

April 26, 2016
Medway Planning and Economic Development Board Meeting Minutes
Medway Middle School – 45 Holliston Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio
Attendance	X	X	X	X	Absent with Notice

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Amy Sutherland, Recording Secretary
Stephanie Mercandetti, Director of Planning and Economic Development
Gino Carlucci, PGC Associates
Steve Bouley, Tetra Tech

The Chairman opened the meeting at 6:30 p.m.

The Chairman asked for citizen comments. There were none.

General Bylaw Amendments - Public Hearing Continuation

The public hearing for the general bylaws was reopened. Susy reviewed the comments and changes from the last meeting.

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

- Public Hearing Continuation Notice dated 4-13-16
- Proposed Article re: Design Review Committee
- Proposed Revised Article re: parking of Commercial vehicles
January 22 draft, April 8 revised draft, and April 13 revised draft

Design Review Committee Bylaw

On a motion made by Tom Gay and seconded by Matt Hayes, the Board voted unanimously to approve and recommend the amended Medway General Bylaw Section 2.15 Design Review as presented.

Parking of Commercial Vehicles Bylaw

On a motion made by Tom Gay and seconded by Matt Hayes, the Board voted to approve and recommend the proposed amendment to the Medway General Bylaw to establish Section 12.26 per the April 13, 2016 draft.

Vote: 3 to 1. (Approved) Andy Rodenhiser, Matt Hayes and Tom Gay voted AYE. Bob Tucker voted NAY.

PEDB Minutes:

April 12, 2016

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted to approve the minutes from April 12, 2016.

Discussion – Timber Crest Comprehensive Permit Application

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

- Email memo dated 3-30-16 from Stephanie Mercandetti:
- 40 B Comprehensive Permit application to the Medway ZBA.
- Design Approach Narrative
- Development Team
- Team Timber Crest Comprehensive Permit plan by Outback Engineering, dated March 6, 2015.
- Project Eligibility/Site Approval letter from MASS Housing dated January 6, 2016
- Request for Waivers from various Town bylaws and rules and regulations
- Previous PEDB comment letter dated May 4, 2015

Stephanie Mercandetti was present and explained that the public hearing for Timber Crest will begin on Wednesday, May 4, 2016. The Board suggested taking the letter which was previously submitted and add further comments to it. Susy would like the Board to provide comments. Member Hayes will assist with the drafting of the letter. One of the items which needs to be addressed will be the second egress. The applicant is looking to waive just about 100% of the Subdivision Rules and Regulations.

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to have Susy prepare a comment letter regarding Timber Crest.

Medway Zoning Bylaw Amendments – Public Hearing Continuation

The Chairman opened the continued hearing for the proposed amendments to the Medway Zoning Bylaw.

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

- Public Hearing Continuation Notice
- Site Plan Review – note added text in blue
- Accessory Family Dwelling Units
- Definitions
- Editing
- Self-Storage Facilities
- Zoning District Boundaries
- Email memo dated 4-20-16 from Town Counsel Barbara Saint Andre about adding a sunset provision to the zoning bylaw editing article
- NOTE – The article about expanding the Industrial II zoning district was removed.

Site Plan Review:

Resident, Charlie Myers, 9 Curtis Lane:

Mr. Myers was present to ask the Board to take no action at a minimum. There currently is no site plan review for accessory structures. He would like the Board to delete “accessory structures” from the list of exemptions since it lacks definition and it opens door for other things.

The Chairman thanked Mr. Myers for bringing this forward to the Board but he is hesitant to make any change to the article since it would change the initial intent as written. The Board really does not want a residential site plan review bylaw.

Consultant Carlucci responded that the building uses are defined and accessory structure is not defined. There is a difference between a building and structure.

Mr. Myers responds but there is no definition of an accessory structure in the bylaw and with the inclusion of accessory structure as exempted from site plan, it opens up room for residential structure development without control. He asks to not include the words accessory structure as being exempt from site plan review.

Consultant Carlucci responds that the current article was advertised and publically reviewed with exclusions. This change expands the scope. He further explained that if there is an application for a big garage, then it would not go to PEBD under this bylaw.

The Board is in agreement that the issue prompting Mr. Myers concerns (an oversized garage on a subdivision lot) might be able to be addressed through a special permit.

NOTE - Member Tucker needed to leave the meeting at 7:18 pm due to an emergency.

Mr. Myers responded that if someone wants to build a barn and it is out of character with a neighborhood and might need buffering, then it needs to be addressed through some sort of review.

Member Gay responded that the Board cannot legislate good taste.

