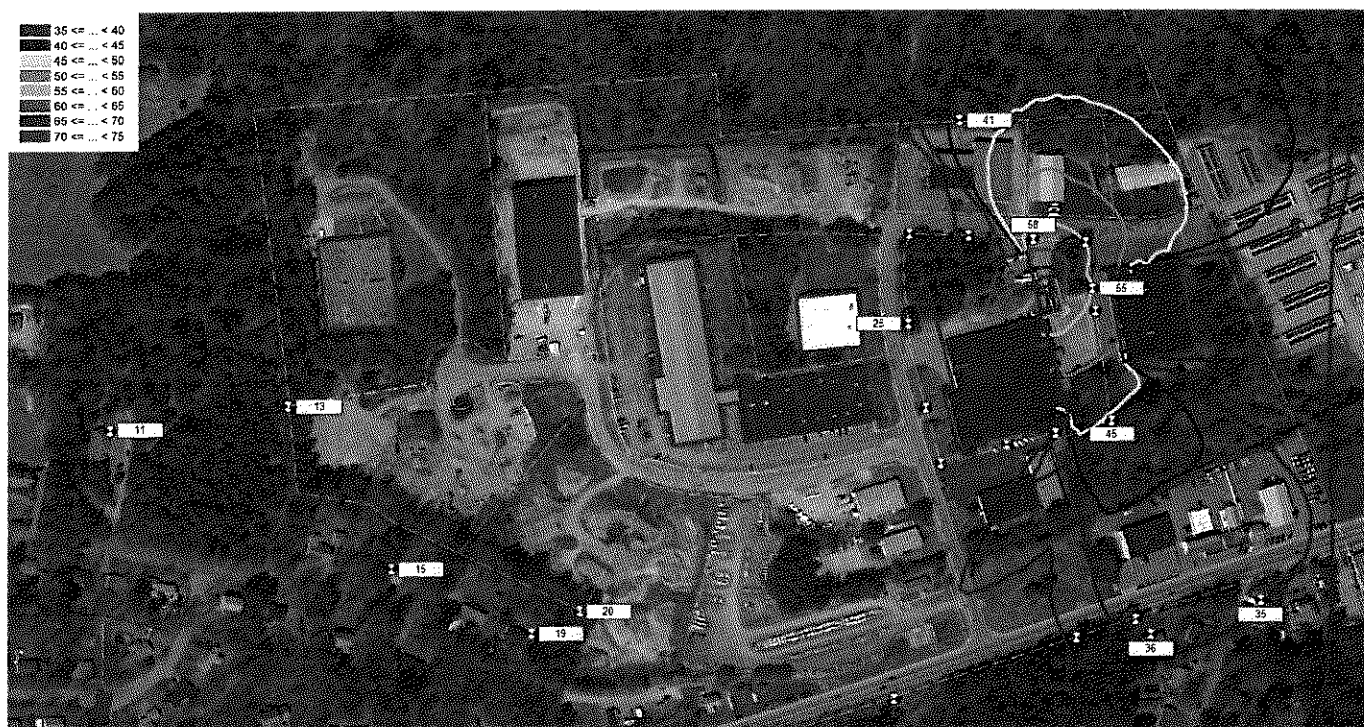


FIGURE 3. Estimated Phase 2 community sound levels, noise controls for 65 dBA facility property line limit

APPENDIX A

MODEL INPUTS AND RESULTS

TABLE II. Equipment sound power levels used in computer modeling

Description	Sound power level (dB re: 1pW)								dBA
	63	125	250	500	1000	2000	4000	8000	
Octave-band center frequency (Hz)									
Evapco 2-cell ATWB 24-7020, 3400 gpm	102	98	91	87	86	83	81	82	92
Evapco 2-cell ATWC 12-3M36-Z, 2200 gpm	98	94	88	85	85	83	81	82	90

TABLE III. Estimated nighttime octave-band sound levels with mitigation for 65 dBA goal (dB re: 20 µPa)

Receptor	63	125	250	500	1000	2000	4000	8000	dBA
Residence NW, R01	24	19	9	4	1	0	0	0	8
Residence W, R02	26	21	12	7	5	0	0	0	11
Residence W, R03	25	19	10	6	12	8	0	0	15
Residence W, R04	28	22	13	12	16	12	0	0	19
Residence S, R05	41	38	33	32	31	29	22	4	36
Residence S, R06	42	39	32	32	30	28	21	2	35
Residence S, R07	38	35	29	27	25	22	13	0	30
Residence S, R08	25	19	10	7	5	1	0	0	11
Residence N, R09	28	21	11	7	3	0	0	0	11
Industrial PL 1, PLI01	41	34	24	21	20	18	14	7	26
Industrial PL 2, PLI02	37	31	22	21	20	18	15	8	25
Industrial PL 3, PLI03	37	31	22	21	22	19	14	5	26
Industrial PL 4, PLI04	36	31	22	19	19	16	11	1	24
Industrial PL 5, PLI05	39	34	25	22	20	18	14	6	26
Industrial PL 6, PLI06	43	38	29	25	25	23	19	11	30
Industrial PL 7, PLI07	50	47	40	40	39	38	34	28	45
Industrial PL 8, PLI08	59	56	50	49	48	46	44	43	54
Industrial PL 9, PLI09	60	57	51	50	49	48	46	44	55
Industrial PL 10, PLI10	61	57	50	49	49	48	46	43	55
Industrial PL 11, PLI11	64	60	53	52	52	51	49	47	58
Industrial PL 12, PLI12	46	39	29	26	25	23	20	15	31
Residential PL N, PLR1	49	45	37	36	36	35	31	21	41
Residential PL S, PLR2	42	39	33	32	31	30	24	6	36
Residential PL S, PLR3	40	37	30	27	25	22	16	0	31
Residential PL S, PLR4	34	30	22	19	17	21	12	0	25
Residential PL W, PLR5	29	23	14	13	17	13	2	0	20
Residential PL W, PLR6	28	23	13	9	7	3	0	0	13



Company Background

BLW Engineers, Inc.

311 Great Road
P.O. Box 1551
Littleton, MA 01460

Tel: 978.486.4301
Fax: 978.486.0067

Year Established: 1999

Year Incorporated: 1999

Years in Business: 22

OFFICERS OF THE FIRM

Kenneth R. Beck, P.E., LEED AP, MCPPO, CPHC, Principal	978.486.4301 x 13
William J. Scanlon, P.E., Principal	978.486.4301 x 14
John C. Pierga, P.E., Principal	978.486.4301 x 15
Michael J. Denommee, P.E., LEED AP, Principal	978.486.4301 x 83
Erik Gath, P.E., Associate Principal	978.486.4301 x 72
Daki Koutouvides, P.E., Associate Principal	978.486.4301 x 94

SIZE OF FIRM

MECHANICAL ENGINEERS: 29 ELECTRICAL ENGINEERS: 14 CAD DESIGNERS: 4 OFFICE PERSONNEL: 4

PERSONNEL

Principals/Owners

Kenneth R. Beck, P.E., LEED AP, MCPPO, CPHC, Principal
William J. Scanlon, P.E., Principal
John C. Pierga, P.E., Principal
Michael J. Denommee, P.E., LEED AP, Principal
Erik Gath, P.E., Associate Principal
Daki Koutouvides, P.E., Associate Principal

Mechanical

Kenneth R. Beck, P.E., LEED AP, MCPPO, CPHC, Principal
William J. Scanlon, P.E., Principal
Erik Gath, P.E., Associate Principal
Vincent Salemi, Engineer
Wayne Forte, CAD Designer
David Scibilia, Engineer
Daniel Crory, Engineer
John Pugh, P.E., Engineer
Rebekah Drehman, Engineer
Jeffrey Fleishman, Engineer
Brian Bourgeois, CPHC, Engineer
Belinda Vuto, CPHC, Engineer
Christopher Wilk, Engineer
Alec Nicotra, Engineer
Nick Kapuscinski, Engineer
John Benham, Engineer
Dylan Thombs, Engineer
Yovanny Duran, Engineer

BLW ENGINEERS, INC.

311 Great Road, Post Office Box 1551, Littleton, MA 01460

CONSULTANTS

T: 978.486.4301 F: 978.428.0067



Company Background

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Michael J. Denommee, P.E., LEED AP, Principal
David Catanzaro, Senior Engineer
Christopher Gada, Engineer
Cedric Mukania, Engineer
Leo Enrico, Engineer
Keith Young, Engineer
Tyler Allen, Engineer
Joshua A. Ritchie, Engineer
Justin Keene, Engineer
Dustin White, Engineer
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Scott Daigneault, Engineer
Chadwick Nelson, Revit Designer
Joseph Saint Germain, Engineer
Mark Brodeur, Engineer
David Fitzgerald, Senior Engineer
Shane Wiebe, Designer
Juandiego Gonzalez, Engineer
Joshua Pierga, Designer
Jeremy Careau, P.E., Senior Engineer
Kevin Vanderhoof, Engineer
Chuck Mace, P.E., Senior Engineer
Jeffrey Martin, Engineer
Ethan Rong, Engineer
Jorge A. Elias, Engineer

Administration

Donna Hagens, Operations/Accounting
Maria Fini, Administrative Assistant
Beth Grande, Administrative Assistant
Lauren Opie, Administrative Assistant

OUR ENGINEERING SERVICES

- Feasibility Studies
- Analysis for Existing Facilities
- Energy Conservation/Green Build
- Engineered Designs:
 - Heating, Ventilating and Air Conditioning
 - Mechanical
 - Plumbing
 - Fire Protection
 - Electrical
 - Life Safety
 - Telecommunications
 - Security
 - Fire Alarm
- Construction Administration
- Project Management

BLW ENGINEERS, INC.

311 Great Road, Post Office Box 1551, Littleton, MA 01460

CONSULTANTS

T: 978.486.4301 F: 978.428.0067



Company Background

HISTORY AND EXPERIENCE

BLW Engineers is a consulting engineering firm providing design related services for HVAC, Plumbing, Fire Protection and Electrical building systems. Our services include feasibility studies, energy conservation evaluations, and engineered designs; cost estimating, construction administration and project management.

BLW Engineers, Inc. was founded in 1999 and has 51 employees, including electrical, mechanical, plumbing and fire protection engineers. BLW has extensive experience working within corporate environments and understands the special needs and time frames involved when working within occupied facilities. Our project managers are registered professional engineers that work on each project to ensure a complete and fully operable system will be provided.

Principals Kenneth R. Beck, William J. Scanlon, John C. Pierga and Michael J. Denommee have experience in the design of building systems for various size and types of projects. In addition, the firm is thoroughly experienced with the preparation of bidding documents for public bidding laws, including M.G.L. c.149 and c.30.

Kenneth R. Beck, Principal, William J. Scanlon, Principal and Erik Gath, Associate Principal are mechanical engineers and project managers for several multi-disciplined projects. Responsibilities include mechanical design, quality control, construction administration, client relations and personnel management.

John C. Pierga, Principal and Daki S. Koutouvides, Associate Principal are electrical engineers and project managers responsible for electrical engineering design, project coordination, construction administration and supervision and training of junior personnel.

Michael J. Denommee, Principal is a plumbing and fire protection engineer and project manager for several multi-disciplined projects. Responsibilities include plumbing and fire protection design, quality control, construction administration, client relations and personnel management.

Our Mechanical Engineering staff has extensive experience in the mechanical, plumbing and fire protection industry. The staff that will be assigned to this project will consist of a Project Manager, Senior Mechanical Engineer and additional mechanical engineers as needed. The Project Manager, Kenneth Beck is a Principal of the company with over 30 years of experience, is a Registered Professional Engineer in Massachusetts, LEED Certified for green build projects and is a Certified Passive House Consultant. Ken will oversee design and will be involved through construction right up to the final inspection.

Our Electrical Engineering staff has extensive experience in the electrical lighting and power industry and is up to date on all the latest standards, codes and guidelines for the Electrical Industry. The staff that will be assigned to this project will consist of a Senior Electrical Engineer and additional electrical engineers as needed. John Pierga, a Principal of the company and a Registered Professional Engineer in Massachusetts with over 30 years of experience will oversee the electrical design through construction right up to the final inspection.

BLW is dedicated to providing engineering services of the highest quality, innovative solutions and attention to detail for large projects to the most intricate design plans. Our firm realizes the importance of providing complete and coordinated designs that focus on the particular project requirements in a professional setting with complete client satisfaction; our reputation depends on it.



September 25, 2019

Jaime Lewis
Neo Organics
635 Boston Post Road #184
Sudbury, MA 01776

Phone 415-519-1063

Subject Noise Mitigation Plan
Neo-Organics Cannabis Cultivation Facility – Medway, MA
Acentech Project No. 632403

Dear Jaime,

Neo-Organics has retained Acentech to conduct a study of community noise produced by mechanical equipment serving proposed cannabis cultivation and processing facility located at 4 Marc Road in Medway, Massachusetts (the facility). Acentech has worked with Neo-Organics to develop this Noise Mitigation Plan, which is required as part of the Town of Medway's Special Permit Process. This Noise Mitigation Plan has been reviewed by an acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification.

We have reviewed project drawings and sound data for submitted noise-producing equipment to develop a community noise model. From the results of this modeling, we have developed concept noise-control recommendations.

PROJECT NOISE REQUIREMENTS OF THE TOWN OF MEDWAY

The Medway noise ordinance as currently written has outdated octave-band limits. The Town of Medway and their noise peer review consultant (NCE, Billerica, MA) have estimated corresponding limits in the current octave-bands in connection with another nearby facility, and we have referred to these estimates to facilitate our work. The daytime and nighttime noise limits from the ordinance in modern octave bands are shown below in TABLE 1. The daytime noise limits are 5 dB greater than the nighttime limits. We understand the noise ordinance to be applicable at the source property lines.

TABLE I. Medway Noise Ordinance

Octave-band center frequency (Hz)	63	125	250	500	1000	2000	4000	8000
Nighttime	67	55	48	42	38	35	32	28
Daytime	72	60	53	47	43	40	37	33

Our current engagement does not include review of facility sound in connection with the noise policies of the MassDEP, but based on our experience, **we recommend that noise levels at the nearest residences should not exceed ~30 dBA during nighttime hours.** Further, MassDEP has a noise policy preventing tonal noise. Determining compliance with the tonal requirements was not within the scope of our study.

COMMUNITY NOISE MODELING

Model Description

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software that considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 “Attenuation of sound during propagation outdoors -- Part 2: General method of calculation”. FIGURE 2 presents the receptor locations used in computer modeling.

The facility has noise-producing equipment located on grade that includes a 300 kw generator, a transformer, air handling units, and condensing units. In addition, there are two rooftop exhaust fans. The mechanical equipment is identified in FIGURE I. The sound power levels of the equipment are given in TABLE II below. APPENDIX A includes the sound data sheets from the manufacturers. Currently, we have assumed that all equipment, except the generator, will run at all hours at maximum capacity.

TABLE II. Equipment sound power levels used in computer modeling

Description	Sound power level (dB re: 1pW)								
Octave-band center frequency (Hz)	63	125	250	500	1000	2000	4000	8000	dBA
300 kw Generator*	83	89	91	96	96	91	86	81	99
Exhaust Fan (EF-X)	80	77	76	68	64	63	59	53	72
Air Handling Unit (AHU-1)	89	97	94	92	89	83	79	75	94
Ground mounted unit (GRTU-1)	89	85	87	81	79	78	73	62	85
GPod Condenser Small (GPCU-1)	73	74	69	68	66	62	56	52	71
GPod Condenser Large (GPCU-2)	38	55	56	60	62	61	52	49	66
Trane Condenser (CU-1)**	65	62	59	56	53	50	47	44	59
Trane Condenser (DCU)**	56	53	50	47	44	41	38	35	50
Mitsubishi Condenser (CU-2)**	65	62	59	56	53	50	47	44	59
2000 kVA Transformer***	80	82	77	77	71	66	61	54	77

* We have assumed daytime maintenance testing only.

**Octave band data unavailable, assumed spectrum.

*** Sound data estimated based on NEMA rating.

Model Results, No Noise Controls

Based on our baseline computer model (as designed, no noise mitigation), we expect that the proposed equipment will *not* comply with the Medway noise ordinance at all facility property lines (see APPENDIX B, Table IV).

Noise Control Recommendations

A partial contribution analysis of the noise-producing equipment revealed that the most significant noise sources are the GRTUs and AHUs. To mitigate the noise from these sources, we recommend placing barriers, identified in FIGURE 3, around the sources (3 m tall barriers for GRTUs, 4.5 m tall barriers for AHUs). We also recommend that you select a generator and enclosure that meets the criteria 64 dBA at a distance of 7 m.

Model Results, Noise Controls

TABLE III summarizes the calculated noise levels at the property lines with noise control applied. The estimated sound levels created by MEP equipment are all below the octave-band provisions of the Medway noise regulation.

However, our model predicts that the transformer will exceed the criteria by 1 dB in the 500 Hz octave band at one property line receptor. We have used generic estimates of transformer sound power levels based on the estimated NEMA rating and surface area. The 1 dB exceedance is within the uncertainty of our model, which we can refine upon receipt of more representative sound data.

It is possible that some equipment will have reduced fan speeds during nighttime operation, leading to reduced sound levels. Currently, we have assumed that all equipment, except the generator, will run at all hours at maximum capacity. Nighttime sound data for major equipment could influence the following noise control recommendations.

TABLE III. Estimated nighttime octave-band sound levels at facility property lines (dB re: 20 μ Pa)

Receptor	63	125	250	500	1000	2000	4000	8000
PL01	45	51	45	42	37	29	23	<20
PL02	45	46	41	39	35	29	23	<20
PL03	42	39	39	35	32	29	21	<20
PL04	47	44	45	39	37	35	28	<20
PL05	49	45	47	40	37	35	29	<20
PL06	42	38	39	35	32	29	20	<20
PL07	37	32	32	29	26	22	<20	<20
PL08	34	34	29	25	24	<20	<20	<20
PL09	36	40	36	31	26	20	<20	<20
PL10	37	40	37	32	27	21	<20	<20
PL11	40	45	40	36	31	24	<20	<20
PL12	42	47	42	38	32	25	<20	<20
PL13	41	46	41	37	31	24	<20	<20
PL14	48	52	47	43	38	31	26	<20
Medway Noise Ordinance	67	55	48	42	38	35	32	28

Full modeling results with and without mitigation are shown in APPENDIX B.

* * * * *

I trust this memo provides the information you need at this time. Please contact us if you have any questions or comments.

Sincerely,



Andy Carballeira, INCE Bd Cert
Senior Consultant
617-499-8025



Alex Odom
Consultant
617-499-8027

CC: Alex Odom (Acentech)
Encl: FIGURES
APPENDIX A: Manufacturer Noise Data
APPENDIX B: Modeling Results

FIGURES

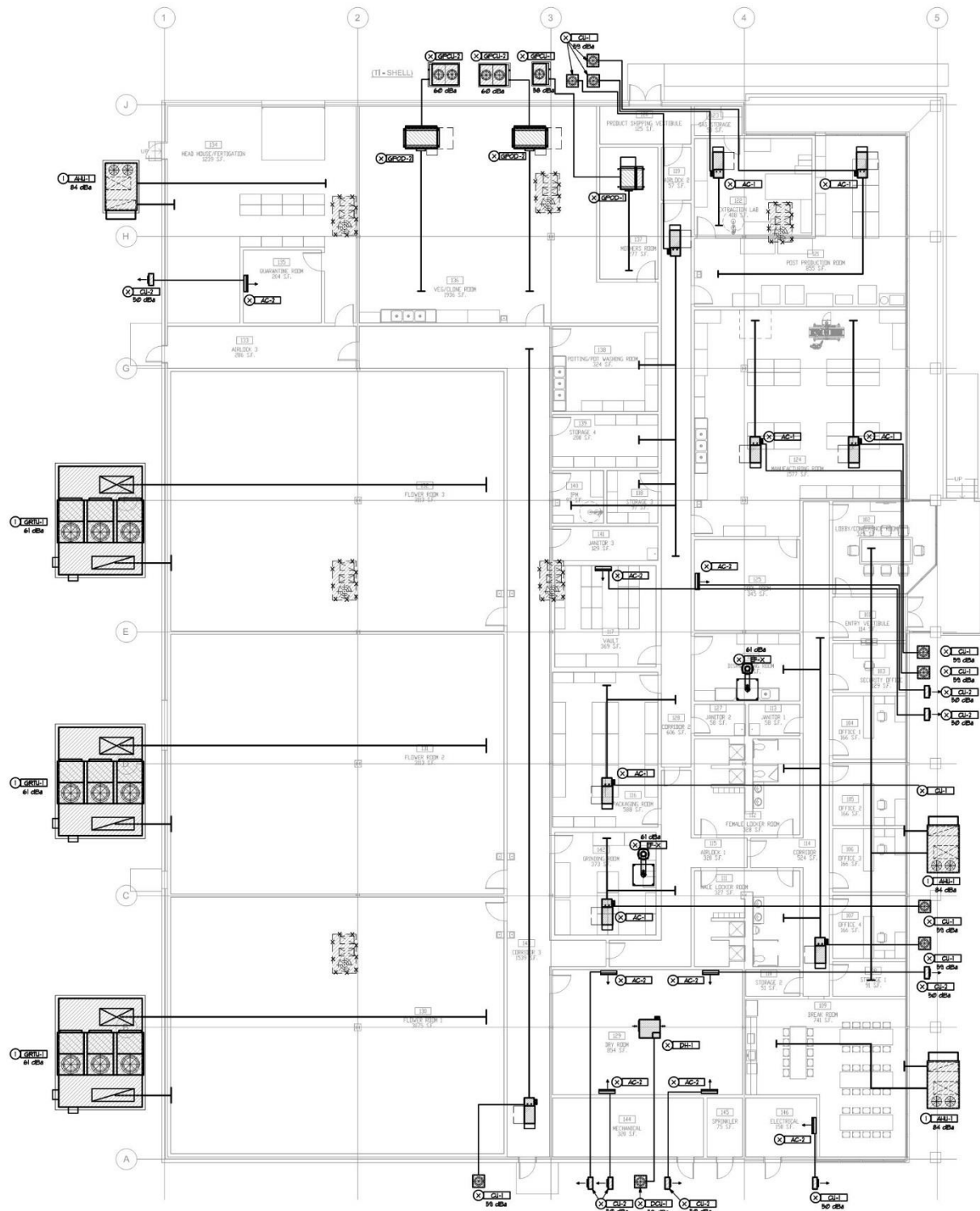


FIGURE 1. Facility Mechanical Plan



FIGURE 2. Computer model receptor points on source property line and beyond



FIGURE 3. Recommended Noise Control Solutions, Barriers shown in Orange around GRTUs and AHUs

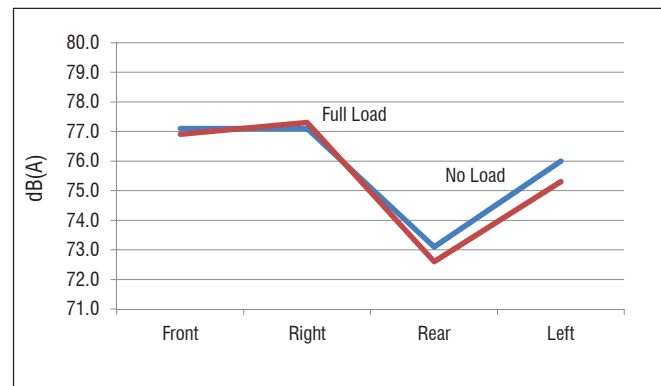
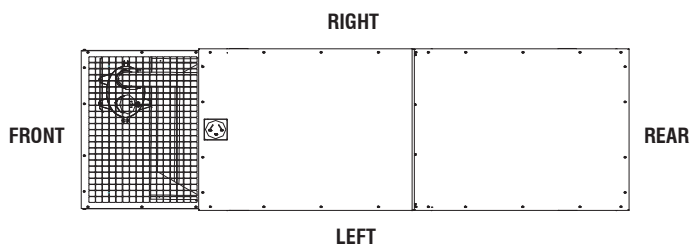
APPENDIX A

MANUFACTURER NOISE DATA

LEVEL 2 ACOUSTIC ENCLOSURE SD300 10.3L FPT

60Hz NO-LOAD DATA, dB(A)										DISTANCE: 7 METERS
MICROPHONE LOCATION	OCTAVE BAND CENTER FREQUENCY (Hz)									
	31.5	63	125	250	500	1000	2000	4000	8000	dB(A)
FRONT	45.9	57.9	62.8	67.0	73.2	71.6	65.6	64.9	60.7	77.1
RIGHT	43.9	61.4	64.9	67.3	70.7	73.0	68.8	62.7	58.1	77.1
REAR	40.1	55.9	62.1	65.2	68.1	68.2	61.7	54.9	49.2	73.1
LEFT	41.5	58.9	65.7	64.9	71.4	70.8	66.9	60.1	56.2	76.0
AVERAGE	42.9	58.5	63.9	66.1	70.9	70.9	65.7	60.6	56.0	75.8

60Hz FULL-LOAD DATA, dB(A)										DISTANCE: 7 METERS
MICROPHONE LOCATION	OCTAVE BAND CENTER FREQUENCY (Hz)									
	31.5	63	125	250	500	1000	2000	4000	8000	dB(A)
FRONT	46.9	58.3	64.5	68.6	73.1	69.1	67.5	65.2	61.3	76.9
RIGHT	44.0	60.6	66.4	67.8	72.4	70.8	69.2	64.9	61.6	77.3
REAR	41.9	57.4	62.7	65.0	68.6	65.5	60.7	56.2	53.9	72.6
LEFT	43.4	60.6	66.6	65.4	71.5	67.6	64.7	61.2	60.4	75.3
AVERAGE	44.0	59.2	65.1	66.7	71.4	68.2	65.5	61.9	59.3	75.6



1. All positions at 23 feet (7 meters) from side faces of generator set.
2. Test conducted on a 100 foot diameter asphalt surface.
3. Sound pressure levels are subject to instrumentation, installation and testing conditions.

**TRANE®**Job Name: Clover
Prepared By: Impact Engineering
Unit Tag: 15 Ton
Quantity: 1

Trane Voyager Gas/Electric Packaged Rooftop

Unit Overview - YHD180G4RHB**00B1A10000000000000000000000

Application	Unit Size	Supply Fan		External Dimensions (in.)			Weight		EER	IEER/SEER
Gas/Electric	15 Ton	Airflow	External Static Pressure	Height	Width	Length	Minimum	Maximum	12.1 EER	14.00
		6000 cfm	1.000 in H2O	66.250 in	84.188 in	121.688 in	2241.0 lb	2663.0 lb		

Unit Features

Panels/Filters Std panels/2" pltd filters MERV 8

Unit Electrical

Voltage/phase/hertz 460/60/3**MCA** 33.00 A**MOP** 45.00 A

Controls

Unit Controls Reliatel

Cooling Section

Entering Dry Bulb		80.00 F	Capacity	
Entering Wet Bulb		67.00 F	Gross Total	180.52 MBh
Ambient Temp		95.00 F	Gross Sensible	142.17 MBh
Leaving Coil Dry Bulb		58.06 F	Net Total	171.67 MBh
Leaving Coil Wet Bulb		57.30 F	Net Sensible	133.32 MBh
Leaving Unit Dry Bulb		59.77 F	Fan Motor Heat	8.85 MBh
Leaving Unit Wet Bulb		57.96 F	Refrig Charge-circuit 1	13.0 lb
Refrigeration System Options			Refrig Charge-circuit 2	8.5 lb
Leaving Dew Point		56.82 F		

Heating Section

Heat Type	Gas
Heating Stages	2
Output Heating Capacity	280.00 MBh
Heating EAT	55.00 F
Heating LAT	98.01 F
Heating Temp Rise	43.01 F

Fan Section

Indoor Fan Data		Outdoor Fan Data	
Type	FC Centrifugal	Type	Propeller
Drive Type	Belt	Fan Quantity	2
Indoor Fan Performance		Drive Type	Direct
Airflow	6000 cfm	Outdoor Fan Performance	
Design ESP	1.000 in H2O	Outdoor Motor Power	0.89 kW
Component SP	0.040 in H2O	Condenser Fan FLA	1.35 A
Total SP	1.058 in H2O	Exhaust Fan Performance	
Indoor Motor Operating Power	2.81 bhp	Exhaust Fan FLA	4.80 A
Indoor Motor Power	2.09 kW		
Indoor RPM	709 rpm		

Compressor Section

Power	12.28 kW
Circuit 1 RLA	14.70 A
Circuit 2 RLA	7.00 A

Accessories

Roof curb yes

Acoustics

Sound Path	63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz
Ducted Discharge	87 dB	82 dB	76 dB	79 dB	72 dB	70 dB	69 dB	63 dB
Ducted Inlet	91 dB	82 dB	74 dB	70 dB	65 dB	60 dB	60 dB	53 dB
Outdoor Noise	89 dB	97 dB	94 dB	92 dB	89 dB	83 dB	79 dB	75 dB

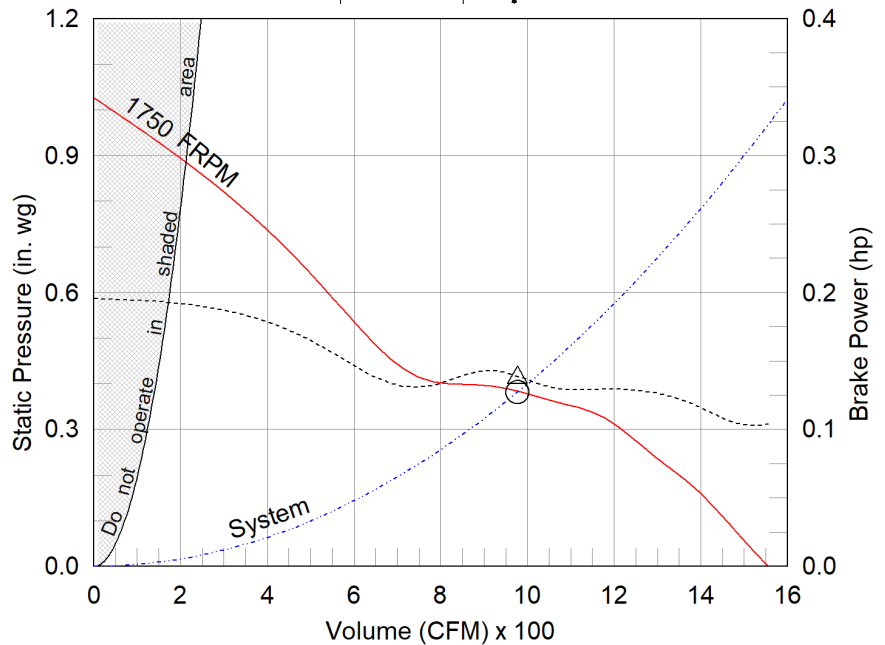
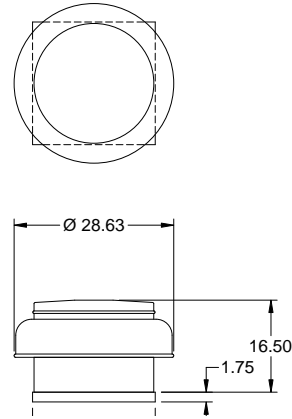
Model: AE-12-433-A4

Propeller Hooded Roof Direct Drive Exhaust Fan

Dimensional	
Quantity	1
Weight w/o Acc's (lb)	41
Weight w/ Acc's (lb)	43
Max T Motor Frame Size	0
Roof Opening (in.)	14.5 x 14.5

Performance	
Requested Volume (CFM)	1,000
Actual Volume (CFM)	976
Total External SP (in. wg)	0.381
Fan RPM	1750
Operating Power (hp)	0.14
Elevation (ft)	663
Airstream Temp.(F)	75
Air Density (lb/ft3)	0.073
Tip Speed (ft/min)	5,498
Static Eff. (%)	43

Motor	
Motor Mounted	Yes
Size (hp)	1/4
Voltage/Cycle/Phase	115/60/1
Enclosure	ODP
Motor RPM	1750
Windings	1



△ Operating Bhp point
○ Operating point at Total External SP
— Fan curve
- - - System curve
- - - Brake horsepower curve

Static Pressure Calculations

External SP	0.4 in. wg
Direct Drive RPM Adjustment	-0.019 in. wg
Total External SP	0.381 in. wg

Sound Power by Octave Band

Sound Data	62.5	125	250	500	1000	2000	4000	8000	LwA	dBA	Sones
Inlet	80	77	76	68	64	63	59	53	72	61	11.1

Notes:

All dimensions shown are in units of in.
*Please consult factory for actual motor amp draw
LwA - A weighted sound power level, based on ANSI S1.4
dBA - A weighted sound pressure level, based on 11.5 dB
attenuation per Octave band at 5 ft - dBA levels are not
licensed by AMCA International
Sones - calculated using AMCA 301 at 5 ft



Acoustic Analysis Report

Project	GRW
Date	September 13, 2019

PROJECT: GRW
LOCATION:
DATE: SEPTEMBER 13, 2019
REVISION:

REP NAME:
REP OFFICE:
ENGINEER:
CONTRACTOR:



General Unit Information:

Model: GRW

Tag: Unit 1

Casing: 0.08 Aluminum

Insulation Type: 3.5" Fiberglass

Liner: 0.08 Aluminum

Latent Fans: APM Size 27 Dual

Airflow: 22,000 CFM

TSP: 4.11 in.w.g.

Fan Speed: 1456 RPM

Sensible Fans: APD Size 355 Dual

Airflow: 4,070 CFM

TSP: 3.23 in.w.g.

Fan Speed: 2365 RPM

Compressors:

Qty 3 ZPDT31 Digital Tandem

Qty 3 ZPDT36 Digital Tandem

Cond Fans

Qty 6 33" fans, ~860 RPM, 10 degrees

Sound Analysis Definitions:

Sum = Logarithmic addition of sound sources less attenuation of components and adjustment for receiver distance.

Target = target sound pressure level at a specified distance

Current = A-weighted sound pressure (dBA) or sound power (LwA) level of the sum values

PROJECT: GRW
 LOCATION:
 DATE: SEPTEMBER 13, 2019
 REVISION:

REP NAME:
 REP OFFICE:
 ENGINEER:
 CONTRACTOR:



CONDENSER FANS

Element	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz	Comments
Condenser Fan 1	78	74	74	72	71	70	65	53	
Condenser Fan 2	78	74	74	72	71	70	65	53	
Condenser Fan 3	78	74	74	72	71	70	65	53	
Condenser Fan 4	78	74	74	72	71	70	65	53	
Condenser Fan 5	78	74	74	72	71	70	65	53	
Condenser Fan 6	78	74	74	72	71	70	65	53	
Receiver	-24	-24	-24	-24	-24	-24	-24	-24	
Sum	62	58	58	56	55	54	49	37	

Target:

Current: 60 dBA

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

LATENT FANS RADIATED

Element	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz	Comments
Supply Fan - Dual	89	92	98	93	90	85	80	77	
Breakout - <i>Cabinet Attenuation</i>	-11	-15	-20	-31	-38	-40	-40	-40	Thermoshield Cabinet
Receiver	-24	-24	-24	-24	-24	-24	-24	-24	
Sum	54	53	54	38	28	21	16	13	

Target:

Current: 46 dBA

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

PROJECT: GRW
 LOCATION:
 DATE: SEPTEMBER 13, 2019
 REVISION:

REP NAME:
 REP OFFICE:
 ENGINEER:
 CONTRACTOR:



LATENT FANS AT FA INLET

Element	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz	Comments
Supply Fan - Dual	83	88	96	87	81	79	75	72	Inlet
4 Row Coil	0	-3	-3	-5	-6	-6	-8	-8	
6 Row Coil	0	-3	-5	-5	-7	-7	-9	-8	
6 Row Coil	0	-3	-5	-5	-7	-7	-9	-8	
4" Panel Filter	0	-1	-1	-2	-1	-3	-4	-4	
Receiver	-24	-24	-24	-24	-24	-24	-24	-24	
Sum	59	54	58	46	36	32	21	20	

Target:

Current: 51 dBA

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

SENSIBLE FANS RADIATED

Element	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz	Comments
Sensible Fan - Dual	84	83	85	82	82	78	75	70	
Breakout - <i>Cabinet Attenuation</i>	-11	-15	-20	-31	-38	-40	-40	-40	Thermoshield Cabinet
Receiver	-24	-24	-24	-24	-24	-24	-24	-24	
Sum	49	44	41	27	20	14	11	6	

Target:

Current: 35 dBA

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

PROJECT: GRW
 LOCATION:
 DATE: SEPTEMBER 13, 2019
 REVISION:

REP NAME:
 REP OFFICE:
 ENGINEER:
 CONTRACTOR:



SENSIBLE FAN AT FA INLET

Element	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz	Comments
Sensible Fan - Dual	84	83	85	78	73	73	70	66	Inlet
4 Row Coil	0	-3	-3	-5	-6	-6	-8	-8	
4" Panel Filter	0	-1	-1	-2	-1	-3	-4	-4	
Receiver	-24	-24	-24	-24	-24	-24	-24	-24	
Sum	60	55	57	47	42	40	34	30	

Target:

Current: 51 dBA (NC 49 / RC 43)

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

COMPRESSORS RADIATED

Element	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz	Comments
ZPDT36 Compressor 1	73	63	71	78	79	80	76	71	
ZPDT36 Compressor 2	73	63	71	78	79	80	76	71	
ZPDT36 Compressor 3	73	63	71	78	79	80	76	71	
ZPDT31 Compressor 1	68	57	62	76	76	79	73	69	
ZPDT31 Compressor 2	68	57	62	76	76	79	73	69	
ZPDT31 Compressor 3	68	57	62	76	76	79	73	69	
Breakout - <i>Cabinet Attenuation</i>	-11	-15	-20	-31	-38	-40	-40	-40	Thermoshield Cabinet
Receiver	-24	-24	-24	-24	-24	-24	-24	-24	
Sum	43	29	32	31	24	24	19	15	

Target:

Current: 32 dBA

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

PROJECT: GRW
 LOCATION:
 DATE: SEPTEMBER 13, 2019
 REVISION:

REP NAME:
 REP OFFICE:
 ENGINEER:
 CONTRACTOR:



COMPRESSORS AT FA INLET

Element	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz	Comments
ZPDT36 Compressor 1	73	63	71	78	79	80	76	71	
ZPDT36 Compressor 2	73	63	71	78	79	80	76	71	
ZPDT36 Compressor 3	73	63	71	78	79	80	76	71	
ZPDT31 Compressor 1	68	57	62	76	76	79	73	69	
ZPDT31 Compressor 2	68	57	62	76	76	79	73	69	
ZPDT31 Compressor 3	68	57	62	76	76	79	73	69	
Breakout - <i>Cabinet Attenuation</i>	-11	-14	-17	-23	-29	-35	-35	-35	Internal Walls
Receiver	-24	-24	-24	-24	-24	-24	-24	-24	
Sum	43	30	35	39	33	29	24	20	

Target:

Current: 39 dBA

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

SINGLE UNIT SUMMATION

Path	63Hz	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	8KHz
Condenser Fans	62	58	58	56	55	54	49	37
Latent Fans Radiated	54	53	54	38	28	21	16	13
Latent Fans at FA inlet	59	54	58	46	36	32	21	20
Sensible Fans Radiated	49	44	41	27	20	14	11	6
Sensible Fan at FA inlet	60	55	57	47	42	40	34	30
Compressors Radiated	43	29	32	31	24	24	19	15
Compressors at FA Inlet	43	30	35	39	33	29	24	20
Sum	65	61	63	57	55	54	49	38

Current: 61 dBA

Notes:

Sound data created by theoretical methods

Sound pressure calculated at a distance of 20 feet using a directivity factor (Q) of 2 assuming one reflective surface. The environment influences sound pressure, therefore dBA levels cannot be guaranteed.

AIR FLOW DATA

SYSTEM SIZE	36K	48K	58K
Outdoor (CFM)	2,130	4,500	4,415

SOUND PRESSURE

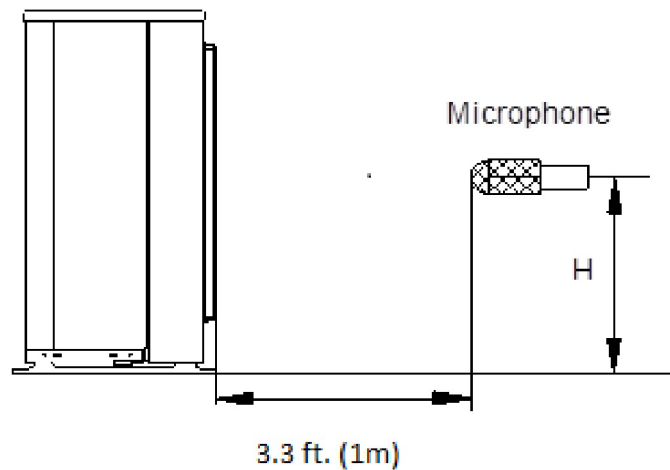
SYSTEM SIZE		36K	48K	58K
Outdoor sound pressure level	dBa	63	62.5	64

SOUND PRESSURE IN OCTAVE BANDS

SIZE	Frequency (Hz)	63	125	250	500	1000	2000	4000	8000
36K	Cooling dB(A)	51.3	59.2	56.3	51.3	49.4	46.8	42.6	35.7
	Heating dB(A)	53.8	62.3	60.8	53.7	52.0	48.4	45.8	37.8
48K	Cooling dB(A)	59.2	61.6	55.9	58.1	59.6	51.9	47.8	43.8
	Heating dB(A)	65.1	66.1	61.3	59.7	58.2	54.1	47.5	43.6
58K	Cooling dB(A)	22.9	41.3	46.6	50.1	50.8	52.6	46.0	40.4
	Heating dB(A)	30.0	46.8	48.4	52.0	54.3	52.8	43.7	41.3

OUTDOOR UNIT SOUND PRESSURE TEST CONDITIONS

Outdoor Unit



NOTE: $H = 0.5 \times \text{Height of outdoor unit}$

	INDOOR CONDITION		OUTDOOR CONDITION	
	DB	WB	DB	WB
Cooling	80.6F (27C)	66.2F (19C)	95F (35C)	75.2F (24C)
Heating	68F (20C)	59F (15C)	44.6F (7C)	42.8F (6C)

APPENDIX B

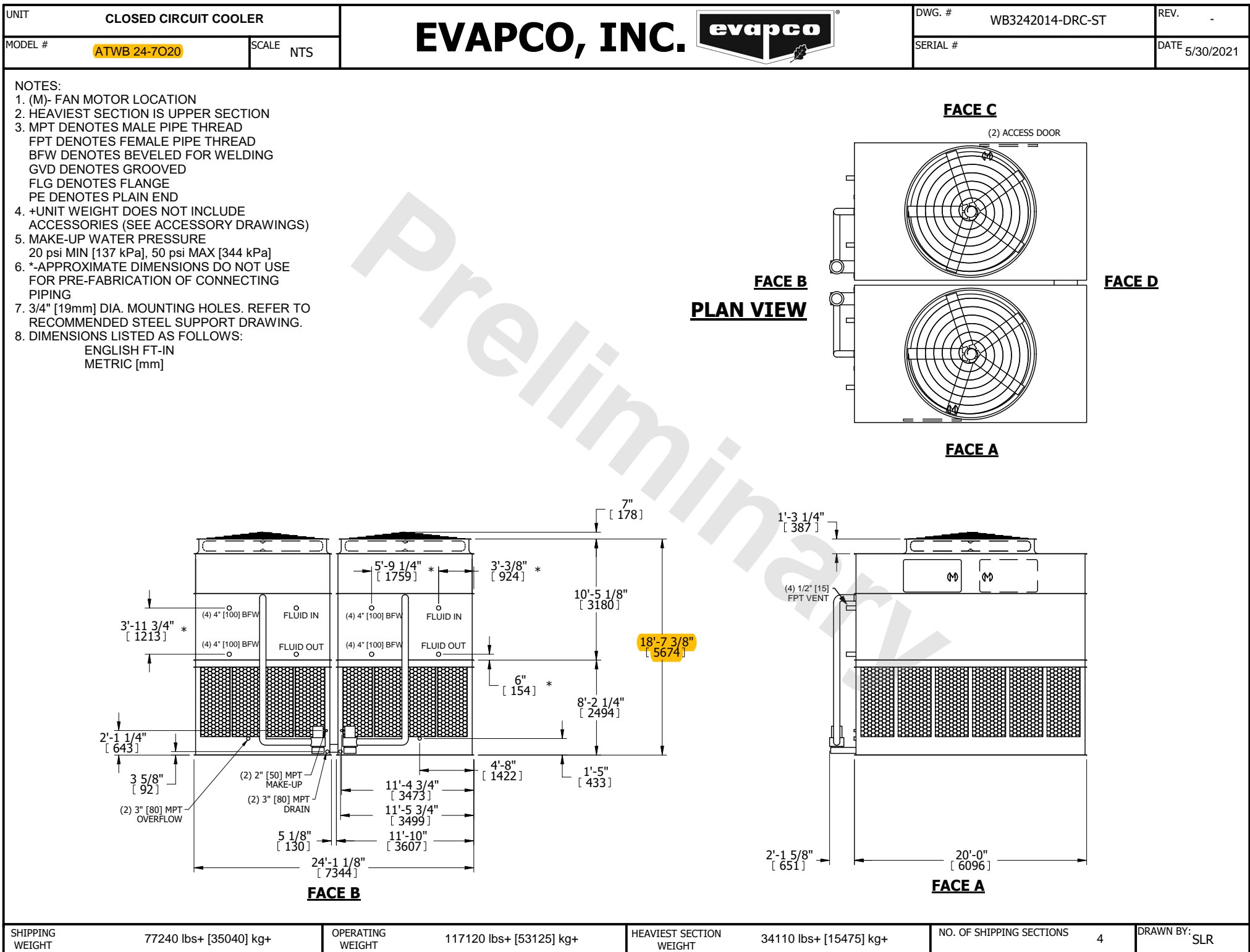
MODELING RESULTS

TABLE IV. Estimated nighttime octave-band sound levels without mitigation (dB re: 20 μ Pa)

Receptor	63	125	250	500	1000	2000	4000	8000	dBA
R01	26	24	25	<20	20	<20	<20	<20	23
R02	32	31	32	25	23	<20	<20	<20	28
R03	34	34	33	28	25	22	<20	<20	31
R04	36	39	36	33	29	24	<20	<20	34
R05	36	41	38	35	32	27	20	<20	37
R06	39	44	41	40	37	30	21	<20	41
R07	40	44	41	39	37	30	20	<20	41
PL01	51	58	53	51	49	43	38	30	54
PL02	51	55	50	49	46	41	35	27	51
PL03	42	42	41	36	34	34	28	<20	40
PL04	47	46	48	45	43	42	36	22	48
PL05	49	48	52	46	44	43	37	24	50
PL06	42	39	43	39	37	36	29	<20	43
PL07	36	35	35	30	35	30	22	<20	38
PL08	40	43	38	36	38	31	22	<20	41
PL09	44	50	44	43	42	35	27	<20	46
PL10	45	51	46	45	43	37	30	<20	47
PL11	48	55	51	49	48	42	36	24	52
PL12	49	56	52	51	49	43	37	27	53
PL13	49	55	50	49	47	41	35	25	51
PL14	55	62	57	56	54	48	43	36	58
Medway Noise Ordinance	67	55	48	42	38	35	32	28	-

TABLE V. Estimated nighttime octave-band sound levels with mitigation (dB re: 20 μ Pa)

Receptor	63	125	250	500	1000	2000	4000	8000	dBA
R01	26	22	23	18	15	10	-6	-54	20
R02	32	30	30	23	20	15	4	-25	26
R03	34	32	33	27	24	21	11	-16	30
R04	36	33	31	27	26	22	12	-12	31
R05	34	37	33	29	25	20	10	-12	31
R06	35	39	34	32	27	19	8	-16	33
R07	34	39	34	32	26	18	7	-19	32
PL01	45	51	45	42	37	29	23	13	43
PL02	45	46	41	39	35	29	23	13	40
PL03	42	39	39	35	32	29	21	3	38
PL04	47	44	45	39	37	35	28	13	43
PL05	49	45	47	40	37	35	29	15	44
PL06	42	38	39	35	32	29	20	7	38
PL07	37	32	32	29	26	22	13	-5	31
PL08	34	34	29	25	24	19	10	-2	28
PL09	36	40	36	31	26	20	11	-5	33
PL10	37	40	37	32	27	21	12	-2	34
PL11	40	45	40	36	31	24	17	5	38
PL12	42	47	42	38	32	25	18	7	39
PL13	41	46	41	37	31	24	18	6	38
PL14	48	52	47	43	38	31	26	17	45
Medway Noise Ordinance	67	55	48	42	38	35	32	28	-



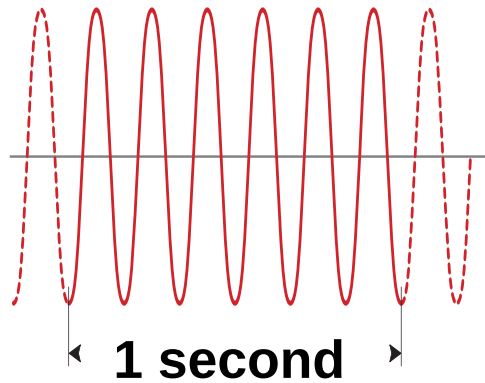


Amplitude

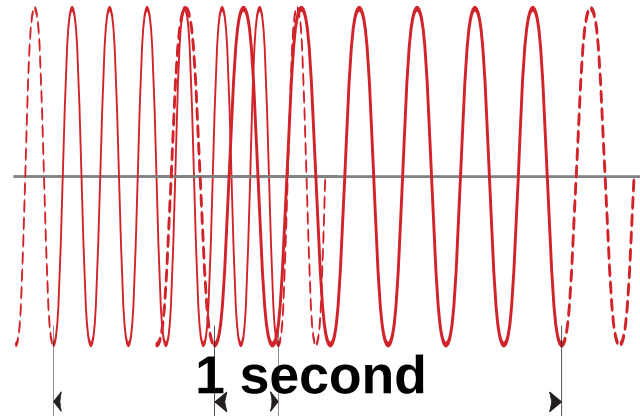
- Sound pressure [Pa] -> sound pressure level [dB]
- Humans can hear ~ 13 orders of magnitude
- Decibel (dB) is a ***log ratio***
 - Unitless
 - Manageable scale (roughly 0 to 130 dB)
 - Better matches perception (loudness)
 - “pressure level” and “power level”