The Chairman understands what Mr. Myers is trying to address but he does not want to jeopardize the rest of the article by changing the wording.

Susy responded that Town Counsel would probably recommend to keep the language as drafted.

Stephanie Mercandetti concurred to stay with how it is written and then clean it up for another town meeting.

Member Hayes does not want this article flagged by the Attorney General due to any change.

On a motion made by Matt Hayes, and seconded by Andy Rodenhiser, the Board voted 2 to 1 to approve the article as amended (dated April 8, 2016) to include accessory structures as exempt from site plan review.

The Board was made aware that this vote was not a majority of the whole board. The Board will need to address this at the next meeting when all members are present.

Accessory Family Dwelling Units:

On a motion made by Tom Gay and seconded by Matt Hayes, the Board voted unanimously (3-0) to approve and recommend the accessory family dwelling unit article as written.

Definitions:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously (3-0) to approve and recommend the definition article as written.

Editing:

The Board is in receipt of a confidential email dated April 20, 2016 from Town Counsel regarding the Board's idea of adding a sunset provision to this article

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously (3-0) to approve this editing article as written with the inclusion of a sunset clause.

Self-Storage:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously (3-0) to approve and recommend the self-storage article as written.

Boundaries of Zoning District:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously (3-0) to approve and recommend the boundary zoning district article as written.

The Board agreed to keep the public hearing open to take a final vote on the site plan review warrant article when all members are present.

Public Hearing Continuation:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously (3-0) to continue the public hearing for proposed amendments to the Medway Zoning Bylaw to May 3, 2016 at 7:00 pm at Sanford Hall.

General By-laws Public Hearing:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously (3-0) to close the public hearing for proposed amendments to the Medway General By-laws.

NOTE - Member Gay excused himself at 7:30 pm. for the Exelon hearing.

Exelon Expansion Site Plan – Public Hearing Continuation

The Chairman opened the hearing at 7:30 p.m.

The Chairman explained that one of the members of the Board needed to leave to handle an emergency and one member is not in attendance due to sickness. Tom Gay is not able to participate in any of the Exelon hearings because of a conflict of interest. Therefore only 2 members are present. That is not a quorum. The hearing will need to be continued. There can be no testimony submitted tonight.

The Board was made aware that they need to act on an extension of the Board's deadline for action on the site plan application. It was suggested that the hearing be continued to a special meeting to be held on Tuesday, May 3, 2016 at which time the deadline extension request can be acted upon. The Chairman is not available to attend the meeting on May 3, 2016 but can participate remotely. The applicant explained that they will be attending the Design Review Committee meeting on Monday May 2, 2016. The applicant would also like to meet on Tuesday, May 10, 2016 as originally planned.

Continuation:

On a motion made by Matt Hayes and seconded by Andy Rodenhiser, the members voted to continue the Exelon public hearing to Tuesday, May 3, 2016 at 7:15 pm at Sanford Hall.

Member Gay returned to the meeting at 7:36 pm.

Tri Valley Commons – Project Completion

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

- Project Completion Request letter and certification John Kucich, Bohler Engineering dated 4/19/16.
- Survey Record Plan 9 (as-built plan) dated 4/17/16 by Control Point Associates
- Tetra Tech bond estimate dated 12/24/15
- Pages 23-26 of the TVC site plan decision re: performance security and project completion.
- Tetra Tech punch list memo dated 4/22/16
- Letter dated 4/26/16 from John Kucich, Bohler Engineering in response to Tetra Tech punch list memo dated 4/22/16

Mr. Landry is requesting a Certificate of Occupancy for the Direct Tire and Advance Auto buildings at 72 Main Street.

Susy spoke with Building Inspector Jack Mee. He can issue a temporary certificate of occupancy. He recommended a period of 60 to 90 days maximum.

Consultant Bouley was on site last Thursday and there are punch list of items which need to be addressed. He reviewed those with the Board.

Items which need to be addressed:

- Clean forebay for infiltration basin #1 -- do this by hand.
- Clean the drainage system and sweep hardscaped areas.
- Install the chain-link fence.

The Board would like these items addressed prior to any temporary certificate of occupancy being issued. Susy will communicate these concerns to developer Rich Landry.

2 Marc Road Site Plan/Special Permit Public Hearing

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

- Public Hearing Notice dated April 11, 2016
- Site Plan Application dated April 1, 2016
- Special Permit Application dated April 1, 2016
- Project Narrative and Development Impact Report
- Site Plan
- Building Elevation
- Floor Plans
- Requests for Waivers from *Site Plan Rules and Regulations*
- Plan Review letter prepared by PGC Associates, dated April 20, 2016.

Present on behalf of the applicant:

Ellen Rosenfeld, Ellen Realty Trust
Dan Merrikin, Merrikin Engineering
Valerio Romano, VGR Law Firm
Antonia Kenny, Keenan & Kenny Architects, Ltd.

The Board was made aware that the information was provided to Tetra Tech but the review letter is not yet complete. It will be provided in time for the next hearing.

Dan Merrikin began the presentation by explaining that the site is currently used for contractor equipment and material storage. The prospective tenant is CommCan, Inc. The project is for the construction of a two story 60,000 sq. ft. industrial facility and associated infrastructure on three parcels comprising 6.92 acres at 2 Marc Rd. and 19 & 21 Jayar Rd. The second floor will not be built out until the demand is warranted. There are wetlands on the site. This property is also located within the groundwater protection district and needs a special permit. This property is owned by Ellen Realty Trust. This facility will be used for a registered medical marijuana cultivation and processing facility. The development will be from Marc Rd. which runs westerly off of Industrial Park Road which is off Main Street/Route 109. The work includes construction of access/egress driveways, curbing, 35 off street parking spaces, landscaping, lighting, sidewalks, and installation of stormwater drainage facilities. There will be connection to municipal sewer, and reconstruction of the privately owned portions of Jayar and Marc Roads.

The anticipated number of employees is 30 with 35 parking spaces. Employees will work various shifts. The parking lot is designed to meet the requirements of the regulations. The hours of

operation will be 12 hours per day, 7 hours a week. There is very little traffic expected for the site. The site will generate less than 100 trips per day at full operation.

This site will have a series of vegetated drainage swales and stormwater basins which will be dedicated to runoff from adjacent properties and portions of Marc Road and Jayar Road. The stormwater management system will capture, treat, and infiltrate runoff. The project proposes to install a proprietary stormwater treatment unit on the existing street drainage pipeline.

The cultivation activities within the building will be serviced by an existing irrigation well. This will be used to pump water into the building. This will be an isolated shallow gravel well. Domestic use will be 600 gallons a day. There will be two water systems - domestic water supply and water well. These systems will not intermingle. The Chairman would like documentation from DEP that this can be done. It was suggested that the Board get something from the Water Department. The applicant will check if a permit is needed. The sewage will be treated through a centralized tank which will comply with the requirements. This sewage will be treated prior to discharge to the municipal sewer system. The facility will use a variety of agricultural fertilizers, herbicides, and pesticides. These products will be prepackaged and delivered into the building through a loading door and will be contained in a designated area. Most of the materials will be mixed with irrigation water within the building and applied to the plants in liquid form. The deliveries of the products will be done in small box trucks. There will also be a 3,000 gallon CO2 tank located on the southwesterly corner of the building which will be refilled by a tractor trailer.

The rendering of the building was shown. There will be a flat roof with solar panels. The main entrance will be in the front but no windows are planned due to security issues as indicated by the Mass Department of Public Health. This will be panelized construction. This building will be fully secured both internally and externally. A photometric plan of the lighting will be provided. There will be no fences on the property. There will also be no customers on site. All products will be delivered off-site to retail dispensaries.

The applicant is seeking the following waivers from the *Site Plan Rules and Regulations*.

- Section 204-3.A.7a - Traffic Study
- Section- 204-5.C.3 – Existing Landscape Inventory
- Section 204-5.D.7 – Proposed Landscape Design

There is no plan for shrubbery due to security regulations. The Board would like documentation of this.

The applicant communicated that this business will increase the Town's commercial and industrial base.

There was discussion that Jayar RD is noted incorrectly on the Town map. It was suggested to look to see how this street is designated and labeled. The applicant would like to make improvements to this street by repaving with berms. It will be pulverized and repaved. The Board asked if the applicant will seek street acceptance for Marc RD and Jayar RD in the future. Susy noted that it would need to comply with the current *Subdivision Rules and Regulations* for

road standards. The current width of the road is 30 ft. Andy Rodenhiser mentioned a prior conversation with the applicant about granting an easement at the end of Marc Road westerly to the Old County Layout on the adjacent property. The applicant is in agreement with this. It is near the Lally property. The width of the easement would be 50 ft. The applicant is scheduled to go to the Conservation Commission on Thursday, May 12, 2016.

The metal building was reviewed. Since the offices on the front, Susy asked if there was any possibility to have some more window options on the front of building. This is a very plain building. The Board was shown another rendering that showed a dark strip across the building to break up the appearance.