Frequency

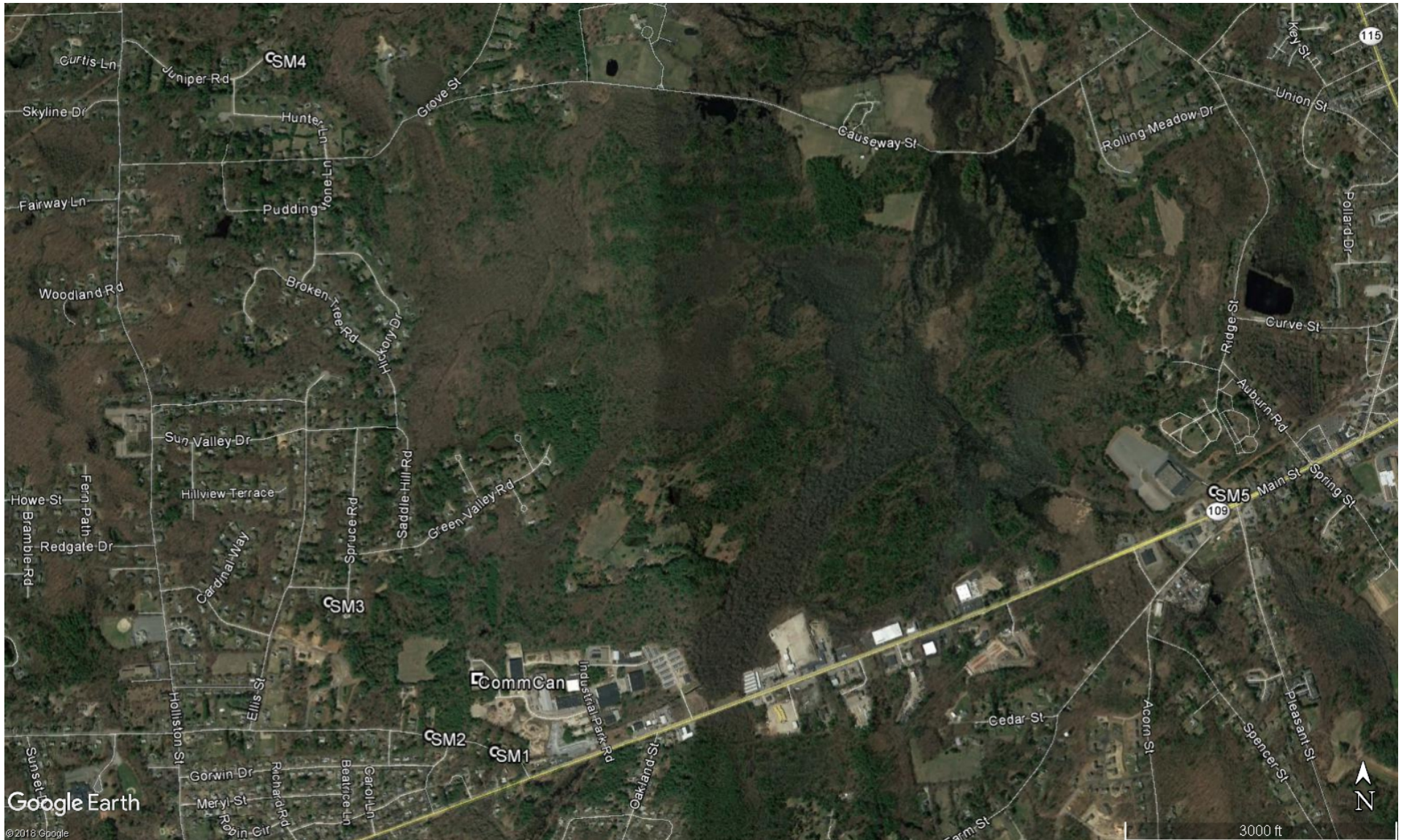
High Frequency
("Hissy")



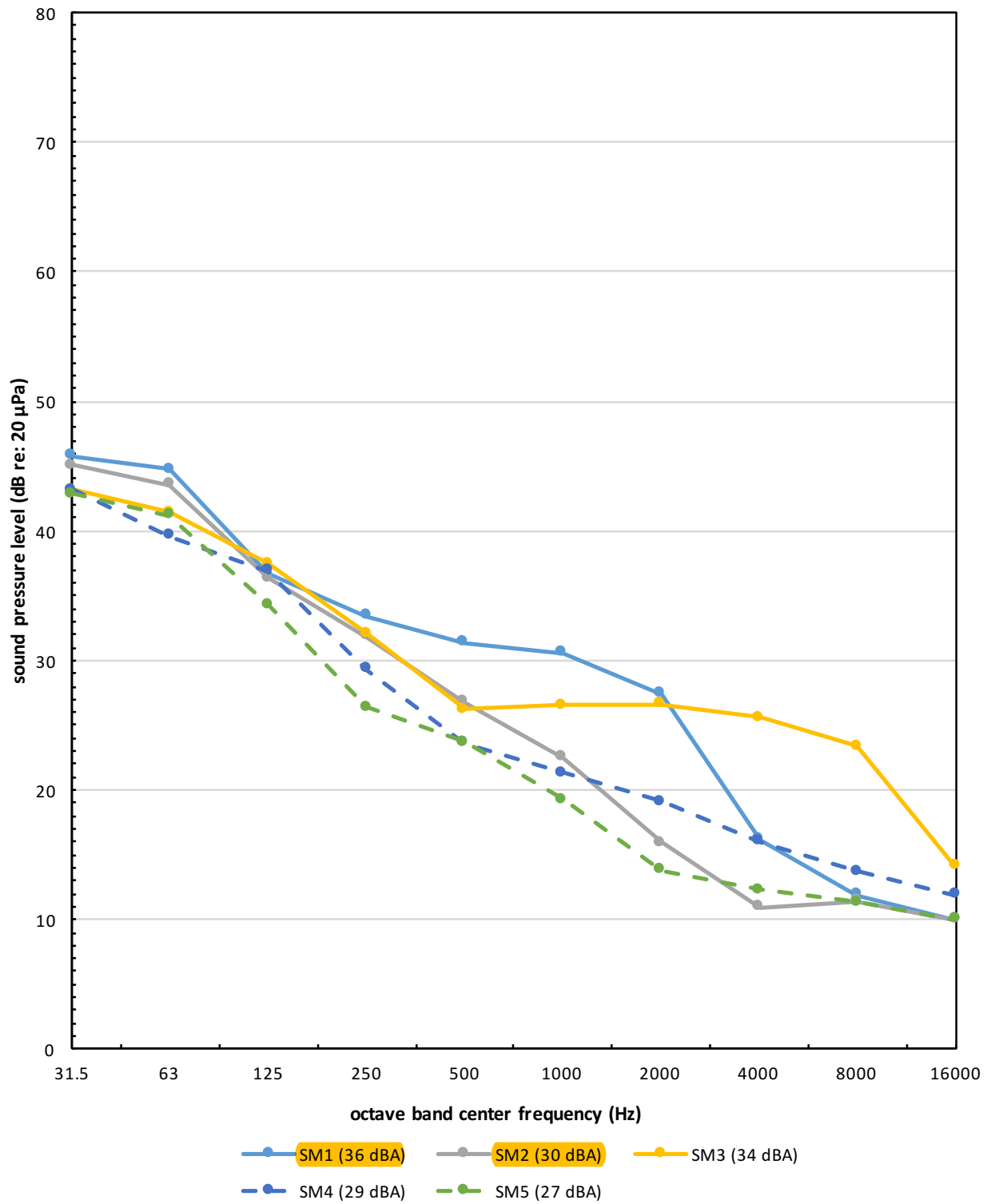
Low Frequency
("Boomy")



$$\text{Frequency (Hz)} = \frac{\text{cycles}}{\text{second}}$$

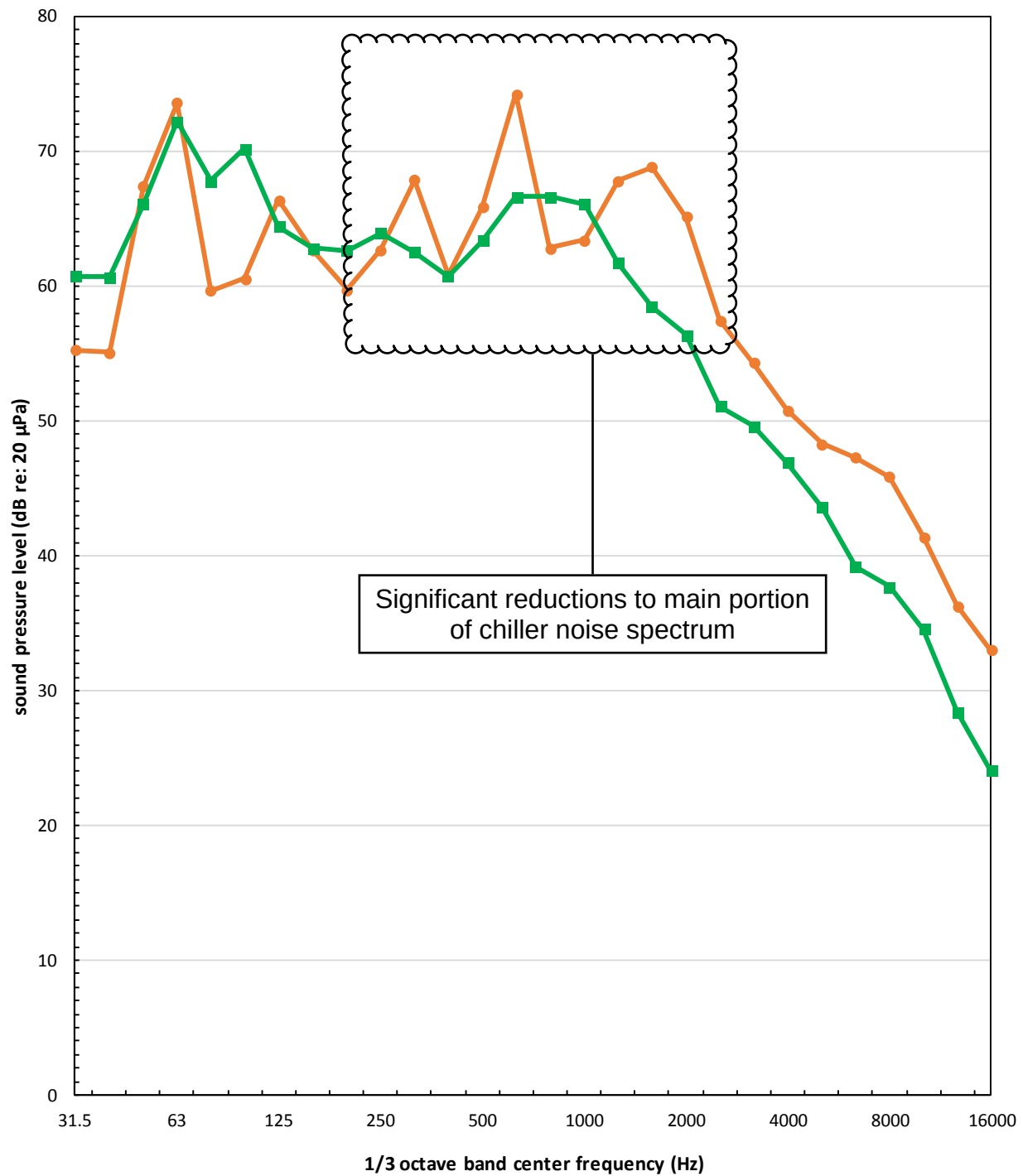


Sound measurement locations (SM1- SM5)

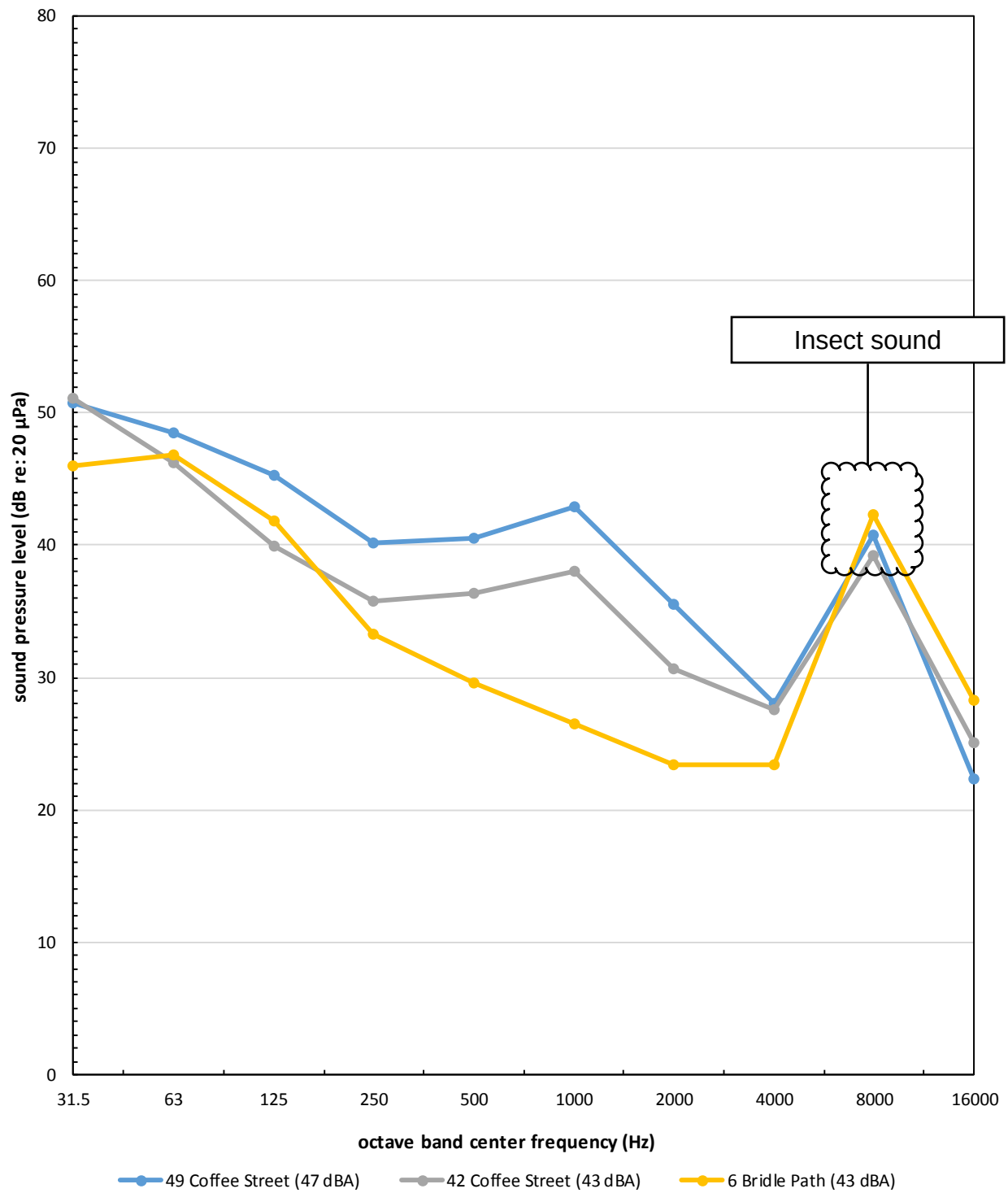


Late-night sound levels measured in community surrounding CommCan

from May 15, 2018 report



Measured sound levels at 30 ft from chiller, on rooftop along long side,
before and after noise controls



Daytime sound levels measured in community surrounding CommCan

from September 10, 2018 report



July 9, 2021

Brian Anderson
Anderson Porter Design
875 Main Street
Cambridge, MA

Phone 617-354-2501
Email brian@andersonporter.com

Subject Noise Mitigation Plan, Updated Modeling
Phytotherapy Cannabis Cultivation Facility, Phase 1 – Medway, MA
Acentech Project No. 634341

Dear Brian,

Phytotherapy has retained Acentech to conduct a study of community noise produced by mechanical equipment serving the proposed cannabis cultivation and processing facility located at 6 Industrial Park Road in Medway, Massachusetts (the facility).

SUMMARY

Acentech has worked with Phytotherapy to develop a Noise Mitigation Plan, which is required as part of the Town of Medway's Special Permit Process. This Noise Mitigation Plan has been prepared by an Acentech consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification.

We have reviewed submitted project drawings and sound data for noise-producing equipment to develop a community noise model. From the results of this modeling, we have developed noise-controls which have been integrated by the cooling tower vendor and will be included as part of OEM equipment.

With the implementation of OEM controls, facility sound is expected to produce increases to the background sound level of 6 dBA or less, and to rigidly achieve the Medway ordinance limits at all residentially-zoned property lines and structures. Facility sound will achieve the A-weighted limits of the Medway ordinance at all industrial property lines under all operating conditions, but may at times exceed the octave-band limits at locations within 150 feet of the cooling tower due to broadband noise associated with falling water.

PROJECT NOISE REQUIREMENTS

MASSDEP NOISE POLICY

The Massachusetts Department of Environmental Protection (MassDEP) has a noise policy which applies to facility sound¹. Our current engagement does not include measurement of ambient sound levels in connection with this noise policy. However, we have previously measured and publicly reported late-night ambient background sound levels (L_{A90}) as low as 27 dBA in the Medway community in connection with another project. Therefore, the lowest-likely limit that would be imposed by the MassDEP noise policy is 37 dBA during late-night hours. Policy limits would be about 10 dBA greater during daytime hours, due to increased ambient levels.

¹ <https://www.mass.gov/files/documents/2018/01/31/noise-interpretation.pdf>

The MassDEP noise policy also contains language prohibiting tonal noise. We have evaluated compliance with the tonal requirements of the MassDEP noise policy assuming a nighttime ambient background level (L_{A90}) of 27 dBA, with corresponding background spectra decreasing at a linear rate of 4 dB/octave. The background sound levels have been added to the estimated facility sound levels to evaluate the potential for the facility to produce a pure-tone condition. This is the most stringent method to estimate if a “MassDEP tone” will exist, in that it is based on the lowest-likely background sound level.

TOWN OF MEDWAY NOISE ORDINANCE

The Medway noise ordinance as currently written has non-standard band-frequency limits which preclude sound level measurements or analysis with modern instruments. In connection with a special permit decision for another project in Medway, the Town and their noise peer review consultant (NCE, Billerica, MA) have estimated corresponding limits in the current octave-bands. We have referred to these estimates to facilitate our work, though we do not know them to be applicable, in that they have not yet been formally adopted.

The daytime and nighttime noise limits from the ordinance in modern octave-bands are shown below in TABLE I. The daytime noise limits are 5 dB greater than the nighttime limits. We understand that these limits apply at the source property line, and are applicable between Industrial uses. The current ordinance does not have an A-weighted regulation, though we understand such a change to the bylaw is being considered. The A-weighted sum of the octave-band levels given in TABLE I is 47 dBA at night and 52 dBA during the day.

TABLE I. Medway Noise Ordinance

Octave-band center frequency (Hz)	63	125	250	500	1000	2000	4000	8000
Nighttime (47 dBA)	67	55	48	42	38	35	32	28
Daytime (52 dBA)	72	60	53	47	43	40	37	33

NOISE MODELING

METHODS

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software that considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 “Attenuation of sound during propagation outdoors -- Part 2: General method of calculation”.

NOISE SOURCES

Overview

The facility proposes noise-producing mechanical equipment located on-grade near the existing building, including:

- One two-cell evaporative cooling tower, located near NE corner of existing building
- Eight energy recovery units (ERUs), located along and near the south façade of the existing building

The project mechanical equipment is identified schematically in FIGURE I, and shown in greater detail in the project mechanical drawings. The sound power levels of the equipment are given in TABLE II, and based on information supplied by the equipment vendors.

Cooling Tower Factory Noise Controls

During the facility design process, several models of cooling towers were evaluated for noise emissions. With the initial tower selections described in our previous reports, tall sound barrier walls were required to achieve the facility design goals.

Rather than construct sound barriers, we recommended that the vendor provide the quietest equipment possible. In response, they developed a design including “super low sound fans”, an integral water silencer, and a full discharge attenuation section. These OEM noise controls render the equipment very quiet, consistent with the Best Available Control Technology (BACT) currently available.

Operating Schedule

In our computer modeling, we have assumed that the ERUs will run at maximum capacity during all hours. We have also assumed that the cooling tower variable frequency drive (VFD) controller will be programmed to limit the operation of the cooling tower to 80% during nighttime hours, resulting in a 5 dB decrease to cooling tower sound emissions. This assumption has been confirmed as feasible by the project mechanical engineer and will be included in control system programming.

Under most operating conditions, the mechanical equipment speeds will be lower than the speeds this report is based on, leading to reduced facility sound emissions and community sound levels.

RECEIVER LOCATIONS

We have used the CadnaA model to estimate noise levels at eight residential structures (R01 – R08), twelve facility property line points (PLI01 – PLI12), and six residential property line points (PLR01 – PLR06), as shown in FIGURE 2 and referenced in TABLE III. Sound levels at residences have been estimated at the upper story of the structure; levels at property lines have been estimated at 5 ft above the ground.

In addition to the discrete receiver locations, we have used the model to create maps of facility sound levels. These maps are based on an approximately 10 ft x 10 ft receiver grid, placed at 5 ft above the ground.

RESULTS

Broadband

FIGURE 3 shows A-weighted community sound levels produced by continuously operating mechanical equipment, with the OEM cooling tower control measures described above, during daytime hours. FIGURE 4 presents the same information during nighttime hours, when the cooling tower speed will be limited to 80%. The figures present color-coded contours of facility noise levels, as well as the day and night sound level at discrete locations.

We have the following observations of the data shown in FIGURES 3 and 4:

- Sound levels at all facility property lines achieve the equivalent A-weighted limits of the Medway ordinance, by being less than 52 dBA during the day and 47 dBA during the night.
- Facility sound outside the confines of the industrial park will be less than 37 dBA, thereby achieving the broadband provisions of the MassDEP noise policy. In addition, the facility has employed BACT as recommended by MassDEP to limit community noise emissions below those required by the state policy.

Octave Band

TABLES III – VII present a full octave-band assessment of the facility's compliance with the MassDEP noise policy and the Medway noise ordinance.

We have the following observations of the data shown in TABLES III – VII:

- Facility sound is expected to produce noise levels of no more than 33 dBA at all nearby residence property lines, resulting in increases to the background sound level in the community of 6 dBA or less, thereby achieving the broadband provisions of the MassDEP noise policy. Please refer to TABLE VI on page 14 for further information.
- Facility sound, when added spectrally to the minimum background sound level, will not produce a tonal sound condition as defined by MassDEP. Please note, it is not appropriate to evaluate the raw Cadna spectra for a tonal sound condition, as such "facility only" condition would never occur. Please refer to TABLE VI on page 14 for further information.
- Facility sound will achieve the A-weighted limits of the Medway ordinance at all industrial property lines under all operating conditions. Facility sound may at times exceed the octave-band limits of the Medway ordinance at industrial property line locations within 150 feet of the cooling tower. This is due to broadband noise in octave-bands centered at 1 – 8 kHz, and associated with water falling through the tower. This water sound is emitted from the lower inlets of the tower and is rapidly attenuated by the atmosphere and environment. Please refer to TABLE VII on page 15 for further information.

* * * * *

I trust this report provides the information you need at this time. Please contact us if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy C.", with a stylized flourish at the end.