Consultant Bouley asked if the applicant had paid the consultant funds. He noted that Tetra Tech would have its review done by the May 10, 2016 meeting.

The Host Agreement will be in the final review and the Board would like to know what is included.

The applicant would like to meet with the Board on May 10, 2016.

Continuation:


On a motion Matt Hayes and seconded by Tom Gay, the Board voted to continue the 2 Marc Road public hearing to May 10, 2016 at 7:00 pm at Sanford Hall.

Adjourn:

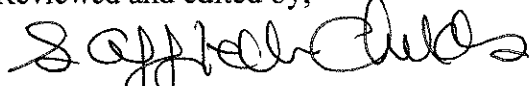
On a motion made by Tom Gay and seconded by Matt Hayes, the Board voted to adjourn the meeting.

The meeting was adjourned at 10:15 pm.

Respectfully Submitted,


Amy Sutherland
Recording Secretary

Reviewed and edited by,


Susan E. Affleck-Childs
Planning and Economic Development Coordinator



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 Hayes, P.E.
Richard Di Iulio

MEMORANDUM

April 13, 2016

TO: Maryjane White, Town Clerk
Town of Medway Departments, Boards and Committees

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

RE: ***Public Hearing Continuation – Proposed Amendments to the Medway General By-laws***
CONTINUATION DATE – Tuesday, April 26, 2016 at 6:30 p.m.
LOCATION – Medway Middle School, 45 Holliston Street – School Committee
Presentation Room

At its meeting on April 12, 2016, the Planning and Economic Development Board voted to continue the public hearing on proposed amendments to the Medway General By-laws to Tuesday, April 26, 2016 at 6:30 p.m. The public hearing will occur during a regular meeting of the Planning and Economic Development Board to be held in the School Committee Presentation Room at the Medway Middle School, 45 Holliston Street. The room is accessible via Door #7 on the south side of the building.

Please contact me if you have any questions.

PROPOSED GENERAL BYLAW – ARTICLE A

MEDWAY DESIGN REVIEW COMMITTEE Bylaw

REVISED – March 3, 2016

ARTICLE : To see if the Town of Medway will vote to amend the Medway General Bylaws, Section 2.15 Design Review Committee as follows. Items to be deleted are noted with a ~~strike through~~. Items to be added are noted in **bold text**.

Section 2.15 – Design Review Committee

- (a) **Establishment** - There shall be a Design Review Committee (DRC) consisting of at least five ~~(5)~~ **and up to seven voting** members who reside in Medway ~~who~~ **and** shall be sworn to the faithful performance of their duties. **The DRC may also have up to three non-voting advisors who reside and/or work in Medway.**
- (b) **Mission** - To serve the people of Medway in a capacity that openly, creatively and appropriately reviews site, building and sign design for private and public development. The DRC is tasked with serving as an advocate for the preservation and enhancement of Medway's natural, scenic and aesthetic qualities to achieve the pleasing composition of places within the context of the *Medway Master Plan*. The DRC works with the broad intention of maintaining and/or improving the quality of life, value of property and viability of commerce through the use of thoughtful and community-appropriate design practices as represented by the *Medway Design Review Guidelines*.
- ~~(b)(c)~~ **Appointments** - ~~The Design Review Committee DRC members and advisors shall be appointed by the Planning and Economic Development Board. Committee Members shall serve two (2) year staggered terms, with the majority of the first members appointed for a two (2) year term and the remaining initial members appointed for a one (1) year term. Thereafter, each member shall serve for two (2) years or until his successor has been appointed. Advisors shall serve one (1) year terms.~~
- ~~(e)~~ **(d) Composition**
 - 1. **Members** - ~~The Design Review Committee DRC shall include one member of the Planning and Economic Development Board. and a representative of the Medway Business Council.~~ The majority of the remaining members should ~~have be~~ **be design professionals with** experience and/or training in architecture, landscape design, site design, **graphic arts**, graphic design, sign design, planning, **environmental design**, **urban design** or other suitable **design** professions. ~~that could be helpful to the Committee's work.~~ **Other members may include individuals representing various business interests such as real estate, building trades, and local business organizations.**
 - 2. **Advisors** – Advisors shall include individuals with particular design expertise who are able to provide periodic design consultation to the DRC in reviewing development permit applications and proposals.

~~(d)~~ (e) Responsibilities of the Design Review Committee

1. Assist and advise the Planning and Economic Development Board, and its applicants, and other Town boards, committees and departments as may request such assistance, with regard to proposals, applications and plans for Town issued development permits, subdivisions, site plans, special permits, sign permits, scenic road work permits, and other development proposals. The Design Review Committee's recommendations are advisory and may include suggestions for modifications to proposed designs and conditions for approval of development proposals.
2. Serve as a design resource, providing site, building, landscape, signage, and graphic design expertise and assistance to Town boards, committees, and departments with regard to Town sponsored programs, proposals, capital improvement projects and municipal building projects.
3. The DRC's recommendations are advisory and may include suggestions for modifications to proposed designs, and/or conditions for approval of development proposals to be consistent with the *Medway Design Review Guidelines*.
2. Assist and advise the Planning Board regarding possible amendments to the *Medway Zoning Bylaw* and various *Rules and Regulations*.
3. Continue to promote and improve the use of the *Medway Design Guidelines*; recommend changes and improvements to the *Medway Design Guidelines*.
4. Perform other duties and responsibilities as may be specified by the *Medway Zoning Bylaw*, or other Town bylaws, and various land use *Rules and Regulations* as may be requested by various Town boards, committees and departments. the Planning and Economic Development Board.
5. Assist and advise the Planning and Economic Development Board regarding possible amendments to its various *Rules and Regulations* and to the *Zoning Bylaw*.
6. Promote and improve the use of the *Medway Design Review Guidelines* by both public and private entities. As needed, recommend changes and improvements to the *Design Review Guidelines* to the Planning and Economic Development Board.
5. Advocate for good design in municipal programs and capital projects.

- (e) (f) **Design Review Guidelines** - In performing its work, the Design Review Committee shall be guided by the *Medway Master Plan* and by the *Medway Design Review Guidelines* to be developed by the Committee and as adopted and published by the Planning and Economic Development Board. after a duly called and advertised public hearing. The Planning Board may amend the *Design Guidelines* from time to time after a duly called and noticed public hearing in accordance with customary Planning Board practice.

Or to act in any manner relating thereto.

Planning and Economic Development Board
Design Review Committee

ARTICLE on Parking of Commercial and Recreational Vehicles

REVISED Draft – January 22, 2016

ARTICLE : To see if the Town of Medway will vote to amend the Medway General By-laws by adding the following Section 12.26 in Article XII:

Section 12. 26 Regulation of Parking and Storage of Recreational and Commercial Vehicles

(a) **Purpose** - The purpose of this By-law is to regulate the outdoor parking and storage of commercial and recreational vehicles. This By-law is adopted to promote safe vehicular traffic, to preserve peace and good order, to protect the character of residential neighborhoods, to promote the aesthetic beauty of the community and hence the value of the property located therein, and to promote the health, safety and general welfare of the citizens of the Town of Medway.

(b) Prohibitions/Limitations

- (1) **Public Ways** - No person shall allow, permit, or cause a recreational vehicle or a commercial motor vehicle, bus or trailer having a Class 4 gross vehicle weight rating or higher to be parked at any location on any public or private way within the Town of Medway for any period in excess of four hours in any twenty-four hour period, unless said vehicle is in the process of loading, unloading, or providing some service to one or more adjacent properties.
- (2) **Private Property**
 - a. For a business use authorized by special permit or variance by the Board of Appeals or for a pre-existing non-conforming business use, commercial motor vehicles with a Class 4 gross vehicle weight rating or higher shall not be parked within the standard front, side and rear setback areas established in the Zoning Bylaw for the applicable zoning district.
 - b. No person shall allow, permit, or cause a commercial motor vehicle with a Class 4 gross vehicle weight rating or higher to be parked on private property located within a residential zoning district unless done temporarily in connection with a bona fide commercial service, sales or delivery to such property not to exceed four hours in any twenty-four hour period.
- (3) Not more than one unregistered vehicle of any kind may be parked or stored outside on any property.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD
INSPECTOR OF BUILDINGS

ARTICLE on Parking of Commercial and Recreational Vehicles

FURTHER REVISED – April 8, 2016

NOTE – Yellow is new text. Green is text to be removed.

ARTICLE : To see if the Town of Medway will vote to amend the Medway General By-laws by adding the following Section 12.26 in Article XII:

Section 12. 26 Regulation of Parking and Storage of Recreational and Commercial Vehicles

- (a) **Purpose** - The purpose of this By-law is to regulate the on-street parking of certain commercial and recreational vehicles and the outdoor parking/storage of unregistered vehicles and certain commercial vehicles. This By-law is adopted to promote safe vehicular traffic, to preserve peace and good order, to protect the character of residential neighborhoods, to promote the aesthetic beauty of the community and hence the value of the property located therein, and to promote the health, safety and general welfare of the citizens of the Town of Medway.