Andy Carballeira, INCE Bd Cert
Principal Consultant
617-499-8025

CC: Jay Bliefnick (Acentech)
Encl: none

FIGURES AND TABLES



FIGURE 1. Facility layout in computer model (see project mechanical drawings for further information)



FIGURE 2. Computer model receptor points at residences (R01 – R08), at facility property lines (PLI01 – PLI12), and at residential property lines (PLR01 – PLR06)

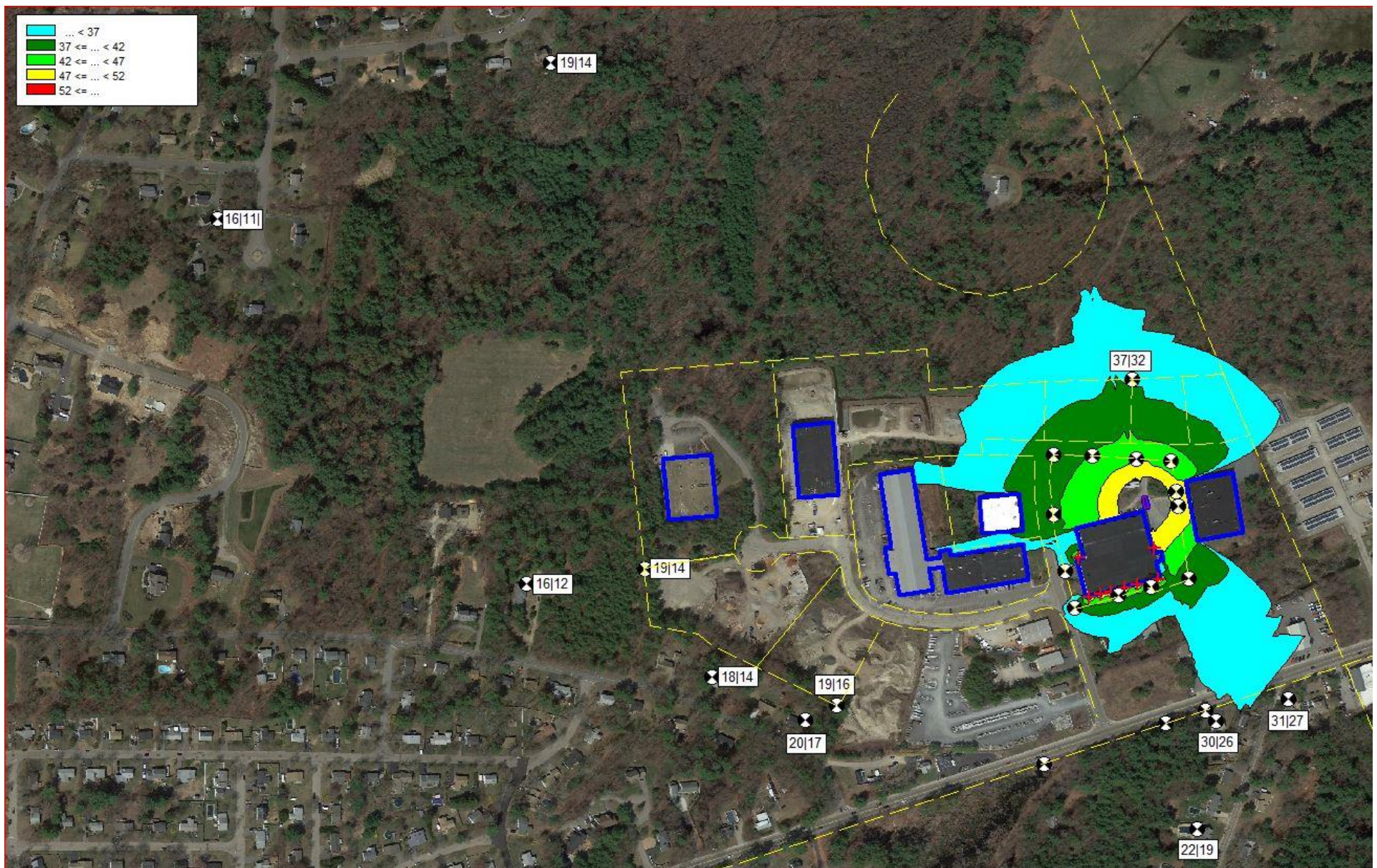


FIGURE 3. Estimated Phase 1 mechanical equipment community sound levels, day sound level contours shown in color



FIGURE 4. Estimated Phase 1 mechanical equipment community sound levels, night sound level contours shown in color

TABLE II. Equipment sound power levels used in computer modeling

<i>Description</i>	<i>Sound power level (dB re: 1pW)</i>								
<i>Octave-band center frequency (Hz)</i>	63	125	250	500	1000	2000	4000	8000	<i>LA</i>
Evapco 2-cell cooling tower ^A	98	93	87	85	86	83	82	83	91
Innovent ERU	64	72	68	64	62	58	26	25	67

NOTES

^A Evapco eco-ATWB 24-4M4, to be provided with Super Low Sound Fan, Water Silencer, and Discharge Attenuation. The listed spectrum is the sound power level at 100%, as provided by the equipment vendor. The sound power level spectrum during nighttime hours has been calculated by applying a reduction associated with maximum VFD speed in each octave band, based on affinity equations published by AMCA. In these equations, attenuation as a function of fan speed follows the rule $50 \cdot \log_{10}(\text{new speed}/\text{previous speed})$. For 80% speed, this equals $50 \cdot \log_{10}(80/100) = 5$ dB.

TABLE III. Octave-band evaluation, Cadna results

Receptor	ID	Sound pressure level, day (dB)									Sound pressure level, night (dB)								
		LA	63	125	250	500	1000	2000	4000	8000	LA	63	125	250	500	1000	2000	4000	8000
Industrial PL 1	R_PLIND01	39	45	38	30	31	34	34	30	24	34	40	34	25	26	29	29	25	19
Industrial PL 2	R_PLIND02	41	46	40	31	34	36	36	32	26	37	41	36	28	29	32	31	27	21
Industrial PL 3	R_PLIND03	32	37	37	31	28	27	23	7	-1	31	34	37	31	28	27	23	2	-5
Industrial PL 4	R_PLIND04	36	37	42	35	33	32	28	3	-4	36	36	41	35	32	32	28	0	-6
Industrial PL 5	R_PLIND05	44	43	49	44	40	39	35	8	3	44	43	49	44	40	39	35	5	2
Industrial PL 6	R_PLIND06	41	41	46	41	37	36	32	8	4	41	40	46	41	37	36	32	4	1
Industrial PL 7	R_PLIND07	40	45	40	33	34	34	34	30	25	36	40	38	31	30	31	30	25	20
Industrial PL 8	R_PLIND08	50	54	48	41	43	44	44	41	41	45	49	43	37	38	39	39	36	36
Industrial PL 9	R_PLIND09	49	54	48	41	43	43	43	41	41	44	49	43	36	38	38	38	36	36
Industrial PL 10	R_PLIND10	44	48	43	37	38	39	38	36	34	39	43	38	32	33	34	33	31	29
Industrial PL 11	R_PLIND11	47	53	46	38	39	41	41	38	37	42	48	42	33	34	36	36	33	32
Industrial PL 12	R_PLIND12	42	48	42	33	35	37	37	34	30	37	43	37	28	30	32	32	29	25
Residence NW	R_RES01	16	27	17	11	13	12	7	-17	-80	11	22	12	6	8	8	2	-22	-80
Residence W	R_RES02	16	26	20	13	13	12	9	-8	-58	12	21	16	9	9	7	4	-13	-63
Residence W	R_RES03	18	26	23	16	15	14	10	-5	-43	14	21	19	13	12	10	5	-10	-48
Residence W	R_RES04	20	29	25	19	16	15	11	-3	-38	17	25	22	17	14	13	8	-8	-43
Residence S	R_RES05	22	31	27	21	19	17	12	0	-26	19	27	24	18	17	15	10	-5	-31
Residence S	R_RES06	30	37	32	25	25	25	24	17	0	26	33	29	23	22	22	20	12	-5
Residence S	R_RES07	31	39	32	23	25	27	26	18	0	27	34	29	20	21	22	21	13	-5
Residence N	R_RES08	19	29	20	14	15	15	12	-7	-67	14	24	15	9	10	10	7	-12	-72
Residential PL N	R_PLRES01	37	45	38	28	29	31	31	27	19	32	40	33	23	24	27	26	22	14
Residential PL S	R_PLRES04	28	36	32	24	23	23	21	13	-3	25	31	30	21	20	21	18	8	-8
Residential PL S	R_PLRES03	24	34	31	23	20	20	16	4	-13	23	30	30	21	19	19	15	-1	-18
Residential PL S	R_PLRES02	21	30	27	20	16	15	16	7	-17	19	25	24	18	14	13	13	2	-22
Residential PL W	R_PLRES05	19	28	24	18	15	15	11	-2	-34	16	23	21	15	13	12	7	-7	-39
Residential PL W	R_PLRES06	19	28	22	15	15	14	11	-2	-43	14	23	18	11	10	10	6	-7	-48

TABLE IV. Octave-band evaluation, regulatory information

<i>Description</i>	<i>Sound pressure level, day (dB)</i>									<i>Sound pressure level, night (dB)</i>								
	<i>LA</i>	63	125	250	500	1000	2000	4000	8000	<i>LA</i>	63	125	250	500	1000	2000	4000	8000
Background sound level, L90	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9
Medway Special Permit Decision	52	72	60	53	47	43	40	37	33	47	67	55	48	42	38	35	32	28

TABLE V. Octave-band evaluation, facility ++ background

Receptor	ID	Sound pressure level, day (dB)									Sound pressure level, night (dB)								
		LA	63	125	250	500	1000	2000	4000	8000	LA	63	125	250	500	1000	2000	4000	8000
Industrial PL 1	R_PLIND01	41	49	44	39	36	36	35	31	25	35	42	36	30	28	30	29	25	19
Industrial PL 2	R_PLIND02	42	49	45	39	37	37	36	32	27	37	42	38	31	30	32	31	27	21
Industrial PL 3	R_PLIND03	38	47	44	39	35	32	28	23	19	32	39	38	33	30	28	24	13	9
Industrial PL 4	R_PLIND04	40	47	45	40	37	34	30	23	19	37	39	42	36	33	32	28	13	9
Industrial PL 5	R_PLIND05	45	48	50	45	41	40	36	23	19	44	44	49	44	40	39	35	13	9
Industrial PL 6	R_PLIND06	42	48	48	43	39	37	33	23	19	41	42	46	41	37	36	32	13	9
Industrial PL 7	R_PLIND07	42	49	45	40	37	36	35	31	26	37	42	39	33	31	31	30	25	20
Industrial PL 8	R_PLIND08	50	55	49	43	44	44	44	41	41	45	49	43	38	38	39	39	36	36
Industrial PL 9	R_PLIND09	49	55	49	43	44	43	43	41	41	44	49	43	37	38	38	38	36	36
Industrial PL 10	R_PLIND10	45	50	46	41	40	40	38	36	34	39	44	39	34	34	34	33	31	29
Industrial PL 11	R_PLIND11	47	54	48	41	40	41	41	38	37	42	48	42	34	34	36	36	33	32
Industrial PL 12	R_PLIND12	43	50	45	40	38	38	37	34	30	37	44	38	31	31	32	32	29	25
Residence NW	R_RES01	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9
Residence W	R_RES02	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9
Residence W	R_RES03	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9
Residence W	R_RES04	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9
Residence S	R_RES05	37	47	43	39	35	31	27	23	19	28	37	33	29	25	22	17	13	9
Residence S	R_RES06	38	47	43	39	35	32	29	24	19	30	38	34	30	27	24	22	15	9
Residence S	R_RES07	38	47	43	39	35	32	29	24	19	30	39	34	29	26	24	22	16	9
Residence N	R_RES08	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9
Residential PL N	R_PLRES01	40	49	44	39	36	34	32	28	22	33	42	36	30	27	28	26	22	15
Residential PL S	R_PLRES04	38	47	43	39	35	31	28	23	19	29	38	35	29	26	24	20	14	9
Residential PL S	R_PLRES03	37	47	43	39	35	31	27	23	19	28	37	35	29	26	23	19	13	9
Residential PL S	R_PLRES02	37	47	43	39	35	31	27	23	19	28	37	33	29	25	21	18	13	9
Residential PL W	R_PLRES05	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9
Residential PL W	R_PLRES06	37	47	43	39	35	31	27	23	19	27	37	33	29	25	21	17	13	9

TABLE VI. Octave-band evaluation, MassDEP criteria compliance

Receptor	ID	<i>ΔLA (dBA) and tone evaluation (0/1), day</i>								<i>ΔLA (dBA) and tone evaluation (0/1), night</i>							
		<i>ΔLA</i>	125	250	500	1000	2000	4000	Tone?	<i>ΔLA</i>	125	250	500	1000	2000	4000	Tone?
Residence NW	R_RES01	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence W	R_RES02	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence W	R_RES03	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence W	R_RES04	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence S	R_RES05	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Residence S	R_RES06	1	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0
Residence S	R_RES07	1	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0
Residence N	R_RES08	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL N	R_PLRES01	3	0	0	0	0	0	0	0	6	0	0	0	0	0	0	0
Residential PL S	R_PLRES04	1	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0
Residential PL S	R_PLRES03	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Residential PL S	R_PLRES02	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Residential PL W	R_PLRES05	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL W	R_PLRES06	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TABLE VII. Octave-band evaluation, Medway criteria compliance

Receptor	ID	Exceedance of criteria, day (dB)									Exceedance of criteria, night (dB)								
		LA	63	125	250	500	1000	2000	4000	8000	LA	63	125	250	500	1000	2000	4000	8000
Industrial PL 1	R_PLIND01	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial PL 2	R_PLIND02	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial PL 3	R_PLIND03	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial PL 4	R_PLIND04	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial PL 5	R_PLIND05	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
Industrial PL 6	R_PLIND06	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial PL 7	R_PLIND07	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Industrial PL 8	R_PLIND08	0	0	0	0	0	1	4	4	8	0	0	0	0	0	1	4	4	8
Industrial PL 9	R_PLIND09	0	0	0	0	0	0	3	4	8	0	0	0	0	0	0	3	4	8
Industrial PL 10	R_PLIND10	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Industrial PL 11	R_PLIND11	0	0	0	0	0	0	1	1	4	0	0	0	0	0	0	1	1	4
Industrial PL 12	R_PLIND12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence NW	R_RES01	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence W	R_RES02	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence W	R_RES03	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence W	R_RES04	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence S	R_RES05	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence S	R_RES06	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence S	R_RES07	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residence N	R_RES08	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL N	R_PLRES01	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL S	R_PLRES04	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL S	R_PLRES03	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL S	R_PLRES02	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL W	R_PLRES05	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residential PL W	R_PLRES06	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

**Millstone – Request for Release of
Performance Security**

- Email dated 6-23-21 from developer Steve Venincasa requesting bond release
- As-built plan dated 12-7-21, last revised 4/12/21, 2021, prepared by GLM Engineering
- Tetra Tech sign off on as-built plan dated 4-14-21
- GLM project completion certification dated 6-29-21
- Tetra Tech inspection report/punch list dated 7-8-21
- Millstone Tri-Partite Agreement (Amendment #4) dated 3-12-19
- Email dated 7-8-21 from Community Housing Coordinator Doug Havens re: status of Affordable Housing Units documentation

NOTE - The remaining amount of performance security is \$116,674. It is held by Cornerstone Bank of Southbridge, MA pursuant to a tri-partite agreement last revised March 12, 2019.

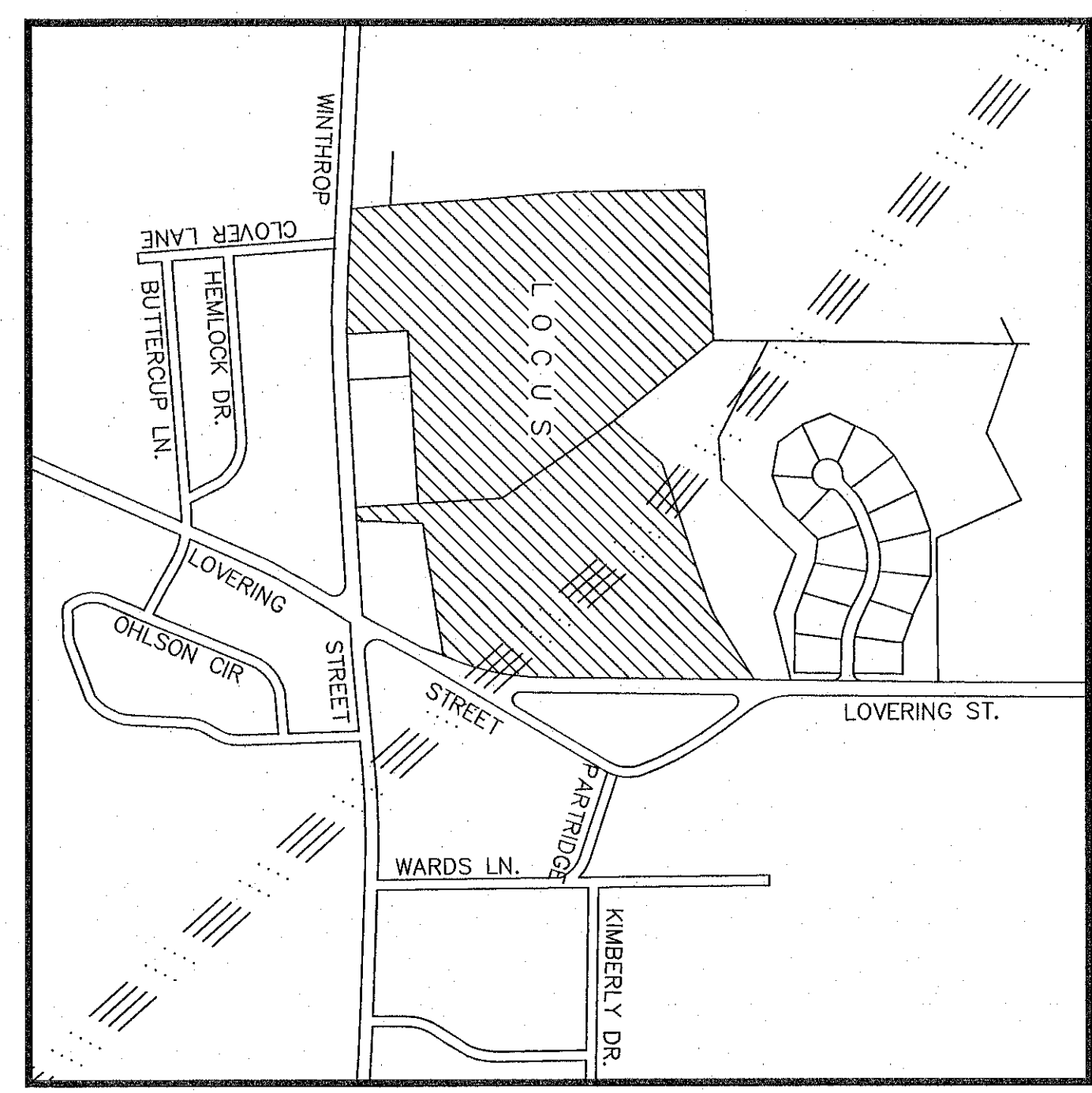
In light of the remaining items noted in the Tetra Tech punch list and some minor corrections needed on the deed riders of 2 of the affordable housing units, I do not recommend the Board release any performance security at this time.

Susan Affleck-Childs

From: Steven Venincasa <sv@casarealty-builders.com>
Sent: Wednesday, June 23, 2021 11:10 AM
To: Susan Affleck-Childs
Subject: Millstone Village

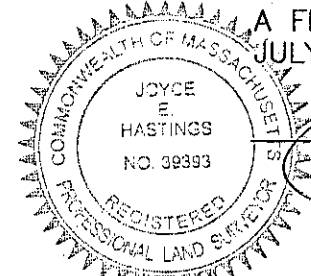
Please put me on the next planning board agenda for the purpose of releasing the bond on Millstone Village.

Sent from my iPad

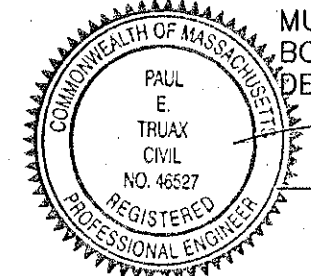


LOCUS MAP
SCALE: 1"=600'

I HEREBY CERTIFY THAT THIS PLAN SHOWS THE ACTUAL AS BUILT LOCATIONS, PROFILES AND ELEVATIONS OF THE ROADWAY, DRAINAGE FACILITIES, AND UTILITIES BASED UPON A FIELD SURVEY CONDUCTED BETWEEN JUNE 27, 2019 AND JULY 26, 2019.

 JOYCE E. HASTINGS, P.E. DATE 4/12/2021

I HEREBY CERTIFY THAT THE STREETS, DRAINAGE, AND MUNICIPAL SERVICES SHOWN CONFORM TO THE PLANNING BOARD REQUIREMENTS IN ACCORDANCE WITH THE APPROVED DEFINITIVE PLAN.

 PAUL E. TRUAX, P.E. DATE 4-12-2021

PLAN REFERENCE:
ADULT RETIREMENT COMMUNITY PLANNED UNIT DEVELOPMENT
"MILLSTONE VILLAGE"
MEDWAY, MASSACHUSETTS
DATED OCTOBER 15, 2013 AND REVISED THROUGH JULY 22, 2014
PREPARED BY GLM ENGINEERING CONSULTANTS, INC.
RECORDED AT THE NORFOLK COUNTY REGISTRY OF DEEDS
PLAN BOOK 632, PLAN No. 76-79

- NOTES:
1. THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY BY GLM ENGINEERING CONSULTANTS, INC. UNDERGROUND UTILITIES AND STRUCTURES DEPICTED ON THIS PLAN ARE SHOWN FROM DIG SAFE ARKINGS AND INFORMATION PROVIDED BY THE CONTRACTOR. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT THEY DEPICTED IN THE CORRECT LOCATION AND SHOULD BE CONSIDERED APPROXIMATE ONLY.
 2. ELEVATIONS ON THIS PLAN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929. (NVDG1929)



NOTE: 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 WORKING HOURS IN ADVANCE OF CONSTRUCTION. DIGSAFE 1-888-344-7233

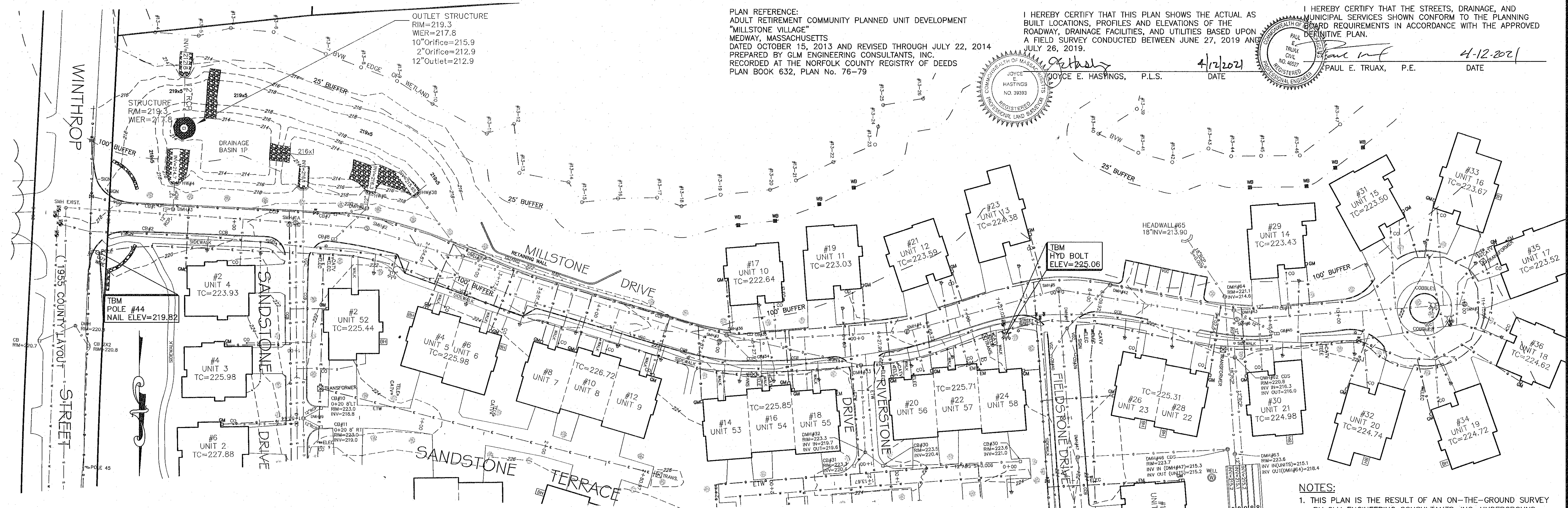
REVISIONS		DESCRIPTION
No.	DATE	PLANNING REVIEW COMMENTS
1	03/24/21	PLANNING REVIEW COMMENTS
2	04/12/21	PLANNING REVIEW COMMENTS

**AS-BUILT PLAN
"MILLSTONE VILLAGE"
MILLSTONE VILLAGE
MEDWAY, MASSACHUSETTS**

APPLICANT:
ELITE HOME BUILDERS LLC
P.O. BOX 1205
WESTBORO, MASSACHUSETTS 01581

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100 F: 508-429-7160
www.GLMengineering.com

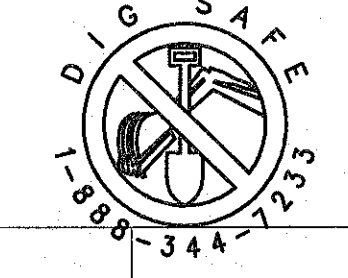
JOB No. 12878-ASB
SCALE: 1" = 60'
DATE: DECEMBER 7, 2021
PLAN SHEET NO. 1 OF 5
GLM PLAN NO. 27,406



PLAN REFERENCE:
ADULT RETIREMENT COMMUNITY PLANNED UNIT DEVELOPMENT
"MILLSTONE VILLAGE"
MEDWAY, MASSACHUSETTS
DATED OCTOBER 15, 2013 AND REVISED THROUGH JULY 22, 2014
PREPARED BY GLM ENGINEERING CONSULTANTS, INC.
RECORDED AT THE NORFOLK COUNTY REGISTRY OF DEEDS
PLAN BOOK 632, PLAN No. 76-79

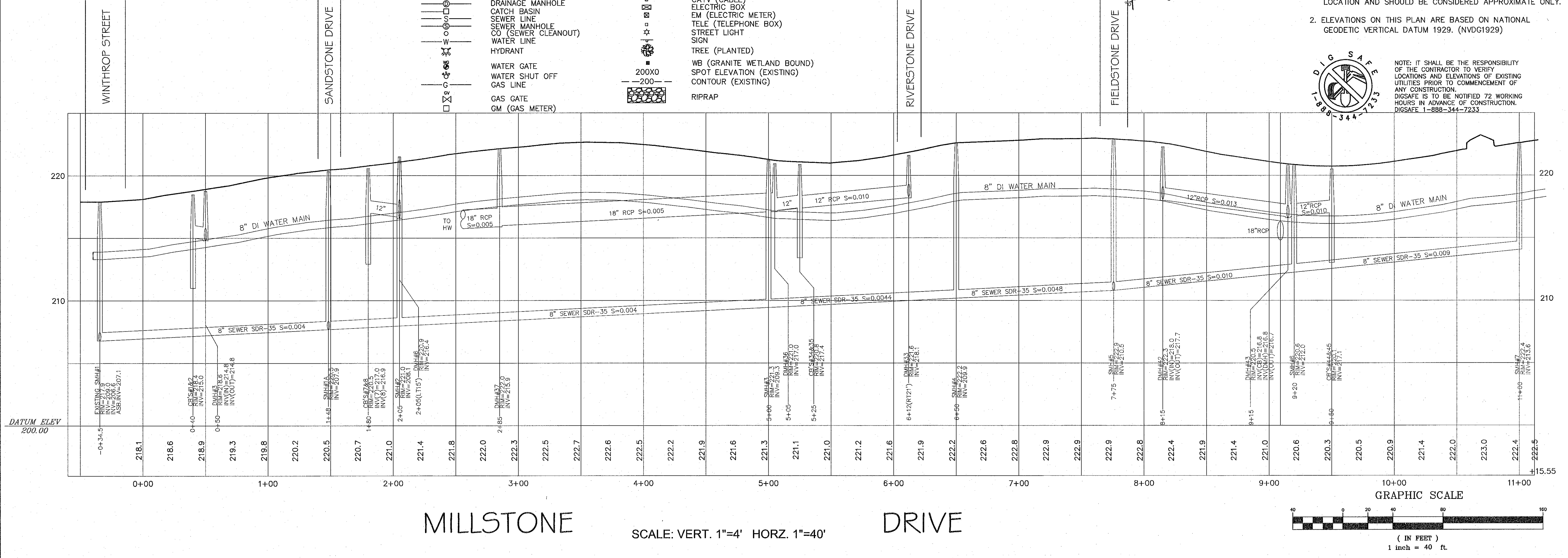
I HEREBY CERTIFY THAT THIS PLAN SHOWS THE ACTUAL AS
BUILT LOCATIONS, PROFILES AND ELEVATIONS OF THE
ROADWAY, DRAINAGE FACILITIES, AND UTILITIES BASED UPON
A FIELD SURVEY CONDUCTED BETWEEN JUNE 27, 2019 AND
JULY 26, 2019.

I HEREBY CERTIFY THAT THE STREETS, DRAINAGE, AND
MUNICIPAL SERVICES SHOWN CONFORM TO THE PLANNING
BOARD REQUIREMENTS IN ACCORDANCE WITH THE APPROVED
DEFINITIVE PLAN.



NOTES:
1. THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY
BY GLM ENGINEERING CONSULTANTS, INC. UNDERGROUND
UTILITIES AND STRUCTURES DEPICTED ON THIS PLAN ARE
SHOWN FROM DIG SAFE ARKINGS AND INFORMATION
PROVIDED BY THE CONTRACTOR. GLM ENGINEERING
CONSULTANTS, INC. DOES NOT WARRANT THAT ALL UTILITIES
ARE SHOWN OR THAT THEY DEPICTED IN THE CORRECT
LOCATION AND SHOULD BE CONSIDERED APPROXIMATE ONLY.
2. ELEVATIONS ON THIS PLAN ARE BASED ON NATIONAL
GEODETIC VERTICAL DATUM 1929. (NVDG1929)

NOTE: IT SHALL BE THE RESPONSIBILITY
OF THE CONTRACTOR TO VERIFY
LOCATIONS AND ELEVATIONS OF EXISTING
UTILITIES PRIOR TO COMMENCEMENT
OF ANY CONSTRUCTION.
DGSafe IS TO BE NOTIFIED 72 WORKING
HOURS IN ADVANCE OF CONSTRUCTION.
DGSafe 1-888-344-7233



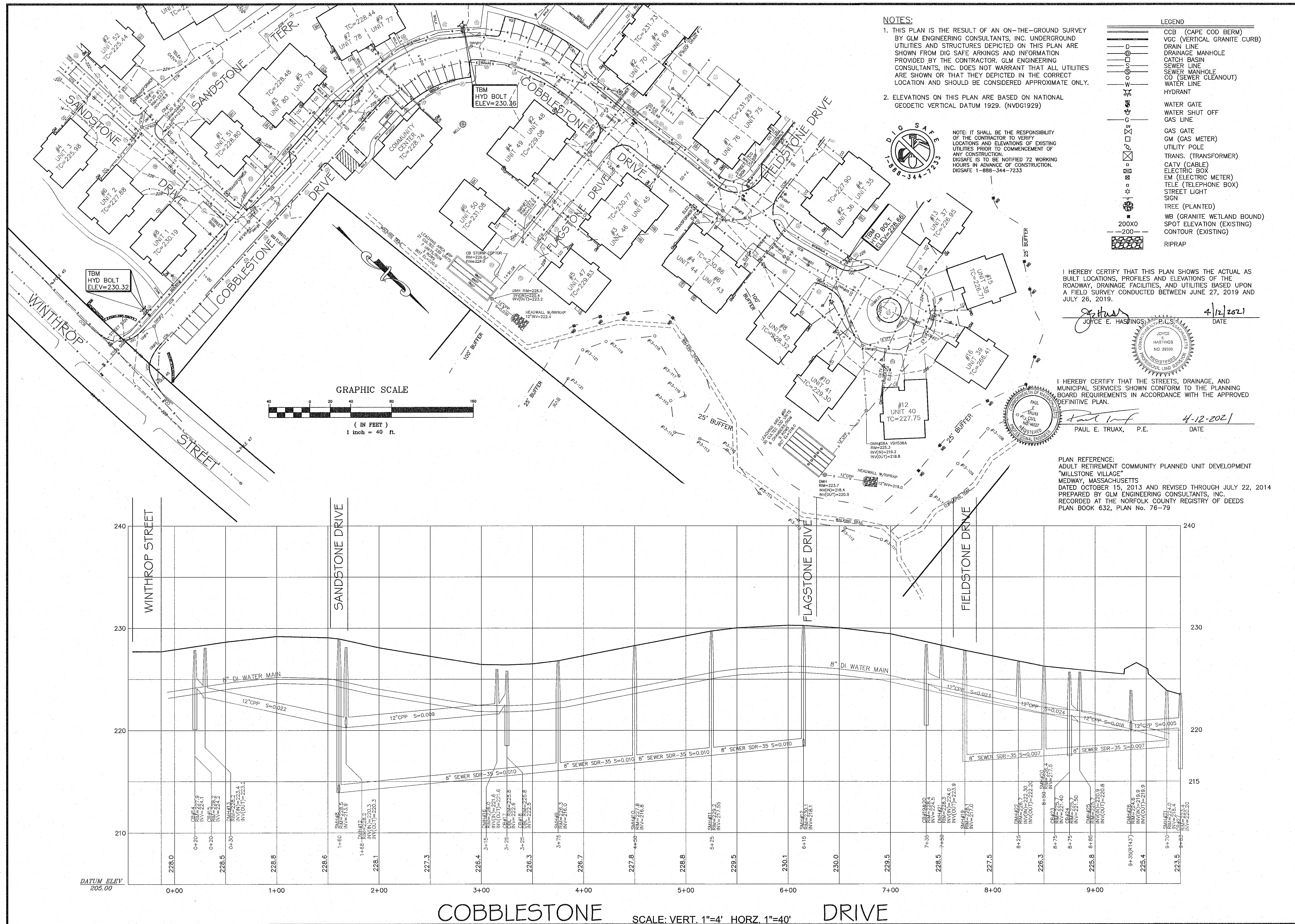
REVISIONS		DESCRIPTION
No.	DATE	PLANNING REVIEW COMMENTS
1	03/24/21	PLANNING REVIEW COMMENTS
2	04/12/21	PLANNING REVIEW COMMENTS

AS-BUILT PLAN
"MILLSTONE VILLAGE"
MILLSTONE VILLAGE
MEDWAY, MASSACHUSETTS

APPLICANT:
ELITE HOME BUILDERS LLC
P.O. BOX 1205
WESTBORO, MASSACHUSETTS 01581

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100 F: 508-429-7160
www.GLMengineering.com

JOB No. 12878-ASB
SCALE: 1" = 40'
DATE: DECEMBER 7, 2020
PLAN SHEET NO. 2 OF 5
GLM PLAN NO. 27,406



REVISIONS		DESCRIPTION
No.	DATE	PLANNING REVIEW COMMENTS
1	03/24/21	PLANNING REVIEW COMMENTS
2	04/12/21	PLANNING REVIEW COMMENTS

AS-BUILT PLAN "MILLSTONE VILLAGE" MILLSTONE VILLAGE MEDWAY, MASSACHUSETTS	
APPLICANT: ELITE HOME BUILDERS LLC P.O. BOX 1205 WESTBORO, MASSACHUSETTS 01581	

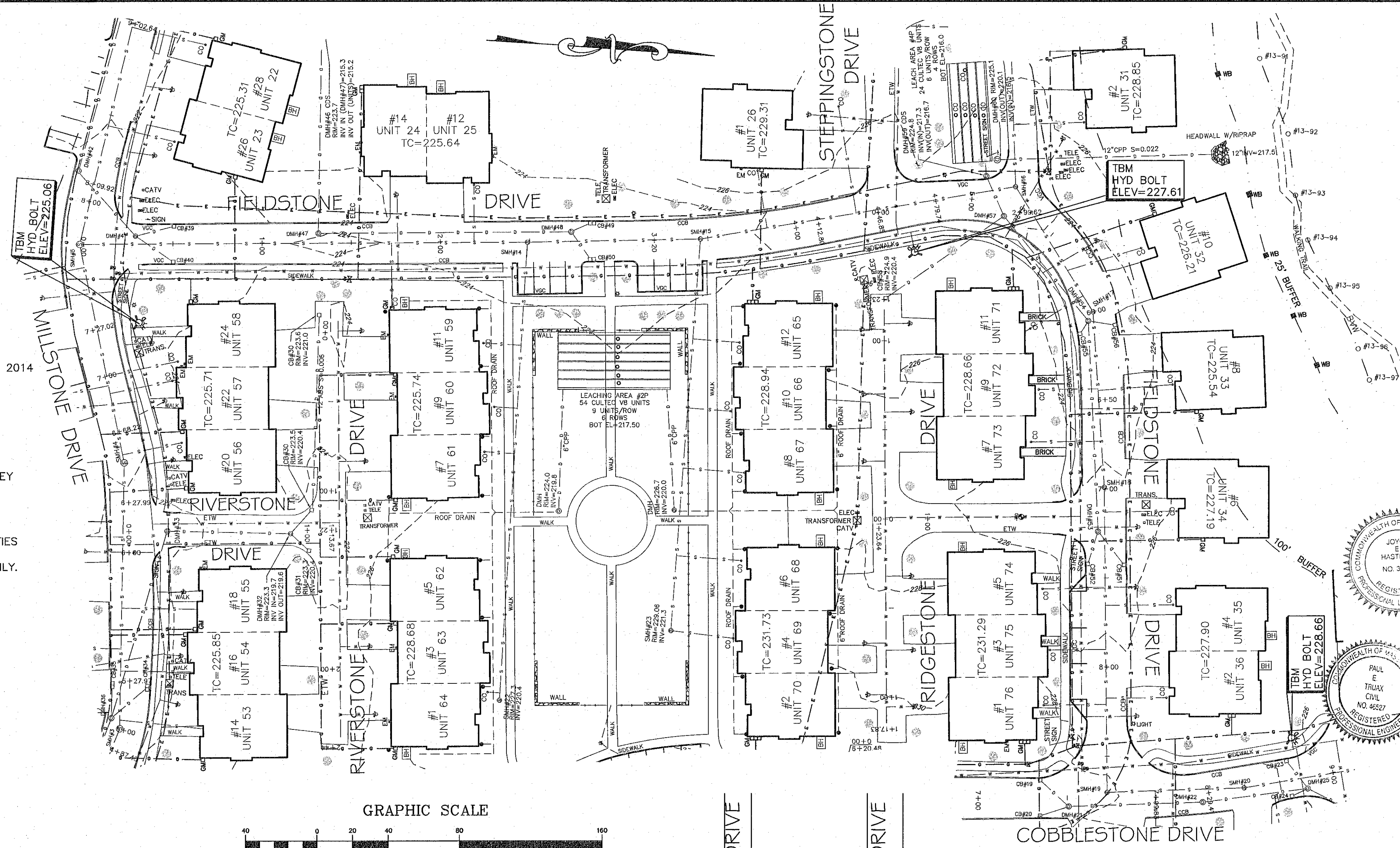
JOB No. 12878-ASB	
SCALE: 1" = 40'	
DATE: DECEMBER 7, 2021	
PLAN SHEET NO. 3 OF 5	
GLM PLAN NO. 27,406	

GLM Engineering, Inc. 19 EXCHANGE STREET HOLLISTON, MA 01746 P: 508-429-1100 F: 508-429-7160 www.GLMengineering.com	
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PLAN REFERENCE:
ADULT RETIREMENT COMMUNITY PLANNED UNIT DEVELOPMENT
"MILLSTONE VILLAGE"
MEDWAY, MASSACHUSETTS
DATED OCTOBER 15, 2013 AND REVISED THROUGH JULY 22, 2014
PREPARED BY GLM ENGINEERING CONSULTANTS, INC.
RECORDED AT THE NORFOLK COUNTY REGISTRY OF DEEDS
PLAN BOOK 632, PLAN No. 76-79

- NOTES:
1. THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY BY GLM ENGINEERING CONSULTANTS, INC. UNDERGROUND UTILITIES AND STRUCTURES DEPICTED ON THIS PLAN ARE SHOWN FROM DIG SAFE ARKINGS AND INFORMATION PROVIDED BY THE CONTRACTOR. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT THEY DEPICTED IN THE CORRECT LOCATION AND SHOULD BE CONSIDERED APPROXIMATE ONLY.
 2. ELEVATIONS ON THIS PLAN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929. (NVDG1929)

NOTE: 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 WORKING HOURS IN ADVANCE OF CONSTRUCTION. DIGSAFE 1-888-344-7233



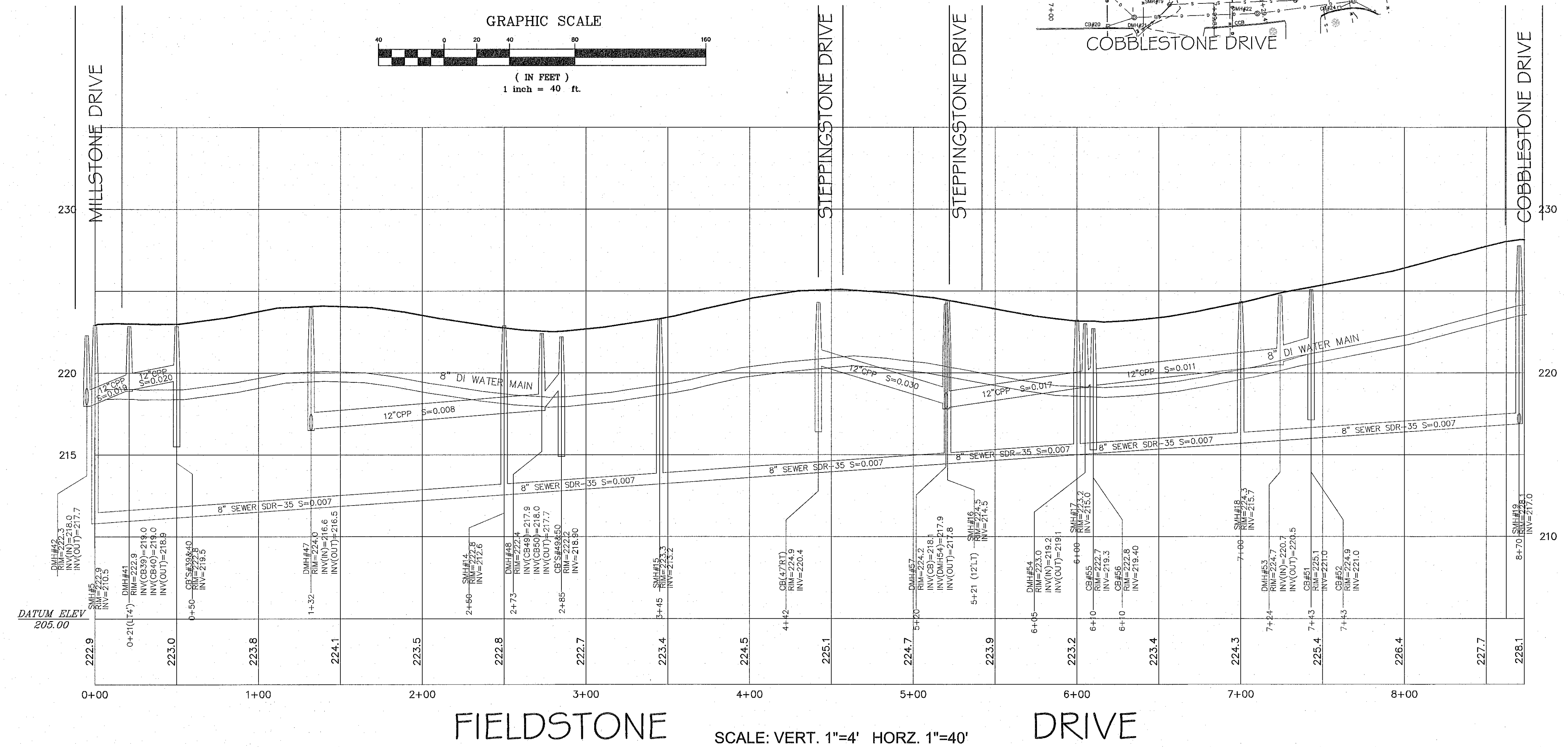
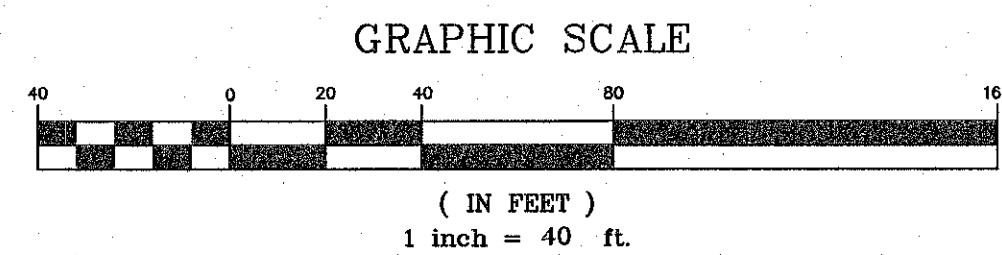
- LEGEND
- CCB (CAPE COD BERM)
 - VGC (VERTICAL GRANITE CURB)
 - DRAIN LINE
 - DRAINAGE MANHOLE
 - CATCH BASIN
 - SEWER LINE
 - SEWER MANHOLE
 - CO (SEWER CLEANOUT)
 - WATER LINE
 - HYDRANT
 - WATER GATE
 - WATER SHUT OFF
 - GAS LINE
 - GAS GATE
 - GM (GAS METER)
 - UTILITY POLE
 - TRANS. (TRANSFORMER)
 - CATV (CABLE)
 - ELECTRIC BOX
 - EM (ELECTRIC METER)
 - TELE (TELEPHONE BOX)
 - STREET LIGHT
 - SIGN
 - TREE (PLANTED)
 - WB (GRANITE WETLAND BOUND)
 - SPOT ELEVATION (EXISTING)
 - CONTOUR (EXISTING)
 - RIPRAP

I HEREBY CERTIFY THAT THIS PLAN SHOWS THE ACTUAL AS BUILT LOCATIONS, PROFILES AND ELEVATIONS OF THE ROADWAY, DRAINAGE FACILITIES, AND UTILITIES BASED UPON A FIELD SURVEY CONDUCTED BETWEEN JUNE 27, 2019 AND JULY 26, 2019.

JOYCE E. HASTINGS, P.L.S. 4/12/2021 DATE

HEREBY CERTIFY THAT THE STREETS, DRAINAGE, AND MUNICIPAL SERVICES SHOWN CONFORM TO THE PLANNING BOARD REQUIREMENTS IN ACCORDANCE WITH THE APPROVED DEFINITIVE PLAN.

PAUL E. TRUAX, P.E. 4-12-2021 DATE



AS-BUILT PLAN
"MILLSTONE VILLAGE"
MILLSTONE VILLAGE
MEDWAY, MASSACHUSETTS

APPLICANT:
ELITE HOME BUILDERS LLC
P.O. BOX 1205
WESTBORO, MASSACHUSETTS 01581

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100 F: 508-429-7160
www.GLMengineering.com

GLM PLAN NO.
27,406

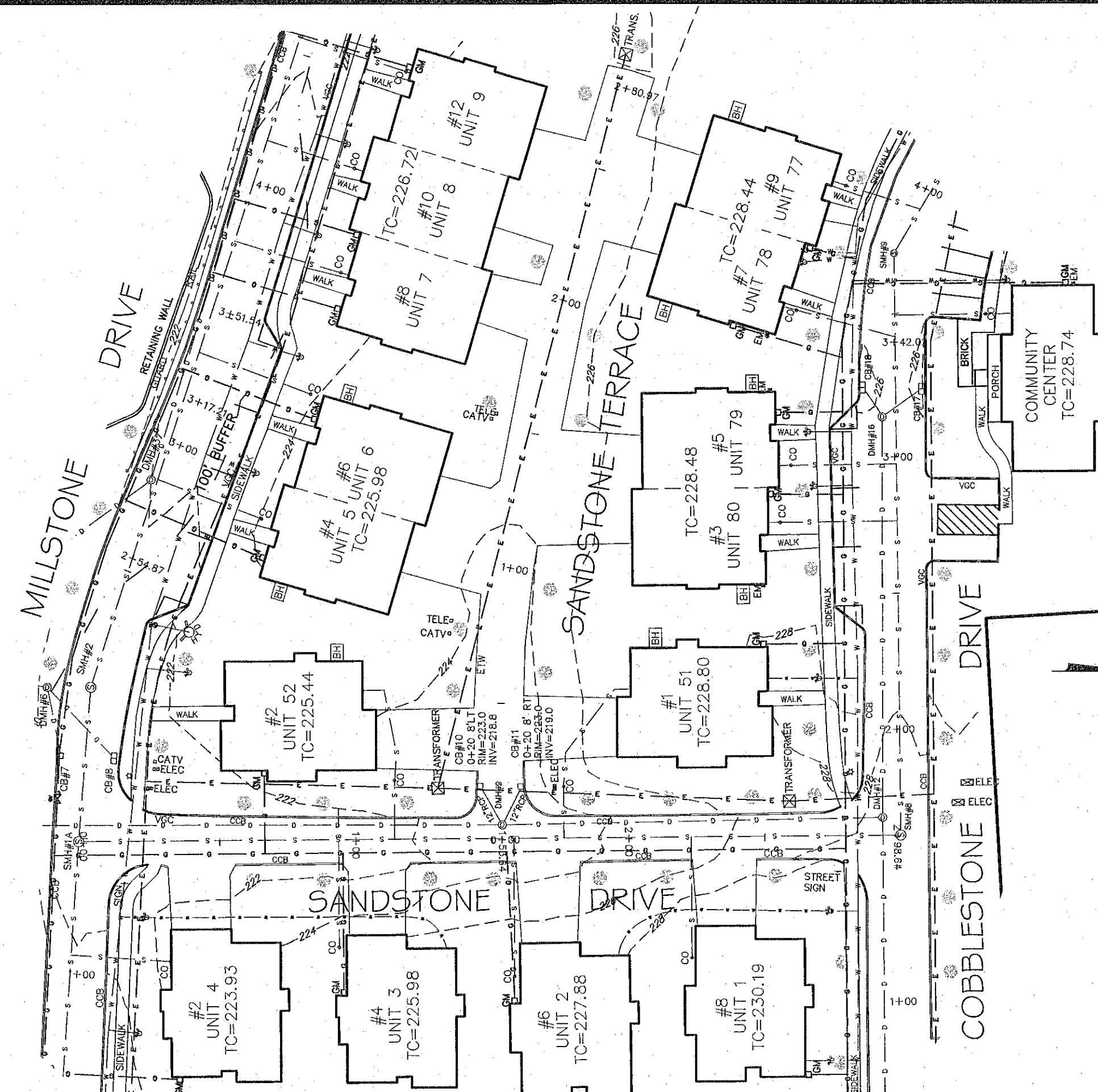
REVISIONS		DESCRIPTION
No.	DATE	PLANNING REVIEW COMMENTS
1	03/24/21	PLANNING REVIEW COMMENTS
2	04/12/21	PLANNING REVIEW COMMENTS

JOB No. 12878-ASB

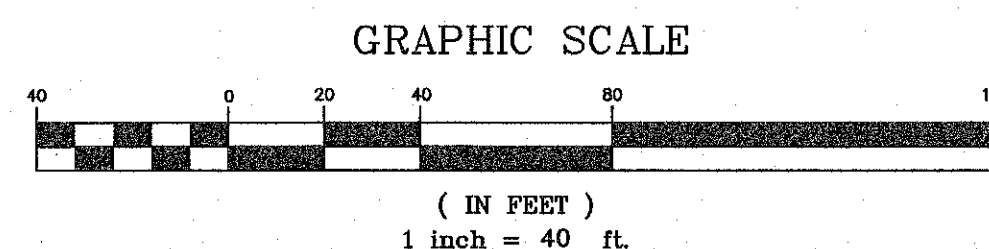
SCALE: 1" = 40'

DATE: DECEMBER 7, 2021

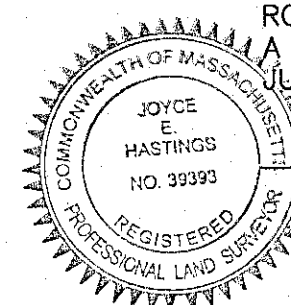
PLAN SHEET NO. 4 OF 5



- LEGEND
- CCB (CAPE COD BERM)
 - VGC (VERTICAL GRANITE CURB)
 - DRAIN LINE
 - DRAINAGE MANHOLE
 - CATCH BASIN
 - SEWER LINE
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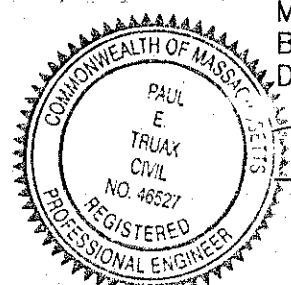


I HEREBY CERTIFY THAT THIS PLAN SHOWS THE ACTUAL AS BUILT LOCATIONS, PROFILES AND ELEVATIONS OF THE ROADWAY, DRAINAGE FACILITIES, AND UTILITIES BASED UPON A FIELD SURVEY CONDUCTED BETWEEN JUNE 27, 2019 AND JULY 26, 2019.