(b) **Definitions**

- (1) **Commercial Motor Vehicle** - Any vehicle defined as such by the Massachusetts Registry of Motor Vehicles in 540 CMR 2.05
- (2) **Gross Vehicle Weight Rating (GVWR)** – The value specified by the manufacturer as the loaded weight of a single vehicle including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers, as established by the National Highway Traffic Safety Administration, U.S. Department of Transportation.
- (3) **Recreational Vehicle** - A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to serve as a temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravans, camping trailers, and self-propelled motor homes.
- ~~(4) **Trailer** – A non-motorized vehicle, often a long platform or box/container with two or more wheels, which is pulled behind a motorized vehicle and used to transport things.~~

(c) **Prohibitions/Limitations**

- (1) No person shall allow, permit, or cause ~~a trailer, recreational vehicle, or a~~ commercial ~~motor~~ vehicle having a Class ~~4~~ 5 gross vehicle weight rating or higher to be parked at any location on any public or private way within the Town of Medway for any period in excess of ~~four~~ six hours in any twenty-four hour period, unless said vehicle is in the process of loading, unloading, or providing a ~~temporary~~ service to

one or more adjacent properties including but not limited to landscaping, construction, driveway paving, etc.

(2) Recreational vehicles owned and/or occupied by an adjacent property owner or by a family member of an adjacent property owner may be parked on any public or private way within the Town of Medway along the frontage of the adjacent property for up to three weeks. After that period of time, a permit from the Board of Selectmen is required.

(2) (3) ~~For a business use authorized under the Medway Zoning Bylaw by right, by special permit or variance, or for a pre-existing non-conforming business use, No commercial motor vehicles with a Class 4 5 gross vehicle weight rating or higher owned by the business shall not be parked within the standard front, side and rear setback areas established in~~ as set forth in Section 6.1 the Zoning Bylaw for the applicable zoning district where the property is located except that such vehicle may be parked in the property's paved driveway when located within one of the setback areas.

~~(3) Not more than one unregistered vehicle of any kind may be parked or stored outside on any property in a residential zoning district.~~

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD
INSPECTOR OF BUILDINGS

ARTICLE on Parking of Commercial Vehicles

REVISED – April 13, 2016

NOTE – ~~Text highlighted in blue is to be removed.~~ Text highlighted in yellow is to be added.

ARTICLE 27: To see if the Town of Medway will vote to amend the Medway General By-laws by adding the following Section 12.26 in Article XII:

Section 12. 26 Regulation of Parking and Storage of ~~Recreational and~~ Commercial Vehicles

- (a) **Purpose** - The purpose of this By-law is to regulate the on-street parking of certain commercial ~~and recreational~~ vehicles and the outdoor parking/storage of ~~unregistered vehicles and~~ certain commercial vehicles. This By-law is adopted to promote safe vehicular traffic, to preserve peace and good order, to protect the character of residential neighborhoods, to promote the aesthetic beauty of the community and hence the value of the property located therein, and to promote the health, safety and general welfare of the citizens of the Town of Medway.

(b) Definitions

- (1) **Commercial ~~Motor~~ Vehicle** - Any vehicle defined as such by the Massachusetts Registry of Motor Vehicles in 540 CMR 2.05
- (2) **Gross Vehicle Weight Rating (GVWR)** – The value specified by the manufacturer as the loaded weight of a single vehicle including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers, as established by the National Highway Traffic Safety Administration, U.S. Department of Transportation.
- ~~(3) **Recreational Vehicle** – A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to serve as a temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravans, camping trailers, and self-propelled motor homes.~~
- ~~(4) **Trailer** – A non-motorized vehicle, often a long platform or box/container with two or more wheels, which is pulled behind a motorized vehicle and used to transport things.~~

(c) Prohibitions/Limitations

- (1) No person shall allow, permit, or cause ~~a trailer, recreational vehicle, or a~~ commercial ~~motor~~ vehicle having a Class ~~4~~ 5 gross vehicle weight rating or higher to be parked at any location on any public or private way within the Town of Medway for any period in excess of ~~four~~ six hours in any twenty-four hour period, unless said vehicle is in the process of being used for loading, unloading, or providing a

temporary service to one or more adjacent properties including but not limited to landscaping, construction, driveway paving, etc..