JOYCE E. HASTINGS, P.L.S. DATE 4/12/2021

I HEREBY CERTIFY THAT THE STREETS, DRAINAGE, AND MUNICIPAL SERVICES SHOWN CONFORM TO THE PLANNING BOARD REQUIREMENTS IN ACCORDANCE WITH THE APPROVED DEFINITIVE PLAN.



PAUL E. TRUAX, P.E. DATE 4-13-2021

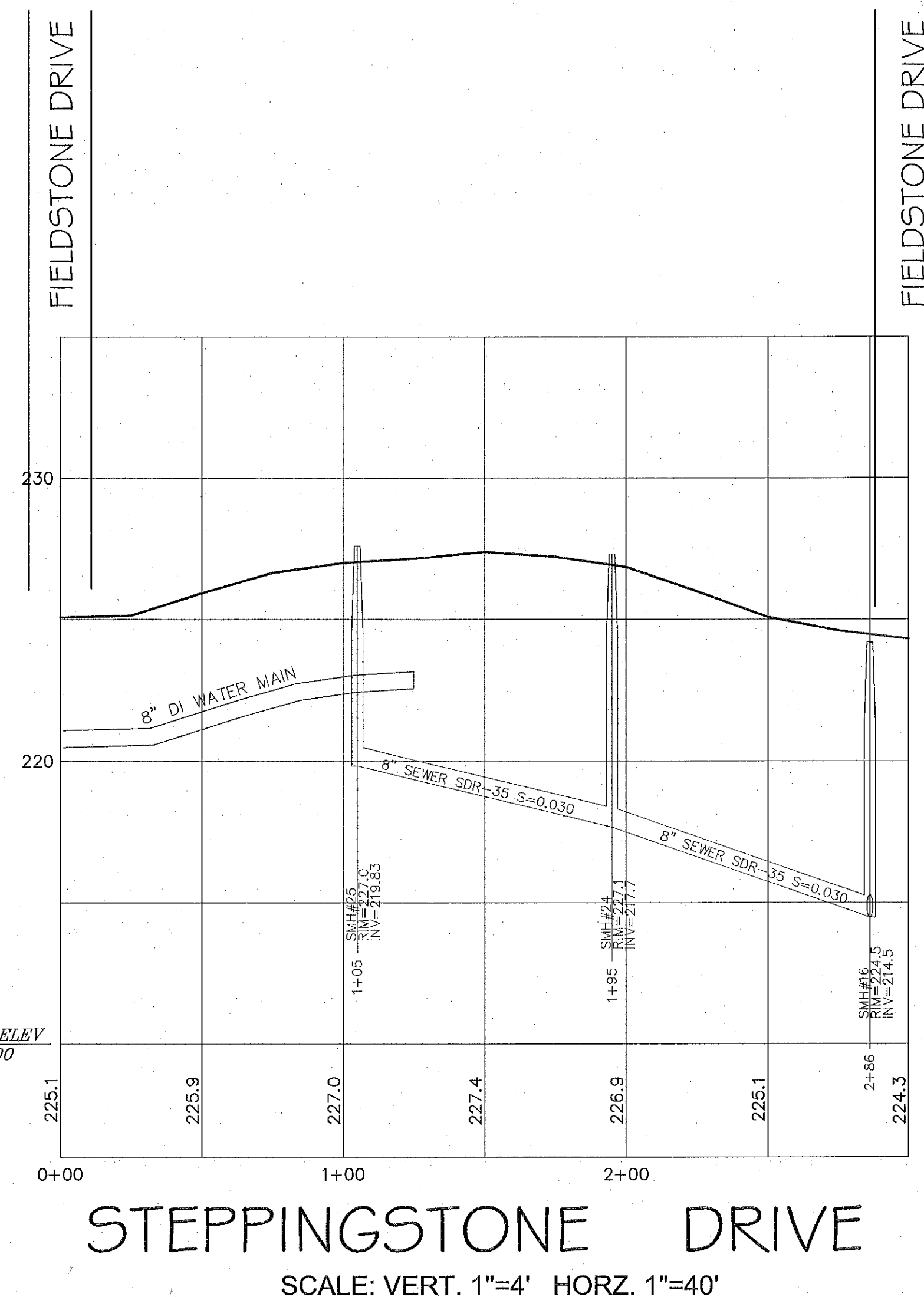
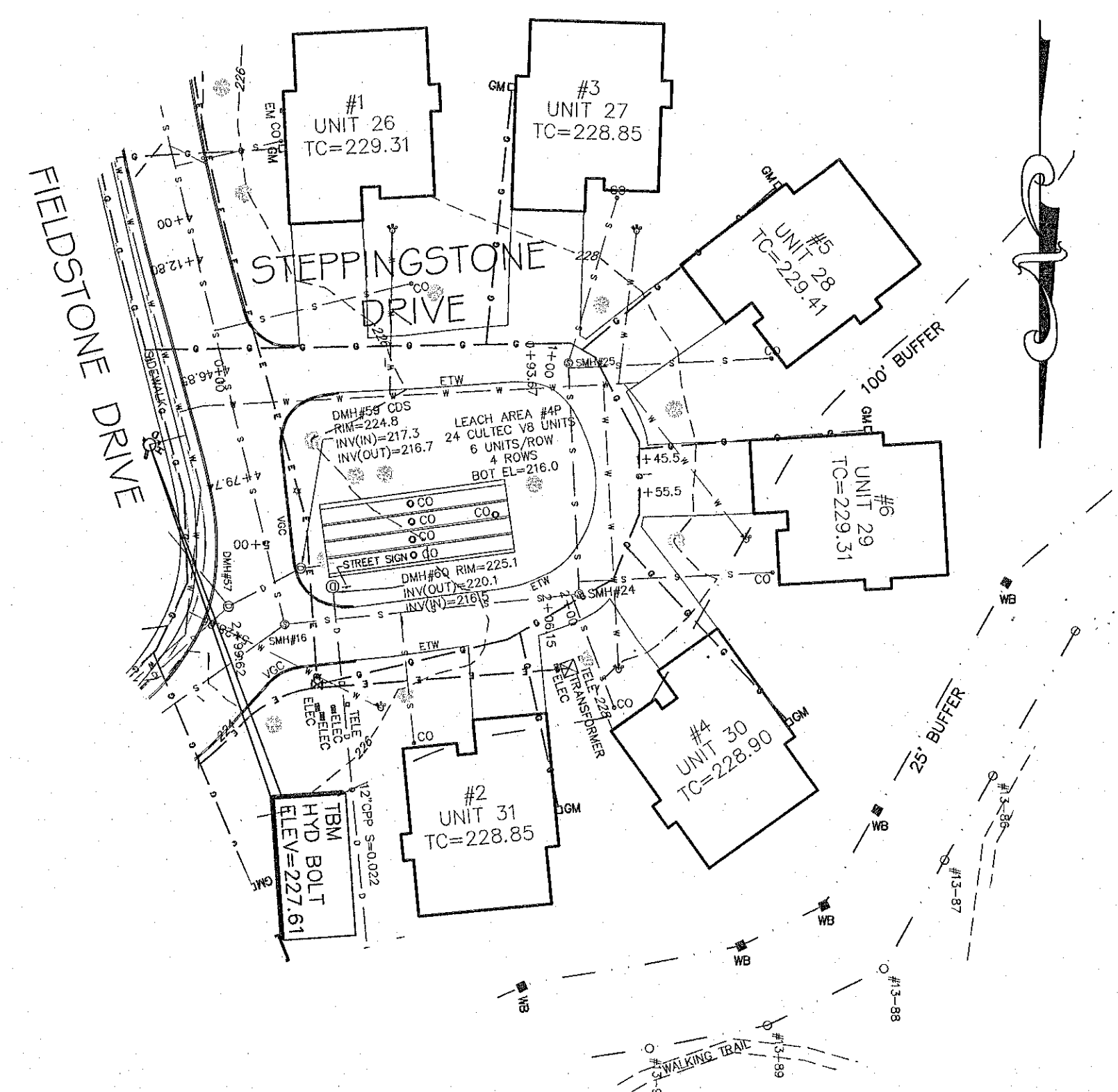
PLAN REFERENCE:
ADULT RETIREMENT COMMUNITY PLANNED UNIT DEVELOPMENT
"MILLSTONE VILLAGE"
MEDWAY, MASSACHUSETTS
DATED OCTOBER 15, 2013 AND REVISED THROUGH JULY 22, 2014
PREPARED BY GLM ENGINEERING CONSULTANTS, INC.
RECORDED AT THE NORFOLK COUNTY REGISTRY OF DEEDS
PLAN BOOK 632, PLAN No. 76-79

NOTES:

- THIS PLAN IS THE RESULT OF AN ON-THE-GROUND SURVEY BY GLM ENGINEERING CONSULTANTS, INC. UNDERGROUND UTILITIES AND STRUCTURES DEPICTED ON THIS PLAN ARE SHOWN FROM DIG SAFE ARKINGS AND INFORMATION PROVIDED BY THE CONTRACTOR. GLM ENGINEERING CONSULTANTS, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT THEY DEPICTED IN THE CORRECT LOCATION AND SHOULD BE CONSIDERED APPROXIMATE ONLY.
- ELEVATIONS ON THIS PLAN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929. (NVDG1929)



NOTE: 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 WORKING HOURS IN ADVANCE OF CONSTRUCTION. DIGSAFE 1-888-344-7233



REVISIONS		DATE	DESCRIPTION
1	03/24/21	PLANNING REVIEW COMMENTS	
2	04/12/21	PLANNING REVIEW COMMENTS	

AS-BUILT PLAN
"MILLSTONE VILLAGE"
MILLSTONE VILLAGE
MEDWAY, MASSACHUSETTS

APPLICANT:
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JOB No. 12878-ASB

SCALE: 1" = 40'

DATE: DECEMBER 7, 2021

PLAN SHEET NO.

5 OF 5

GLM PLAN NO.

27,406

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Wednesday, April 14, 2021 1:51 PM
To: Susan Affleck-Childs
Cc: White, Sara
Subject: Millstone As-Built Review
Attachments: Millstone-PEDBAs-BuiltRev(2021-04-14).pdf

Hi Susy,

We have reviewed the as-built plan titled "As-Built Plan, Millstone Village, Medway, Massachusetts" dated December 7, 2020, revised April 12, 2021, stamped and signed by Joyce E. Hastings, P.L.S. and Paul E. Truax, P.E. from GLM Engineering Consultants, Inc. on April 12, 2021. The Plans were reviewed against and meet the requirements of Section 6.7 of the PEDB Rules and Regulations Chapter 100 – Land Subdivision and all comments have been addressed by the Applicant, see attached review letter. Please let us know if you need anything else, thanks.

Steve

Steven M. Bouley, P.E. | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

Tetra Tech | *Leading with Science*® | United States Infrastructure Division – INE Operating Unit
100 Nickerson Road, Suite 200 | Marlborough, MA 01752 | tetrattech.com

While we are operating remotely in response to COVID-19, Tetra Tech teams remain fully connected and hard at work servicing our clients and ongoing projects. We would also like to wish health and wellness to you and your family.

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    Please consider the environment before printing. [Read more](#)



June 29, 2021

Medway Planning Board
Medway Conservation Commission
Town Hall
155 Village Street
Medway, MA 02053

**Re: Engineers Certification
Millstone Village, Winthrop Street, Medway, MA
Request for Certificates of Compliance –
DEP File Numbers: 216-735, 216-857 & 216-877**


Dear Board Members,

We hereby certify that the roadways and infrastructure work was constructed in substantial compliance with the approved plans and orders of conditions for the above reference project.

This firm did, through April 10, 2021, perform as-built surveys of the property. The project has been constructed in compliance with the Approved Site Plan and the site is stabilized.

Thank you for your attention. Please do not hesitate to call if you have any questions.

Sincerely,
GLM Engineering Consultants, Inc.



Robert S. Truax, P.E.



cc. Millstone Builders LLC

To: Susan Affleck-Childs – Medway Planning and Economic Development Board (PEDB) Coordinator

Cc: Andy Rodenhiser – Medway PEDB Chair
Bridget Graziano – Medway Conservation Agent
Brian Clarke – Applicant Representative

From: Steven M. Bouley, P.E. 
Bradley M. Picard, E.I.T.

Date: April 7, 2020
(revised July 8, 2021)

Subject: Millstone Village Punch List

On March 2, 2020 at the request of the Medway Planning and Economic Development Board (PEDB), Tetra Tech (TT) conducted a punch list inspection of the Millstone Village ARCPUD project in Medway, MA. Also present at the inspection were PEDB Chair Andy Rodenhiser, Medway Conservation Agent Bridget Graziano and Applicant Representative Brian Clarke. The site was inspected, and a punch list and bond estimate generated of outstanding items which have not yet been completed, are deficient in quality or outstanding administrative items which remain to be submitted.

The inspection was conducted using the following documents:

- A plan (Plans) set titled "Adult Retirement Community, Planned Unit Development, 'Millstone Village', Medway, Massachusetts", dated October 15, 2013, revised July 22, 2014, prepared by GLM Engineering Consultants, Inc. (GLM).
- A Special Permit Decision titled "Special Permit Decision, Millstone Village Adult Retirement Community Planned Unit Development (ARCPUD)" dated June 24, 2014.

TT 11/17/20 Update: TT visited the site on multiple occasions to update the Punch List. In addition to the items listed below, TT inspected the as-built landscaping against the approved plans and determined it is in substantial compliance. Additionally, the Developer installed plantings beyond what was required by the Plans. Items ~~stricken~~ have been completed to date. Items shown in black remain outstanding and/or have been updated.

TT 7/8/21 Update: TT visited the site on July 7, 2021 to conduct an inspection of the site to update the Punch List. Items ~~stricken~~ have been completed to date. Items shown in black remain outstanding and/or have been updated.

Missing Items

- ~~1. Install bituminous top course on Steppingstone Drive.~~
- ~~2. Install landscaping in center island at Steppingstone Drive.~~
- ~~3. Complete installation of proposed nature trail and appurtenant walls, garden, and landscaping on the western side of the Site.~~
4. Install overflow devices on all roof leaders that discharge to subsurface infiltration systems. TT 11/17/20 Update: Overflow devices remain missing at several units throughout the site. **TT 7/8/21 Update: Item remains outstanding, contractor to install overflow devices throughout the project at roof drains that tie into roof infiltration systems.**
- ~~5. Water service box for 12 Ridgestone Dr. shall be set to grade.~~
6. Install trail and trail parking signage. (Conservation) TT 11/17/20 Update: Conservation agent will provide final inspection and correspondence related to this item. **TT 7/8/21 Update: Trail and trail parking signage appears to be installed. Conservation to provide final inspection and correspondence.**

Deficiencies

- ~~7. Repair and stabilize forebay embankments at at-grade Detention Basin #1P.~~

- ~~8. Inspection ports for Leaching Area #4P shall be set to grade.~~
- ~~9. Replace structure located at the western end of Riverstone Drive with a leaching catch basin designed to accommodate the paved area discharging to it and the rooftop connection. This structure was not included on the Approved Plans and residents report this structure flooding during storm events.~~
- ~~10. Clean all rip rap at drain outfall locations.~~
11. Clean drainage system. TT 11/17/20 Update: Catch basins throughout the site were inspected by TT, minimal sediment accumulation present in structures. However, contractor to provide cleaning invoice to confirm date of last cleaning. Additionally, the engineer of record shall inspect all drainage structures on-site (catch basins, water quality units, manholes, etc.) to confirm if they are clean as dumped crushed stone was found in structure adjacent to Basin 4P which has since been removed from the structure. **TT 7/8/21 Update: Developer to provide the latest receipt from catch basin cleanings to ensure the system has been maintained in accordance with the Project's long-term O&M plan.**
- ~~12. Stabilize exposed soils under rear decks and around foundations to prevent erosion. We expect these areas will require crushed stone or shade tolerant groundcover since these areas are mainly located on the northern and northwestern portions of the site.~~
13. All site signage shall be placed at proper heights according to MUTCD Standards. TT 11/17/20 Update: Street sign for Steppingstone Drive was temporarily removed to accommodate space for test pitting at Leaching Area #4P. Contractor to reset sign at its original location per appropriate standards. **TT 7/8/21 Update: Street sign for Steppingstone Drive has been reset, however it appears the sign has been installed at the improper height. Contractor to reset sign per appropriate standards.**
14. Electrical box at STA 1+50 Cobblestone Drive and appurtenant piping to the utility pole at the intersection of Cobblestone Drive and Winthrop Street is not used. Confirm with electric company if box and piping is to remain. **TT 7/8/21 Update: We recommend the Applicant coordinate with the electric utility to determine if the box is to remain or if additional measures shall be taken to abandon it if it has no potential use.**
- ~~15. Remove and replace damaged section of bituminous berm at approximate STA 8+00 LT Millstone Drive.~~
- ~~16. Fill crack in pavement at approximate STA 7+50 Millstone Drive.~~
- ~~17. Point all vertical granite curb within Site.~~
- ~~18. Remove pile of concrete at rear of 21 Millstone Drive.~~
19. Clean and video sewer system at direction of Medway DPW. **TT 7/8/21 Update: We recommend the Applicant coordinate with Medway DPW to determine if cleaning/video inspection will be required for this Project.**
20. Erosion Controls shall be removed upon final stabilization of the site and appropriate approvals received from Medway Conservation Commission. (Conservation) TT 11/17/20 Update: Conservation has informed TT and the Applicant to have the contractor remove silt fence barriers and snow fencing at the western portion of the site adjacent to the common area/gazebo. Compost filter socks shall be cut open, compost to be spread out, then covered with leaf litter. Contractor/Applicant to contact Medway Conservation for inspection upon completion. **TT 7/8/21 Update: Silt fence barriers and snow fencing throughout the site appear to have been removed. Compost filter socks remain at Steppingstone Drive adjacent to the 25' wetland buffer. Contractor to remove remaining erosion controls at the direction of Medway Conservation.**
- ~~21. Perform trail maintenance as downed trees were observed crossing the trail. (Conservation)~~
- ~~22. Repair/replace stone bound wetland marker located behind 17/19 Millstone Drive. (Conservation)~~

Administrative

23. Provide documentation from the engineer of record that all infiltration basins have been installed according to the approved design and whether they are functioning properly.
24. Provide documentation regarding landscape contractor responsible for mowing of the field trails adjacent to the Project site.
- ~~25. Provide final as-built plans of the Project.~~

Additional Items 11/17/2020

26. Additional loam to be placed in the side yard between 3 and 5 Steppingstone Drive, this area ponds during rain events. Loam and seed shall be installed and properly protected from erosion to prevent ponding and ensure positive drainage to the roadway. TT 11/17/20 Update: Homeowner at 5 Steppingstone Drive has forwarded photos of standing water adjacent to their home and adjacent 3 Steppingstone Drive. We recommend the engineer of record provide plan for mitigation of standing water in this area. **TT 7/8/21 Update: Engineer of record and TT met on site to review the ponding regions in the side yard between 3 and 5 Steppingstone Drive. Design engineer stated that a plan to mitigate ponding in this area will be submitted.**
27. Street name signage throughout the development does not meet the town private way signage standard. The Applicant shall coordinate this work with Medway DPW.
- ~~28. The Applicant shall install the "Intersection Warning Sign" on Winthrop Street as shown on Sheet 5 of the Approved Plans. The Applicant shall coordinate this work with Medway DPW.~~

Regulatory Administrative Items (other Boards/Commissions)

These items are included as a means for maintaining an active list for the Town administration of the project and are not necessarily tied to final acceptance of the Project by the Medway Planning and Economic Development Board.

29. Provide bi-weekly reports related to required NPDES SWPPP inspections throughout the construction term for the Project. The Project team has not received reports in approximately one-year with site disturbance activity occurring within that time period. (Conservation)
30. Pay outstanding fine (21D Ticket) for non-compliance with Order of Conditions. (Conservation)
31. Order of Conditions has expired, coordinate with Medway Conservation Commission for continued work within their jurisdiction. Additionally, the Applicant shall request Certificate of Compliance once relevant work is completed. (Conservation)

These comments are offered as guides for use during the Town's review. In addition to this list, we recommend the Applicant conduct their own evaluation of the site to ensure all items included on the approved documents are completed to the satisfaction of the engineer of record for the Project. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

P:\21583\143-21583-14018 (MILLSTONE VILLAGE CONST SERV)\CONSTRUCTION\PUNCH LIST\MEMO_MILLSTONE PUNCH LIST_2021-07-08.DOC

AMENDMENT #4
Performance Secured by Lender's Agreement
Millstone Village

Planning & Economic Development Board – Town of Medway, MA

WHEREAS, on the 24th day of April, 2015, the Town of Medway, acting through its Planning & Economic Development Board, (hereinafter referred to as "the Board") with an address of 155 Village Street, Medway, MA 02053, Millstone Builders, LLC ("Applicant") with an address of 1 Golden Court, P.O. Box 1205, Westborough, MA 0158, and Cornerstone Bank, successor by merger of Southbridge Savings Bank ("Lender") with an address of P.O. Box 370, Southbridge, MA 01550, entered into a Lender's Agreement to secure the construction of ways and installation of municipal services in accordance General Laws Chapter 41 Section 81U, and all other applicable provisions of the Subdivision Control Law and General Laws on the land shown on an approved Millstone Village Adult Retirement Community Planned Unit Development Plan dated October 15, 2013, last revised July 22, 2014, prepared by GLM Engineering of Holliston, MA showing the development of Parcels A and B at 129 Lovering Street, as recorded in the Norfolk County Registry of Deeds in Plan Book 632, pages 77 – 79 (hereinafter referred to as "the ARCPUD Plan"); and

WHEREAS, the Applicant, Board and Lender amended the Lender's Agreement on June 23, 2015; and

WHEREAS, the Applicant, Board and Lender further amended the Lender's Agreement on May 25, 2016; and

WHEREAS, the Applicant, Board and Lender further amended the Lender's Agreement on July 25, 2017; and

WHEREAS, the Applicant wishes to reduce the amount of performance security to reflect the work completed since July of 2017; and

WHEREAS, the Applicant and Board now need to modify the Lender's Agreement as follows in order to adjust the security to ensure completion of the construction of ways and installation of municipal services and various other site improvements and amenities by:

1. retaining the previously reduced Phase 1 performance security amount of \$26,906 as approved by the Board on July 11, 2017; and
2. reducing the Phase 2 performance security amount from \$225,305 to \$79,143 for the Phase 2 area in accordance with the bond estimate prepared by Tetra Tech Engineering dated March 7, 2019 (as attached) and approved by the Board on March 12, 2019; and
3. reducing the previously established performance security amount from \$133,299 to \$10,625 for the development of trails as approved by the Board on July 11, 2017;

for a combined total of \$116,674.

NOW, THEREFORE, the parties agree that the paragraph numbered 1 in the original Lender's Agreement shall be further modified to read as follows:

1. The Applicant and Lender hereby bind and obligate themselves, their executors, administrators, devisees, heirs, successors and assigns to the Board in the sum of \$116,674 and have secured this obligation by the Lender retaining said sum of money from said principal sum otherwise due the Applicant ("Retained Funds") to be used to secure the performance by the Applicant of all covenants, conditions, agreements, terms and provisions contained in the following: the Subdivision Control Law (G.L. c. 41 §§ 81K-81GG); the Board's Rules and Regulations for the Review and Approval of Land Subdivisions applicable to this development; the application submitted for approval of this development; the special permit and all conditions of approval; the recommendations of the Board of Health; the ANR Plan and the ARCPUD Plan; all conditions subsequent to approval of this development due to any amendment, modification or revision of the special permit, ANR Plan or the ARCPUD Plan; all of the provisions set forth in this Agreement and any amendments thereto; and the following additional documents: _____ (hereinafter the "Approval Documents")."