- (2) ~~For a business use authorized by right, by special permit or variance, or for a pre-existing non-conforming business use, commercial motor vehicles with a Class 4 gross vehicle weight rating or higher shall not be parked within the standard front, side and rear setback areas established in the Zoning Bylaw for the applicable zoning district.~~

No commercial vehicle with a Class 5 gross vehicle weight rating or higher shall be parked within the standard front, side and rear setback areas as set forth in Section 6.1 of the *Zoning Bylaw* for the zoning district where the property is located except that such vehicle may be parked in the property's paved driveway where located within the setback areas.

- (3) ~~Not more than one unregistered vehicle of any kind may be parked or stored outside on any property in a residential zoning district.~~

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD
INSPECTOR OF BUILDINGS

Susan Affleck-Childs

From: Stephanie Mercandetti
Sent: Wednesday, March 30, 2016 4:55 PM
To: Michael Boynton; Susan Affleck-Childs; Jeff Lynch; Thomas Holder; David Damico; Jack Mee; Beth Hallal; Bridget Graziano; Chief Tingley; jwatson@medwaypolice.com; Carol Pratt; Allison Potter; Donna Greenwood; Joanne Russo; 'Armand Pires'; 'Donald Aicardi'; Doug Havens; Mary Becotte; Missy Dziczek; Mary Jane White
Subject: Timber Crest Estates Comprehensive Permit Filing - Hearing set for May 4th

Good afternoon -

The ZBA has received an application for a Comprehensive Permit from Timber Crest LLC for their proposed 188 unit development known as Timber Crest Estates on property primarily owned by Henry Wickett.

As you may recall, comments were previously solicited during the review of the site eligibility application. The project received its Site Eligibility Letter from MassHousing issued on January 6, 2016.

The entire application filing has been uploaded to the Community & Economic Development folder on the Common drive (H:). For those that do not have access to the Common drive, I also provided the dropbox link here https://www.dropbox.com/sh/rajabwih6465mnu/AABBPCPsk0J4_SMA4K5xw2eka?dl=0

Please note that there are some items missing from the submission such as building tabulation, elevations, traffic study and landscape plan to name a few. At such time as these materials will be submitted, we will add to both the Common drive and to Dropbox and alert you.

The hearing on this application will open on Wednesday, May 4th. Please review the application and forward any comments on the proposal including your opinion on the waivers requested to me no later than **Friday, April 29th**.

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

Thank you, in advance, for your attention and review.

Take care,
Stephanie

Stephanie A. Mercandetti
Director, Community & Economic Development
Town of Medway
155 Village Street
Medway, MA 02053
Ph: 508.321.4918
Email: smercandetti@townofmedway.org

TIMBER CREST ESTATES

NARRATIVE DESCRIPTION OF DESIGN APPROACH

EXISTING SITE CONDITIONS:

Timber Crest Estates is located in the northeasterly section of Medway. The site consists of an assemblage of 9 parcels of land totaling 163.1 acres. The site is bordered by residential areas along Winthrop Street to the west, Fairway Lane to the north, Holliston Street to the east and Fern Path to the South.

The site parcels are further identified on the Assessor Tax Maps as shown in Tab 2 §1.2 of the application binder.

The property is currently mostly wooded, except for a homesite at 102 Winthrop Street and along two utility easements running parallel to each other across the site. One of these easements is for underground natural gas mains for Algonquin Gas Transmission Company and the other is for overhead, electric power transmission lines belonging to Boston Edison. The site topography is relatively gently sloping, characterized by small hills and lower valleys where the wetlands are located.

The wetlands on the site have been delineated, and the wetland lines on the western portion of the site were recently approved by the Medway Conservation Commission, Tab 3 §2.4. The wetlands traverse the site, providing substantial open area. These wetlands drain off site to the northwest, northeast and southwest through different intermittent streams.

The site location is not within any mapped environmentally sensitive areas based on review of MassGIS data, except for one small vernal pool located in the northeast portion of the site. The site is not within any regulatory floodways (i.e., no 100-yr. floodplains), state-designated Outstanding Resource Waters, Areas of Critical Environmental Concern, Zone II of public wells or Zone A of public water supplies, or priority habitat of endangered or rare species as mapped by the MA Division of Fisheries and Wildlife.

Locus, aerial and neighborhood photos are included in the application binder Tab 3.