2. All other provisions of the original Lender's Agreement executed April 24, 2015 remain in effect.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 18 day of March, 2019.

Medway Planning and Economic Development Board

[Signature] _____
[Signature] _____
[Signature] _____

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this 12th day of March, 2019, before me, the undersigned notary public, personally appeared the following Members of the Medway Planning & Economic Development Board Rich Nichols, Marleen Hayes,
Robert Tucker

proved to me through satisfactory evidence of identification, which was (personal knowledge) (Massachusetts driver's license), to be the persons whose names are signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as members of the Medway Planning and Economic Development Board.

[Signature]
Notary Public
My commission expires: Aug 19 2020

Cornerstone Bank successor by merger of Southbridge Savings

By: James Sandagato

Title/Position: VP- Comm. Team Leader

Print name: James Sandagato

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS

On this 14th day of MARCH, 2019, before me, the undersigned notary public, personally appeared the above-named James Sandagato, proved to me through satisfactory evidence of identification, which was (personal knowledge) (Massachusetts driver's license), to be the person whose name is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as VP Comm Team Leader of Cornerstone Savings Bank.

Kimberly A. Fritze
Notary Public
My commission expires:



KIMBERLY A. FRITZE
Notary Public
Commonwealth of Massachusetts
My Commission Expires
November 4, 2022

March 12, 2019

Millstone Builders, LLC

By: Steven Venincasa

Title/Position: Manager

Print name: STEVEN VENINCASA

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS

On this 5 day of April, 2019, before me, the undersigned notary public, personally appeared the above-named STEVEN VENINCASA, proved to me through satisfactory evidence of identification, which was (personal knowledge) (Massachusetts driver's license), to be the person whose name is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as Manager of Millstone Builders, LLC.

Andrew D. Burgoyne
Notary Public

My commission expires: May 30, 2019



**TETRA TECH**

**Bond Estimate
Millstone Village
Medway, Massachusetts
March 7, 2019**

Marlborough Technology Park
100 Nickerson Road
Marlborough, MA 01752
Tel 508.786.2200 Fax 508.786.2201

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Construction (Phase I)				
Line Striping (Top)	1	LS	\$4,000.00	\$4,000
Stormwater System Maintenance	1	LS	\$5,000.00	\$5,000
As-Built Plans	2,505	LF	\$5.00	\$12,525
Subtotal				\$21,525
25% Contingency				\$5,381
Total				\$26,906

Construction (Phase II)				
HMA Top Course-Main Road	35	TON	\$110.00	\$3,850
Water Service Box Adjusted	1	EA	\$210.00	\$210
Point Vertical Granite Curb	1	LS	\$500.00	\$500
Cape Cod Berm	372	FT	\$12.00	\$4,464
Rehandled Topsoil	125	CY	\$25.00	\$3,125
Seed	735	SY	\$2.00	\$1,470
Line Striping (Top)	1	LS	\$2,000.00	\$2,000
Signage	1	EA	\$300.00	\$300
Landscaping	1	LS	\$10,000.00	\$10,000
Stormwater System Maintenance	1	LS	\$10,000.00	\$10,000
Paint Hydrants	1	LS	\$1,400.00	\$1,400
Cultec Recharger 4P Repair	1	LS	\$15,000.00	\$15,000.00
As-Built Plans	2,199	LF	\$5.00	\$10,995
Subtotal				\$63,314
25% Contingency				\$15,829
Total				\$79,143

Openspace Footpath/Parking Area				
Erosion & Sediment Controls	0	LS	\$5,000.00	\$0
Clearing & Grubbing	0.00	A	\$12,000.00	\$0
Openspace-Woodchip Trail	0	SY	\$11.50	\$0
Openspace-Gravel Parking Area	0	LS	\$18,000.00	\$0
Footbridge	0	LF	\$500.00	\$0
Trail Marking ³	1	LS	\$2,500.00	\$2,500
Trail Prep and Maintenance ⁴	2	EA	\$3,000.00	\$6,000
Subtotal				\$8,500
25% Contingency				\$2,125
Total				\$10,625

Total Bond (Phase I, II and Trails) **\$116,674**

Notes:

- Unit prices taken from latest information provided on MassDOT website and have been updated since our previous bond estimate submission. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 03/2018 - 03/2019. Quantities for Items shown in gray have been changed or added since our previous estimate.
- All items reflect current project Phasing as shown on updated Phasing Plan dated April 2, 2014.
- This item includes the installation of trail blazes to demarkate proposed trail.
- This item includes preliminary mowing of trail and one additional mowing within a one (1) year maintenance period.

Susan Affleck-Childs

From: Doug Havens
Sent: Thursday, July 8, 2021 2:05 PM
To: Susan Affleck-Childs
Cc: Ann Sherry; Barbara Saint Andre
Subject: Re: Millstone Affordable Housing Units

Susy - In April 2019, drafting errors were discovered whereby the wrong resale multiplier (1.71 instead of 1.8) was cited in the deed riders for two of the eight affordable units in the Millstone development: #9 Fieldstone and #9 Riverstone. Upon my reexamination of the issue in response to your email, it is unclear that the issue has been fully addressed at the time for both units despite good faith efforts of counsels for DHCD, the buyer and the seller.

Since resolution of this matter most likely will involve cooperation of the developer, I ask, as directed by the Affordable Housing Trust at its meeting last night, that the release of the developer's bond be contingent on their pledge to cooperate fully in the resolution of this matter.

Meanwhile, I will work to clarify the situation and pursue the issue with the aforementioned counsel to take action as needed to assure that the homeowners enjoy the full appreciation due to them upon resale of their home.

Regards,

J. Douglas Havens
Community Housing Coordinator
Town of Medway
155 Village Street
Medway MA 02053
774-292-1456

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination, copying or disclosure of this communication is strictly prohibited. Please discard this e-mail and any attachments and notify the sender immediately.

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Tuesday, July 6, 2021 8:35 AM
To: Doug Havens <dhavens@townofmedway.org>
Subject: FW: Millstone Affordable Housing Units

Hi Doug,

Hope you are well and had an enjoyable holiday weekend!

The PEDB will discuss Millstone's request for release of performance security at its July 13th meeting.

Can you confirm that all 8 affordable units have been conveyed and that the necessary AH documentation for each property is recorded at Norfolk County Registry of Deeds?

Thanks.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

From: Susan Affleck-Childs
Sent: Tuesday, June 29, 2021 3:29 PM
To: Doug Havens <dhavens@townofmedway.org>
Cc: Barbara Saint Andre <bsaintandre@townofmedway.org>
Subject: Millstone Affordable Housing Units

Hi Doug,

Steve Venincasa, the developer of Millstone, seeks to wrap up the project and has asked the Board to release of the performance security it holds on the project. Before they do so, I am checking on a variety of items.

They were to provide 8 affordable units in Millstone. Could you check on your end to verify that all the necessary paperwork is in order for those 8 units in terms of the regulatory agreement and the deed restrictions?

Also, can you confirm that all 8 units are listed on Medway's SHI?

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



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

Construction Reports

Tetra Tech Field Report

William Wallace Village #14 dated 6-23-21

Dan Merrikin monthly report on William Wallace Village
dated 7-7-21

Ron Tiberi monthly report on Evergreen Village (22
Evergreen Road) 6-30-21

Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project William Wallace Village	Date 06/23/2021	Report No. 14
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 1 of 2
Contractor M. Phillips Industries (Site Contractor) Larry Rucci (Developer)	Weather A.M. CLEAR P.M.	Temperature A.M. 70 °F P.M.

FIELD OBSERVATIONS

On Wednesday, June 23, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location with Bridget Graziano (Medway Conservation) to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm ground surface throughout site. Sterling Circle entrance off of Village Street has been filled to approximate subbase elevations, contractor to install temporary paved driveway apron at a future date. No tracking of sediment was observed on Village Street. Stockpiles of excavated material and material from demolition are present throughout the site. Silt fence barrier (SFB) and compost filter tubes remain around the perimeter of the site, maintenance of erosion controls is required along the eastern side of the site behind the soil stockpiles. Contractor to place compost filter tubes at the toe of the slope once construction vehicle access to the area is no longer needed. Temporary sediment basins are present on the northeast and northwest regions of the site and appear to be functioning.
- B. Contractor has backfilled infiltration field adjacent to Village Street. Contractor to install drainage structures upstream of the field as well as outlet piping, witnesses for stubbed piping visible around the infiltration field. Upon completion of outlet piping, TT recommended to install gutters on Units 1/2 and tie into the drain lines to ensure roof runoff does not erode unstabilized regions around the perimeter of the building.
- C. During the inspection, Developer discussed with Medway Conservation the necessary process for approval to begin foundations for Units 3-6 and Units 10-12. Conservation requested a letter to be submitted by the design engineer summarizing the proposed work and, if necessary, provide updated locations of temporary sediment basins.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		
Laborers	2	Loader	1	Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	2	Jack Hammer		
Iron Workers		Mini-Excavator		Power Saw		
Electricians		Grader		Conc. Vib.		
Flagpersons		Crane		Tack Truck		
Surveyors		Scraper		Man Lift		
Roofers		Conc. Mixer		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Truck		Compact Track Loader	Bridget Graziano	Medway Conservation
		Conc. Pump Truck		Porta-John		
		Pickup Truck	3	Dumpster (15 Yard)		
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details:					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	10:30 A.M. – 11:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 06/23/2021	Report No. 14
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to continue construction of proposed Dwelling Units 1 and 2.
- B. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Design engineer to provide letter summarizing proposed work on foundations for Units 3-6 and Units 10-12. **TT Update: Letter provided by Legacy Engineering, dated 6/24/2021. Foundations for the listed units can proceed with the currently established erosion and sedimentation controls. In our opinion, this item has been resolved.**
- B. Contractor to place compost filter tubes along the toe of the slope adjacent to Bedelia Lane once construction activities are completed in this region.
- C. Contractor to relocate portions of the stockpile adjacent to Unit 1/2 away from the erosion control line and properly protect the stockpile until vegetation can establish during the growing season.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A



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: 7/6/2021 **Time On-Site:** 1:00 pm **Weather:** 80F, P Cloudy

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

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

Date of Report: 7/7/2021

Observation Requested by: DTTRT LLC
Medway Planning & Economic Development Board

Activity Summary:

At the time of inspection, it was noted that Building 1 construction and work on the original house structure is ongoing.

Note the following site construction activities since our last inspection.

- The stormwater infiltration system is completed except for inlet and outlet piping. The applicant indicates they have scheduled gutter installation for the first building so it can be tied into the system. The balance of the system inlet/outlet will be installed with the roadway drainage structures.
- Sewer and water installation on-site was nearly complete.
- Excavation commenced for additional building foundations.

Erosion Controls:

Perimeter erosion controls were inspected and found to be in good condition. Two temporary sediment basins have been excavated and appear to be functioning well. The construction entrance needs to be re-established due to ongoing utility installation work. Erosion controls were temporarily removed behind unit 1 to install the new sewer. Contractor reports that he has talked to the Conservation agent about this and it will be re-installed when the sewer work in this area is complete.

Recommended Improvements:

1. Refresh construction entrance with new stone.
 2. Install new erosion control behind unit 1.
-








Progress Report

Project Details

Project name	Evergreen	
Location	22 Evergreen Road	Medway MA
Owner	Sampson Pond Development	Medway MA
Reporting period	5-29-2021 thru 6-30-2021	
Report compiled by	Ron Tiberi P.E. 	9 Mass Ave Natick MA
Date inspected/ submitted	6/30/21	

Summary

Site contractor Mobilized; construction controls established. Erosion controls installed. Road rough graded to subgrade. Phase 1 Structure foundation installed, framing completed.

Activities

Activity 1 Construction Controls

Status	Achieved
Objective	Layout & Construction controls set and Provided by Cheney Engineering
Activity dates	
Progress	Set- grade stakes & offsets Building foundations
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	Subgrade, Base material installed to subgrade
Activity dates	
Progress	Partially completed 70%, Base materials partially stock-piled on-site
Comments	Infiltration Materials delivered

Activity 4 Water & Sewer Utilities

Status	Achieved
Objective	Sewer line and water lines connected at Evergreen and complete with stubs to end of access road
Activity dates	
Progress	Completed
Comments	

Activity 5 Building

Status	In Progress
Objective	Building completely framed & Enclosed
Activity dates	During Month
Progress	
Comments	

Photographs

#1



Closed out Building

#2



Temporary drainage Basin

#3



Temporary Sediment Basin

#4



Rear Temp drain swale



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

Lot Release – 2 Sledding Hill Way

- Subdivision Covenant for Village Acres subdivision dated November 10, 2000
- Lot Release for 2 Sledding Hill Way

We have been contacted by the closing attorney for the sale of 2 Sledding Hill Way. There is no lot release for this property on record at the Norfolk County Registry of Deeds. The house was built in 2003. This is a 2-lot, private way subdivision off of New City Road which is west off of Oakland Street.



COVENANT

Know all men by these presents that where as the undersigned has submitted an application dated June 11, 1999, to the Medway Planning Board for approval of a Definitive Plan of a certain subdivision entitled DEF. Plan of Village Acres and dated June 11, 1999, and has requested the Board to approve such plan without requiring a performance bond.

Revised August 29, 2000. OFFICIAL
NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Medway Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar (\$1.00) in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Medway as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of ways and municipal services necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof.

2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a Certificate of Performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

3. The undersigned represents and covenants that undersigned is the owner* in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgages has assented to this contract prior to its execution by the undersigned.

*If there is more than one owner, all must sign.

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this 10th day of

November, 19 2000

OWNER(S) IF NOT APPLICANT

APPLICANT

James M. Reardon
William F. Reardon

James M. Reardon
William F. Reardon

Description of Mortgages:

NONE

(Give complete names and Registry of Deeds reference)

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

Paul D. Harold
PAUL D. HAROLD, REGISTER

Assents of Mortgages:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

November 10, 2000

Then personally appeared the above named

JAMES M. REARDON, TRUSTEE WILLIAM F. REARDON, TRUSTEE
and acknowledged the foregoing instrument to be his/her free act and deed, before me.

John J. Roche
Notary Public

My commission Expires

JOHN J. ROCHE
NOTARY PUBLIC

Commonwealth of Massachusetts
My Commission Expires May 31 2007

015706

01 FEB 15 AM 11:21

REFER TO PLAN NO. 103 2 2001
PLAN BOOK NO. 483-2
SHEETS

Release of Restrictive Covenant

Planning & Economic Development Board – Town of Medway, MA

We, the undersigned members, being a majority of the Planning & Economic Development Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify on this date that Lot 3 on a plan entitled, "Village Acres Definitive Subdivision in Medway, Massachusetts" (also known as 2 Sledding Hill Way), prepared for The Reardon Family Trust, Scale 1" = 40', dated June 11, 1999, revised August 29, 2000, which plan is filed with the Norfolk County Registry of Deeds as Plan No. 103 of 2001, in Plan Book 483, to which plan reference is made for a more particular description, is hereby released from the terms, provisions and conditions as to sale and building thereon as set forth in a Covenant between the Medway Planning Board and James M. Reardon and William F. Reardon, Trustees of The Reardon Family Realty Trust, dated November 10, 2000, and recorded with the Norfolk County Registry of Deeds in Book 14732, Page 409.

Executed under seal this _____ day of _____, 20_____.

Signatures of a majority of the members of the Planning & Economic Development Board of the Town of Medway:

COMMONWEALTH OF MASSACHUSETTS

Norfolk County, SS. _____

On this _____ day of _____, before me, the undersigned notary public, personally appeared _____

_____,
members of the Medway Planning and Economic Development Board, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License and personal knowledge, to be the persons whose names are signed on the above document, and acknowledged to me that they signed it voluntarily and for its stated purpose.

Notary Public
My commission expires:



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

Lot Release – 12 Daniels Road

- Emails between property owner Matt DeSorbo and Susy Affleck-Childs re: request for lot release
- Daniels Wood II – Alternative Driveway and Grading Plan plan, dated March 26, 2010, endorsed November 16, 2010
- Subdivision Covenant dated November 16, 2020
- Draft Lot Release

NOTE – This is a private way subdivision.

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Monday, May 17, 2021 8:05 AM
To: Matthew DeSorbo
Subject: RE: 12 Daniels Road - Formerly Known as Daniels Wood

Hi Matt,

If you would like the Board to consider this at its next meeting on May 25th, I will need the paperwork from you by May 19th. If that isn't doable, the next meeting is June 8th and I would need the info from you by June 2.

Cheers!

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

From: Matthew DeSorbo [mailto:desorbo@gmail.com]
Sent: Friday, May 14, 2021 10:31 AM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: Re: 12 Daniels Road - Formerly Known as Daniels Wood

Thank you Susan. I will reach out to my attorney today to get this moving forward.

Matt

On Mon, May 10, 2021 at 9:39 AM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Matt,

Sorry for my delay in getting back to you.

This is not an uncommon occurrence and can be easily remedied.

Attached is a sample lot release document that was used for another parcel in Medway.

You can have your attorney prepare a comparable document with details specified for your property, and submit to us. I will then place it on the agenda for the subsequent Board meeting.

Let me know if you have any questions. Thanks.

Susy

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

sachilds@townofmedway.org

From: Matthew DeSorbo [mailto:desorbo@gmail.com]

Sent: Tuesday, May 4, 2021 4:13 PM

To: Susan Affleck-Childs <sachilds@townofmedway.org>

Subject: 12 Daniels Road - Formerly Known as Daniels Wood

Susan,

Thanks for your time this afternoon, I appreciate your help. Please see the attached document, I have red clouded the language that indicates that we are concerned with. Apparently I never received or recorded a lot of release forms with the county. This was discovered when we refinanced the house about 18 months ago.

I can't believe that 8 years have passed, it's felt like a minute!! However, if we ever need to sell the property or if something ever happened to me, I'd like to have everything in place for a smooth title transfer.

Thanks for your help,

Matt

--

Matthew DeSorbo
desorbo@gmail.com

508-647-1956

--

Matthew DeSorbo
desorbo@gmail.com

LAND SUBDIVISION - FORM G

A N A N
O F F I C I A L O F F I C I A L
C O R E **Subdivision Covenant** C O R E

Planning Board - Town of Medway, MA

November 16, 2010

This Covenant is entered into this 16th day of November, 2010 2010 by and between the Town of Medway, a Massachusetts municipal corporation, acting through its Planning and Economic Development Board, with an address of 155 Village Street, Medway, MA 02053, (hereinafter referred to as the "Planning Board") and **Frederic Sibley**, (record owner of the parcel of land shown on an approved, modified definitive subdivision plan described below and including an equitable owner or purchaser on a purchase and sales agreement for the entire parcel or portion of the parcel of land shown on the approved subdivision plan), with an address of **12 Oak Street, Medway, Norfolk County, Massachusetts** (hereinafter referred to as the "owner".)

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

PREAMBLE

WHEREAS, on March 19, 2010 based on the owner's application dated October 29, 2009, and after a duly noticed public hearing(s), the Planning Board approved a modification to a definitive subdivision plan showing one house lot, which is entitled **Alternative Driveway & Grading Plan "Daniels Wood II" Definitive Subdivision Modification, prepared by Faist Engineering, Inc. And O'Driscoll Land Surveying Co.** dated October 29, 2009, latest revision date March 26, 2010, consisting of two sheets (hereinafter referred to as the "subdivision"), to be recorded at the Norfolk County Registry of Deeds herewith.

WHEREAS, the subdivision plan shows a parcel of land located at Lot 2B-1, Parcel A (Cul-de-Sac) & Parcel B (private Way) Extension of Daniels Road aka Captain Daniels Road, Medway, Massachusetts, as a part of the land known as 12 Oak Street, Medway, Massachusetts, said property to be in the name of Frederic F. Sibley, by virtue of Deeds recorded with the Norfolk County Registry of Deeds in Book 12023, Page 593 & Book 13835, Page 494 as affected by Confirmatory Deed in Book 15204, Page 347, and further described in a Plan or Plans dated **September 25, 2009** and recorded at the Norfolk County Registry of Deeds in **Book 595, Pages, Plan 1, Sheets 1 through 6.**

WHEREAS M.G.L., ch. 41, section 81U requires the Planning Board to secure the construction of ways in an approved subdivision before endorsing its approval on the approved modification of a definitive subdivision plan;

WHEREAS, the owner has decided to secure all of the construction of ways in the subdivision by means of a Covenant;

WHEREAS, the Planning Board has determined that the form of this Covenant is sufficient to secure the construction of ways and installation of municipal services in the subdivision;

Return To: Fred Sibley
12 Oak Street
Medway, MA 02053

"Daniels Wood II" Definitive Subdivision Modification
Alternative Driveway and Grading Plan - Medway, MA

NOW, THEREFORE, for and in consideration of the mutual promises set forth below, and the Planning Board approving the subdivision plan without requiring a performance bond or other surety the Owner hereby covenants with the Planning Board as follows:

The Preamble shall be incorporated into and become an enforceable part of this Covenant.

This Covenant shall be effective upon its execution, subject to endorsement of approval of the definitive subdivision plan by the Planning Board and the recording of the plan and this Covenant by the Owner.

This Covenant shall run with the land and shall be binding on all subsequent parties who have any title, interest, or rights in and to the parcel of land subdivided, or a portion thereof. This Covenant shall operate as a restriction upon the land until release.

A. Upon construction of a portion of the ways in accordance with the approval instruments, to the satisfaction of the Planning Board, the Planning Board may release the Owner and its Successor's and/or Assigns in Title from this Covenant as to those lots that are adequately serviced by the ways and so constructed, so long as the construction of ways and are, in the opinion of the Planning Board, sufficiently secured by another method of performance guarantee as provided in M.G.L., ch. 41, section 81U. A *Certificate of Partial Release* shall be executed by a majority of the members of the Planning Board and shall be recorded at the Norfolk County Registry of Deeds by the Owner.

B. Upon completion of ways and in accordance with the approved instruments, and to the satisfaction of the Planning Board, the Planning Board shall release the owner and/or its Successors and/or Assigns in title from this Covenant and shall issue a *Certificate of Completion and Release* that shall be executed by a majority of the members of the Planning Board and shall be recorded or registered at the Norfolk County Registry of Deeds by the Owner.

C. The Planning Board may rescind approval of the subdivision plan for breach of any provision of this Covenant or any amendments thereto. Said rescission shall be in accordance with M.G.L., ch. 41, section 81W.

SECTION 5.OBLIGATIONS, DUTIES AND RIGHTS OF THE OWNER

A. The Owner may convey or transfer title to any lot within this subdivision, without the requirement for completion of the construction of the ways and installation of the municipal services for this subdivision so long as the deed provides that the land conveyed is subject to this Covenant, and any amendments thereto, with proper reference to the book and page where this covenant, and any amendments thereto are recorded or registered at the Norfolk County Registry of Deeds. .

B. The Owner or its Successors and/or Assigns in title shall not build upon any lot within this subdivision, except as otherwise provided in this Covenant, until the completion of the construction of the ways and installation of the municipal services for this subdivision in accordance with the approval instruments, unless and until the owner provides the Board with another method of securing construction of the ways and installation of the municipal services deemed sufficient by the Board.

C. The Owner or its Successors and/or Assigns in title shall complete construction of the ways and installation of the municipal services for this subdivision no later than three (3) years from this date.

D. The Owner or its Successors and/or Assigns in title, agrees and understands that failure to complete construction of the ways and installation of the municipal services by the agreed-upon date shall result in automatic rescission of approval of the definitive subdivision plan by the Planning Board. The Planning Board shall forthwith carry out the rescission as provided in M.G.L., ch. 41, section 81W.

E. The Owner or its Successors and/or Assigns in title agrees and understands that the Planning Board will not release this Covenant in full, unless another method of security is provided, or until the ways and municipal services have been deemed by the Board to be constructed and installed in accordance with the approval instruments, which shall include demonstration of adequate construction and installation for six (6) months prior to said release.

F. No provision of this Covenant shall prevent the Owner or its Successors and/or Assigns in title from varying the method of securing the construction of ways and the installation of municipal services from time to time or from securing by one, or in part by one and in part by another of the methods as provided in M.G.L., ch. 41, sections 81U, as long as the Planning Board deems the method or methods chosen for securing the construction of ways and the installation of municipal services as sufficient.

G. The Owner or its Successors and/or Assigns in title shall at all times provide the

Board *forthwith (no more than 14 days after transfer of title)* with the name of the current owner or owners of this subdivision or portions thereof and the address of such owner or owners, except that lots released from the provisions of this Covenant are exempt. The Owner or its Successors and/or Assigns in title agrees and understands that failure to comply with this provision could result in rescission of approval of the definitive subdivision plan.

H. The Owner covenants that he is the owner in fee simple absolute of all the land included in the subdivision and that there are no mortgages of record or otherwise on any of the land, except for those described below, and shall at all times provide the Board *forthwith (no more than 14 days after transfer of title)* with the name of any mortgagee or mortgagees of this subdivision or portions thereof and the address of such mortgagee or mortgages, except that lots released from the provisions of this Covenant are exempt.

The Owner agrees and understands that failure to comply with this provision could result in rescission of approval of the definitive subdivision plan.

I. The Owner shall record the approved and endorsed definitive subdivision plan; this Covenant, upon its execution; and any certificates of release of this covenant, or portions thereof, at the Norfolk County Registry of Deeds and forthwith provide the Planning Board with written evidence thereof. The Owner further agrees to pay the costs of such recordings.

SECTION 6. MORTGAGEES AND SUCCEEDING OWNERS

Nothing in this Covenant shall preclude the Owner from mortgaging the entire parcel of land, or a portion thereof, which constitutes this subdivision. If the mortgagee acquires title to the entire parcel of land, or a portion thereof, shown on the approved definitive subdivision plan, through foreclosure or by other means, such as accepting a deed in lieu of foreclosure, then the mortgagee and any succeeding owner of the land transferred by the mortgagee may sell any lot, subject to that portion of this Covenant which provides that no lot shall be built upon until the ways are constructed and the municipal services are installed to serve such lot. Said mortgagee and any succeeding Owner shall be subject to all other applicable provisions of this Covenant and any amendments thereto.

SECTION 7. CONVEYANCE OF LAND OR LOTS SUBJECT TO COVENANT

Nothing in this Covenant shall preclude the owner from conveying by a single deed, the entire parcel of land shown on the approved definitive subdivision plan, or all lots not previously released from the terms of this Covenant by the Board, so long as the deed provides that the land conveyed is subject to this Covenant, and any amendments thereto, with proper reference to the book and page where this covenant, and any amendments thereto are recorded or registered at the Norfolk County Registry of Deeds. A deed of any part of the subdivision in violation of this Covenant, or any amendments thereto, shall be voidable by the grantee prior to the release of this Covenant no later than three (3) years from the date of such deed.

SECTION 8. BINDING EFFECT

This Covenant, and any amendments thereto, shall be binding on the Owner, the Owner's agents and representatives, and any successors to the Owner's title interest, and rights in the parcel of land constituting this subdivision, including executors, administrators, devisees, heirs, successors and assigns of the owner.

SECTION 9. USE OF TERMINOLOGY

Use of the term "Owner" in this Covenant is for convenience only and should not be considered as a limitation on those parties who may be subject to and bound by the provisions of this Covenant and any amendments thereon. Use of the term "Planning Board or Board" in this Covenant is for convenience only and may include agents or representatives of the Planning Board.

SECTION 10. APPOINTMENT OF AN AGENT

If someone other than the Owner will represent the Owner, the Owner must designate such representative below.

Name of representative: Glenn J. Murphy

Address of representative: 9 Summer Street, Suite #301, Franklin, MA 02038.

Telephone #: Days 508-397-5508 Evenings 508-533-7157

Relationship of representative to Owner: Attorney

In executing this Covenant, I hereby authorize the person or persons named above to represent my interest before the Planning Board with respect to the subdivision that is the subject of this Covenant.

SECTION 11. AMENDMENTS

This Covenant may be amended, in writing, by agreement of all of the parties to this Covenant.

SECTION 12. GOVERNING LAW

This Covenant, and any amendments thereto, shall be governed by the laws of the Commonwealth of Massachusetts.

SECTION 13. SEVERABILITY

If a court of competent jurisdiction determines that any provision of this Covenant is unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, I, the Owner, hereby certify under the pains and penalties of perjury that the information contained in this Covenant is true and complete; and we, the

parties to this Covenant, set our hands and seals to this Covenant on the date(s) written below.

A N

A N

I, the Owner and his/her spouse, as far as necessary, hereby release all rights of dower, curtesy, or homestead, or any other interests that we may have in the parcel of land that constitutes the subdivision.

OWNER

Frederic Sibley
Owner

Date

By [Signature]
Signature of Owner

Its: owner
Duly authorized

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS.

On this 16th day of November, before me, the undersigned notary public, personally appeared Frederic Sibley, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily and for its stated purpose.

[Signature]
Notary Public

My commission expires:

OWNER'S SPOUSE

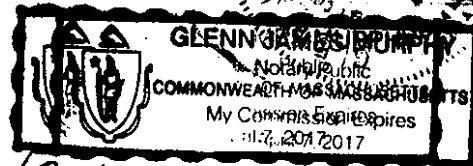
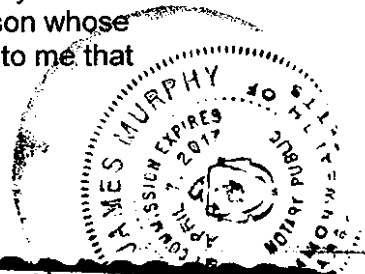
Donna Sibley
Signature of Owner's Spouse

Date

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS.

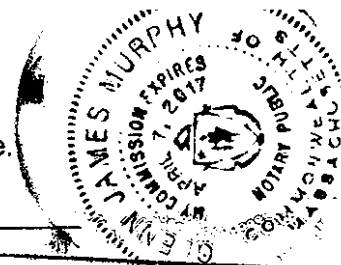
On this 16th day of November, before me, the undersigned notary public, personally appeared the above named Donna Sibley, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and



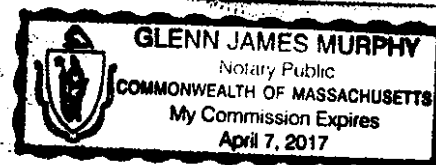
acknowledged to me that they signed it voluntarily and for its stated purpose.

AN
OFFICIAL
COPY

AN
OFFICIAL
COPY
Notary Public
My commission expires:



PLANNING BOARD



_____ Planning Board Member	_____ Date	_____ Witness
<u>[Signature]</u>	<u>11/16/10</u>	
_____ Planning Board Member	_____ Date	_____ Witness
<u>[Signature]</u>	<u>11/16/10</u>	
_____ Planning Board Member	_____ Date	_____ Witness
<u>[Signature]</u>	<u>11/16/10</u>	
_____ Planning Board Member	_____ Date	_____ Witness
<u>[Signature]</u>	<u>11.16.10</u>	
_____ Planning Board Member	_____ Date	_____ Witness

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS.

On this 16th day of November, before me, the undersigned notary public, personally appeared the above named

Robert K. Tucker, Andy Rodenhiser,

Cranston Rogers and Thomas A. Gay

proved to me through satisfactory evidence of identification, which was

personal
knowledge

to be the person (s) whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily and for its stated purpose.

Susan E. Affleck-Childs
Notary Public
My commission expires:
July 11, 2014



G-6

N O T

N O T

ASSENT OF MORTGAGEE (Note-There is no mortgage on the property.)

O F F I C I A L

O F F I C I A L

~~C O P Y~~

C O P Y

_____, ^{C O P Y} the mortgagee of the parcel of land, or a portion thereof, constituting this subdivision at the time of execution of this Covenant, hereby consents to execution of this Covenant by the Owner, who is the mortgagor of the parcel of land subject to a certain mortgage deed dated _____ and recorded at the Norfolk County Registry of Deeds in Book _____, Page _____; or registered in _____ as Document No. _____.

and noted on certificate of title No. _____, in Registration Book _____, Page _____. This mortgagee also agrees to hold the mortgage subject to this Covenant and agrees that the mortgage shall be subordinate to the Covenant, which Covenant shall have the same status, force, and effect as through executed and recorded prior to the conveyance of the mortgage deed for the mortgagor-owner to the mortgagee.

MORTGAGEE

Signature of Mortgagee

Date _____

By: _____

Its: _____

Duly Authorized

Witness

COMMONWEALTH OF MASSACHUSETTS

_____, SS.

On this _____ day of _____, before me, the undersigned notary public, personally appeared the above named _____

person duly authorized to execute this Covenant on behalf of the mortgagee, proved to me through satisfactory evidence of identification, which was

to be the person(s) whose name is signed on the preceding or attached document, and acknowledged to me that _____ signed it voluntary for its stated purpose.

Notary Public

NOT My commission expires
AN AN
OFFICIAL OFFICIAL
COPY **APPENDIX** COPY
(Certificate of Approval of the Definitive Subdivision Plan)

Revised 3-29-05

G-7

RELEASE OF COVENANT AND CONDITIONS

We, the undersigned, being a majority of the Planning and Economic Development Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify that Parcel A (a portion of Daniels Road), Parcel B (another portion of Daniels Road), and Parcel 2B-1 (also known as 12 Daniels Road) on a plan entitled "Daniels Wood II" Definitive Subdivision Modification Alternative Driveway and Grading Plan In Medway, Massachusetts, O'Driscoll Land Surveying Co. filed with Norfolk Deeds as Page 51 & 52 of 2010, Plan Book 604 (December 3, 2010) to which plan reference may be had for a more particular description, are hereby released from the terms, provisions and conditions as set forth in a Subdivision Covenant between the Medway Planning Board and Frederic Sibley dated November 16, 2010, recorded with the Norfolk Registry of Deeds in Book 28348, Page 134 (December 3, 2010).

Executed under seal this _____ day of _____, 2021

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS. _____, 2021

On this _____ day of _____, 2021, before me, the undersigned notary public, personally appeared _____

proved to me through satisfactory evidence of identification, which were _____
_____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that _____ signed it voluntarily for its stated purpose.

Notary Public

My commission expires: _____



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

**Appointments to the Open Space
Committee**

- Memo dated 7-8-21 from Susy Affleck-Childs regarding appointment to the Open Space Committee

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

July 8, 2021

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 Tina Wright, Bruce Hamblin, and Mike Francis concluded June 30, 2021. I am pleased to report that all of the above noted OSC members wish to continue serving on the OSC.

I recommend the PEDB re-appoint Tina Wright, Bruce Hamblin, and Mike Francis for another two-year term on the OSC through June 30, 2023.

The continuing members of the Open Space Committee are Denise Legee, Charlie Ross, Jim Wickis and Joanne Williams. Their term of office concludes on June 30, 2022.

The General Bylaw establishing the Open Space Committee provides for up to 9 members. I have been advised that the Committee would like to seek 2 additional members to join their efforts and to bring in some new energy to the group.

cc: Barbara Saint Andre



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

**Appointments to the Design Review
Committee**

- Memo dated 7-8-21 from Susy Affleck-Childs regarding appointment to the Design Review 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

July 8, 2021

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 Design Review Committee (DRC) members Alex Siekierski, Rachel Walsh Jess Chabot, and Dan Connolly concluded June 30, 2021.

I have contacted all. Alex Siekierski has responded that he would like to be reappointed. Jess Chabot has asked to not be reappointed due to her commitments to the Master Plan Committee. I have not yet heard back from Rachel Walsh or Dan Connolly but will follow-up with them.

I recommend the PEDB re-appoint Alex Siekierski for a two-year term on the Design Review Committee through June 30, 2023.

The continuing regular members of the Design Review Committee are Matt Buckley and Janine Clifford. Their term of office concludes on June 30, 2022. Tom Gay also serves on the DRC as the representative of the Planning and Economic Development Board; 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. Further recruitment for Medway residents to serve on the DRC is in order.



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

**Redgate – Request for Release of
Performance Security**

- Draft Mutual Release of Claims as edited by Redgate representatives
- Email dated 6-30-21 from Michael Bruce

NOTE – The developer will not sign the Mutual Release of Claims as prepared by Town Counsel because it includes language that the Town will retain taxes owed on 2 Redgate Drive before releasing the fund balance.

Michael Bruce's email dated 6-30-21 explains that that Town "took" 2 Redgate Drive back in 2005. We have referred this to Town Counsel for further research and guidance.

Edited by Developer 6-3-21

MUTUAL RELEASE OF CLAIMS

1. This Mutual Release of Claims ("Release") is made as of _____, 2021 by Jonathan M. Bruce and Robert P. Grant, Trustees of the Red Gate Estates Realty Trust u/d/t November 3, 1987 (the "Trustees") recorded in the Norfolk Registry of Deeds in Book 7790, Page 652, and the Town of Medway, acting by and through its Planning and Economic Development Board, a municipal corporation with an address of Town Hall, 155 Village Street, Medway, Massachusetts (the "Town"), and their respective heirs, successors, and assigns, on all of whom this Release shall be binding.

2. For and in consideration of:

(A) the release of ~~the entire value of \$~~ _____ the security (\$13,055.68 as of May 27, 2021) held by the Planning and Economic Development Board for the completion of the roads and infrastructure in the Red Gate Estates subdivision, Medway Massachusetts (the "Bond") ~~being the balance of the total sum~~ held in Rockland Trust Bank, Account Number ~~XXX8586~~; and

Commented [MB1]: Update

(B) the conveyance of Lot 1 together with a drainage easement as shown on a "Subdivision Plan of Land In Medway, Mass. Red Gate Estates" recorded in said Registry as Plan 613 of 1987 (the "Plan"), meaning to convey the fee and all their right, title and interest in Lot 1, and said drainage easement, known and numbered as 2 Redgate Drive in Medway, Norfolk County, Massachusetts to the Town, by delivery of an executed Quitclaim Deed in a form acceptable to Medway Town Counsel, from the Trustees as grantors to the Town as grantee; and

(C) the conveyance of Hay Field Road (a/k/a/ Field Road), Briar Lane, Bramble Patch Way (a/k/a) Bramble Road, Red Gate Drive (a/k/a Redgate Drive) and Fern Path together with all drainage easements thereon as shown on the Plan (collectively, the "Roads") meaning to convey the fee and all their right, title and interest in the Roads, and drainage easements thereon in Medway, Norfolk County, Massachusetts to the Town, by delivery of one or more executed Quitclaim Deeds in a form acceptable to Medway Town Counsel, from the Trustees as grantors to the Town as grantee;

~~(D) subject to the rights of the Town pursuant to G.L. c. 40A, §93 for the collection of any and all real estate taxes due and owing to the Town for Assessor's Parcel 22-020-0000, known and numbered as 2 Redgate Drive, Medway, Massachusetts;~~

the receipt and sufficiency of which are hereby acknowledged, the Trustees hereby releases and discharges the Town and its officers, employees and agents, insurers, and each of their respective successors and assigns, of and from any and all debts, claims, demands, actions, causes of action, suits, accounts, covenants, contracts, agreements, damages and liabilities of any kind, name or nature whatsoever which it now has or may have upon or against the Town arising out of or resulting from or relating to the Bond and each agree to forever waive any and all claims thereon; and

the Town hereby releases and discharges the Trustees and ~~their~~ its employees, agents, insurers, and ~~each of their respective~~ its successors and assigns, of and from any and all debts, claims, demands, actions, causes of action, suits, accounts, covenants, contracts, agreements, damages and liabilities of any kind, name or nature whatsoever which it now has or may have arising out of or resulting from or relating to the construction of the Roads and Lot 1 in Medway, Massachusetts, ~~explicitly excluding however, any and all real estate taxes due and owing to the Town for Assessor's Parcel 22-020-0000, known and numbered as 2 Redgate Drive, Medway, Massachusetts.~~

3. The Trustees and the Town each understand and acknowledge that this Release is to compromise and terminate any and all claims arising out of the said Roads and Lot 1 and any and all damages, expenses and any loss or injury whatsoever, known or unknown, in any way relating to the Roads and Lot 1 including any conveyance thereof occurring before or after the date of his release, ~~explicitly excluding any and all real estate taxes due and owing to the Town for Assessor's Parcel 22-020-0000, known and numbered as 2 Redgate Drive, Medway, Massachusetts.~~

4. The undersigned state and agree that they have carefully read the foregoing Release and know the contents hereof, and sign this release as their own free act and deed as Trustees and as members of the Planning and Economic Development Board of the Town of Medway.

5. The Trustees and the Town each represent and warrant that they have had the opportunity to review this Release and has had the advice of counsel prior to executing this Release, and that ~~his~~ the signatures of this Release ~~is~~ are their free acts and deeds.

6. This Release shall be governed by, and construed in accordance with, the law of the Commonwealth of Massachusetts, without resort to conflict of laws principles.

(Remainder of page intentionally left blank. Signature pages follow.)

IN WITNESS WHEREOF, the undersigned Jonathan M. Bruce, Trustee of the Red Gate Estates Realty Trust signed, acknowledged and delivered this Mutual Release of Claims on this ____ day of _____, 2021.

Jonathan M. Bruce, Trustee of the
Red Gate Estates Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Jonathan M. Bruce, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Trustee of the Red Gate Estates Realty Trust.

_____, Notary Public
My Commission Expires:

IN WITNESS WHEREOF, the undersigned Robert P. Grant, Trustee of the Red Gate Estates Realty Trust signed, acknowledged and delivered this Mutual Release of Claims on this ____ day of _____, 2021.

Robert P. Grant, Trustee of the
Red Gate Estates Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Robert P. Grant, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Trustee of the Red Gate Estates Realty Trust.

_____, Notary Public
My Commission Expires:

IN WITNESS WHEREOF, the undersigned Planning and Economic Development Board signed, acknowledged and delivered this Mutual Release of Claims on this ____ day of _____, 2021.

TOWN OF MEDWAY
By its Planning and Economic Development Board

Andy Rodenhiser, Chairman

Robert K. Tucker, Vice-Chairman

Jessica Chabot

Richard Di Iulio

Matthew J. Hayes, P.E.

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this ____ day of _____, 2021, before me, the undersigned Notary Public,
personally appeared _____

_____,
members of the Medway Planning and Economic Development Board, as aforesaid, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of the Town of Medway.

Notary Public
My Commission Expires:

From: Michael Bruce [mailto:m@tenld.com]
Sent: Wednesday, June 30, 2021 2:12 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Cc: Jonathan Bruce <jbruce@armidainc.com>; Daniel Bruce <dan@darkblue.llc>
Subject: Re: Redgate Subdivision

Dear Ms. Affleck-Childs:

Regarding the Red Gate Estates subdivision, Attorney Jepsky provided the developer with the draft "Mutual Release of Claims" as provided by the Town's attorney towards the end of May. It includes provisions not agreed upon between the developer and the Town, namely, the Town insisting on retaining the right to collect real estate taxes purportedly owed for 2 Redgate Drive.

Upon completion and technical approval of the subdivision several decades ago, 2 Redgate Drive was offered for dedication along with the roadways. However, at that time, the Town refused to accept it and the roadways for legal / political reasons. Furthermore, the Town then took 2 Redgate Drive in 2005 with the instrument recorded at the Norfolk County Registry of Deeds in Book 22651, Page 30. Therefore, the developer is not willing to sign the agreement as currently constructed by the Town's attorney.

Please confirm the Planning Board will direct its attorney to adjust the Mutual Release of Claims to be consistent with what was agreed-upon between the developer and the Town.

Sincerely,

Michael Bruce, PE



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

Medway Mill

Tetra Tech Construction Services Estimate

- Tetra Tech estimate dated 6-29-21 for \$14,484.
NOTE – This covers inspections for both the PEDB
and Conservation Commission



Medway Mill
PEDB Construction Administration Budget
June 29, 2021

Item No. ¹	Inspection	Visits	Hrs/Inspection ²	Rate	Total
1	Pre-Construction Meeting	1	3	\$167	\$501
2	Erosion Control Inspections	12	1	\$120	\$1,440
3	SWPPP Report Review/Correspondence	12	0.5	\$167	\$1,002
4	Clearing/Grubbing/Tree Protection	1	4	\$120	\$480
5	Subgrade/Staking/Rough Grading	1	4	\$120	\$480
6	Stormwater: Infrastructure	2	4	\$120	\$960
7	Stormwater: Basin	3	4	\$120	\$1,440
8	Site Subbase Gravel/Fine Grading	1	4	\$120	\$480
9	Binder Course Paving	1	6	\$120	\$720
10	Granite Curb	1	4	\$120	\$480
11	Top Course Paving	1	6	\$120	\$720
12	Landscape/Plantings (non-remediation areas)	1	6	\$120	\$720
13	Punch List/Bond Estimate ³	2	4	\$144	\$1,152
14	As-Built Review ⁴	1	4	\$167	\$668
15	Field Changes/Change Orders	1	8	\$167	\$1,336
16	Meetings	6	1	\$167	\$1,002
17	Admin	1	3	\$71	\$213
	Subtotal				\$13,794
	Expenses			5.0%	\$690
	TOTAL				\$14,484

Notes:

¹ Each item includes site visit, inspection and written report and is based on current TT/Medway negotiated rates through June 2022.

² If installation schedule is longer than that assumed by engineer for any item above, or if additional inspections are required due to issues with the contract work, additional compensation will be required.

³ This item includes one (1) substantial completion inspection, punch list memo and bond estimate provided to the town. It also includes one (1) final inspection to verify that comments from the list have been addressed. Additional revisions to the punch list will require additional funding.

⁴ This item includes one (1) review of as-built plans and review letter.

Date Approved by Medway PEDB _____

Certified by: _____

Susan E. Affleck-Childs
Medway PEDB Coordinator

Date _____



July 13, 2021

**Medway Planning & Economic Development Board
Meeting**

Tree Replacement Formula – Discussion

- Table summarizing a collection of tree replacement formulas from various towns. This is a first draft of the compilation.

Tree Replacement			
Community	Rule/Formula	Type of Bylaw or Regulation	Payment in Lieu of Option
Medway	Site Plan Rules and Regs - Trees over 24" in diameter must be replaced. Formula is not specified. We have been using the Scenic Road formula of one square inch of replacement tree per two square inches of trees removed. $[\frac{1}{2} \text{ diameter}^2 \times 3.14] \div 2 = \# \text{ of square inches of replacement trees}$. A 3" caliper tree = 7 square inches. 2 shrubs = one 3" caliper tree (per the Tree Warden).	Part of Site Plan Rules and Regs	Yes. Contribution in lieu of tree planting option is available at \$200 per 3" caliper of tree.
Franklin	Trees destroyed are replaced with nursery grade trees as follows: - up to 12 inches dbh . . . 1 tree minimum, 4" caliper - 12 inches to 24 inches dbh . . . 3 trees minimum, 4" caliper - over 24 inches dbh . . . 4 trees minimum, 4" caliper	Scenic Road General Bylaw	no
Wrentham	Trees destroyed are replaced with nursery grade trees as follows: - up to 12 inches dbh . . . 2 trees minimum 2" caliper - 12 inches to 24 inches dbh . . . 6 trees minimum, 2" caliper - over 24 inches dbh . . . 8 trees minimum, 2" caliper	Scenic Road General Bylaw	no
Concord	Applies to "protected trees" which are any trees with a diameter of 6" or more dbh that are removed within the front, side and rear setbacks of a residentially zoned parcel. Invasive species trees are not included. For each inch of "protected" tree removed, no less than one-half inch of caliper of new trees shall be replanted. Each tree must have a minimum caliper of 2".	Tree Preservation General Bylaw	yes. To be used solely for buying, planting and maintaining trees in residential neighborhoods
Greenfield	Less than 12" DBH - 1 tree with a minimum of 3" caliper if in a Tree Pit, 1.5 – 2 in all other locations... During the same calendar year's growing season or, if removed in winter, the following spring or fall Greater than 12" DBH 2 trees with a minimum of 3" caliper if in a Tree Pit, 1.5 – 2 in all other locations... During the same calendar year's growing season or, if removed in winter, the following spring or fall	General Code: Trees	no

Lexington	<p>Replanting of trees: such replanting shall be on the basis of 1/2 inch of caliper of new tree(s) for each inch of DBH of tree(s) removed, and each replanted tree must have a minimum caliper of three inches. The replanting shall occur no later than 12 months after completion of the construction work.</p> <p>Level 1: Less than 24" DBH; or a tree of any size to be removed in order to comply with a condition, restriction or requirement of a local, state, or federal permit - Same as inches removed</p> <p>Level 2: 24" DBH and larger - 2 times inches removed</p>	Trees: General Bylaws	yes. Contribution to the Selectmen's Tree Gift Account shall be \$50 per DBH inch of protected tree or Town tree removed not already mitigated
Newton	<p>(1) A replacement tree shall be of the same or similar species or such other species as deemed advisable by the tree warden in accordance with the Tree Manual and shall have the same or equivalent size as measured in DBH inches as that of the protected tree that has been removed.</p> <p>(2) In the event that a tree of the same or equivalent size as measured in DBH inches cannot be planted, then multiple smaller replacement trees may be planted provided that, wherever practicable, as determined by the tree warden, the total DBH of the replacement trees shall, when added together, equal the total DBH of the protected tree that has been removed. The tree warden may specify that replacement trees be of a minimum caliper when consistent with current accepted practice as stated in the Tree Manual.</p> <p>(3) A replacement tree shall be required to survive for a minimum of one (1) year from the date it is planted.</p> <p>The person planting the tree shall provide documentation as to the date of planting and file the same with the tree warden within fifteen (15) days of the planting of said replacement tree.</p>	Miscellaneous Provisions	Yes. a person who has been granted a tree removal permit may make a contribution to a tree replacement fund in an amount equal to the cost to replace the tree in accordance with the provisions of section 20-35, which cost shall be determined by the tree warden who shall obtain written estimates from at least two (2) tree companies
Wellesley	For each inch of DBH of the tree(s) removed no less than one-half (0.5) inch of caliper of new tree(s) shall be replanted in accordance with the following: 1. Each new tree must have a minimum caliper of two (2) inches;	Tree Protection and Preservation Bylaw	Yes. Removal of a Protected Tree not already mitigated for

Arlington	(1) a replacement tree planted on the property no later than 180 days after the Certificate of Occupancy is issued, of a minimum caliper of two and a half (2.5) inches and of a species native to the area and expected to reach a height of 50 feet or more at maturity	Tree Protection Bylaw	Yes. A \$500 payment made to the Tree Fund prior to commencement of work on the property, which the Town shall use to plant replacement trees in the vicinity of the tree removal or in other locations in the discretion of the Tree Warden
7/12/2021			