SITE DESIGN

Timber Crest Estates is somewhat unique as it creates a planned unit development with two separate independent neighborhoods, which are bisected by wetlands and open space. The project consists of 192 housing units, including 76 single family homes on the west portion of the site and 116 condominiums (56 duplex buildings and 4 detached single-family units) on the east portion of the site. The site, as designed by Outback Engineering of Middleborough, MA, has a subdivision roadway entrance for the single family house lots off of Winthrop Street, directly opposite from Stephanie Road. The subdivision roadways loop through the western portion of the site, ending in a cul-de-sac with an emergency access provided to Ohlson Circle, across the property located at 13 Ohlson Circle and owned by Novus Homes LLC (a subsidiary company of Mounir M. Tayara, manager of Timber Crest, LLC). The subdivision lots will be serviced by a gravity sewer extension that will connect to the existing sewer manhole in Buttercup Lane (to be extended approximately 1,000 ft. along town ways to 13 Ohlson

Circle), except several lots near the Winthrop Street will have sewage pumps connected to the new gravity sewer. Town water mains are proposed to be extended by providing a connection between the existing mains in Winthrop Street and Ohlson Circle. Underground cable utilities and natural gas are also to be provided.

The eastern portion of the site containing the condominiums proposes a private roadway system that will connect Fairway Lane to the end of Fern Path. The condominiums will be serviced by a sewer extension that will connect to the existing sewer manhole in Fern Path, requiring a pump station that will be privately maintained by the condominium association to be created. Town water mains are proposed to be extended by providing a connection between the existing mains in Fairway Lane and Fern Path. Underground cable utilities and natural gas are also to be provided.

Several wetland crossings will be required to provide two access points for each portion of the development. Wetland replication areas will be provided at a ratio of 2:1.

The site design features sustainable development technologies to minimize the impact on the environment. It utilizes several low impact/sustainable development techniques in the site design and stormwater management including the following:

- Narrower roadways and short driveways,
- Stormwater retention areas to be designed may make use of roof drains, bioretention areas or rain gardens, grass swales and permeable pavement.
- Use of native plantings that are drought tolerant to minimize water dependence.

ARCHITECTURAL DESIGN

The homes shall be wood-framed with exteriors having minimal maintenance and attractive designs to maximize the marketability and aesthetics of the development. Buyers will have flexibility in choosing from a variety of floor plans and elevations for both the condominium duplex and single family homes designs.

The developments architectural designs and building scale is compatible with the style of homes in the area. The height of the buildings being a maximum of two stories is compatible with the residential buildings in the area.

DEVELOPMENT TEAM

TIMBER CREST LLC

Medway, MA

APPLICANT

Timber Crest, LLC is a sole purpose entity created to develop Timber Crest Estates in Medway, Ma in accordance with M.G.L. 40B.

The manager of Timber Crest, LLC is Mounir M. Tayara who has been n the building and construction industry since 1998. He is presently developing (Novus Homes LLC) a conventional subdivision in Bellingham.

Mr. Tayara holds an unrestricted construction supervisors license in Massachusetts. His development and construction experience over the last 10 years are as senior project manager, his responsibilities include the developing, managing and building residential projects including the land acquisition, permitting, financing and construction of the buildings for private owners or investor groups

The co-manager of Timber Crest, LLC is Muhammad M. Itani. Mr. Itani is President & Treasurer of Stonebridge Homes, Inc.

The Stonebridge family of companies has built numerous communities over the last 20 years. Some of the communities located in Massachusetts are Abington, Easton, Raynham, Taunton, Franklin, West Bridgewater, Pembroke, Dighton, Westport, Norwell and Whitman.

The Stonebridge family of companies has received several approvals within the last 5 years from Mass Housing for the developments listed below; all were permitted in accordance with MGL 40B which included as an integral part of the development team Delphic Associates and Outback Engineering. In addition to the affordable homes listed below, the Stonebridge families of companies have developed several developments which were conventionally permitted.

Development Name	Municipality	Development Type	Site Eligibility	Final Approval
Maplewood Estates	Rockland	72 Single Family	Yes	Yes
Briggs Landing	Westport	90 Single Family	Yes	Yes
Tiffany Hill	Norwell	24 Detached condo	Yes	Yes
Nadia Estates	Foxborough	36 Townhouse condo	Yes	Process

CONSULTANT

Delphic Associates LLC has over 30 years of experience as a real estate development and consulting firm with a concentration of developing "For Sale" housing in accordance with MGL 40 throughout the Commonwealth. Delphic has been responsible for permitting approximately 50 developments in accordance with MGL 40B.

In addition to its permitting experience, Delphic is one of the leading lottery and marketing agents in the Commonwealth. Having developed and implementing Affirmative Fair Housing Marketing Plans ("AFHMP") and Housing Lotteries in over 40 communities, consisting of approximately 1,500 homes

Over the last 10-12 years the Stonebridge family of companies has been an import client of Delphic. The developments listed above were permitted by Delphic with assistance from the development team members of each of the development entities.

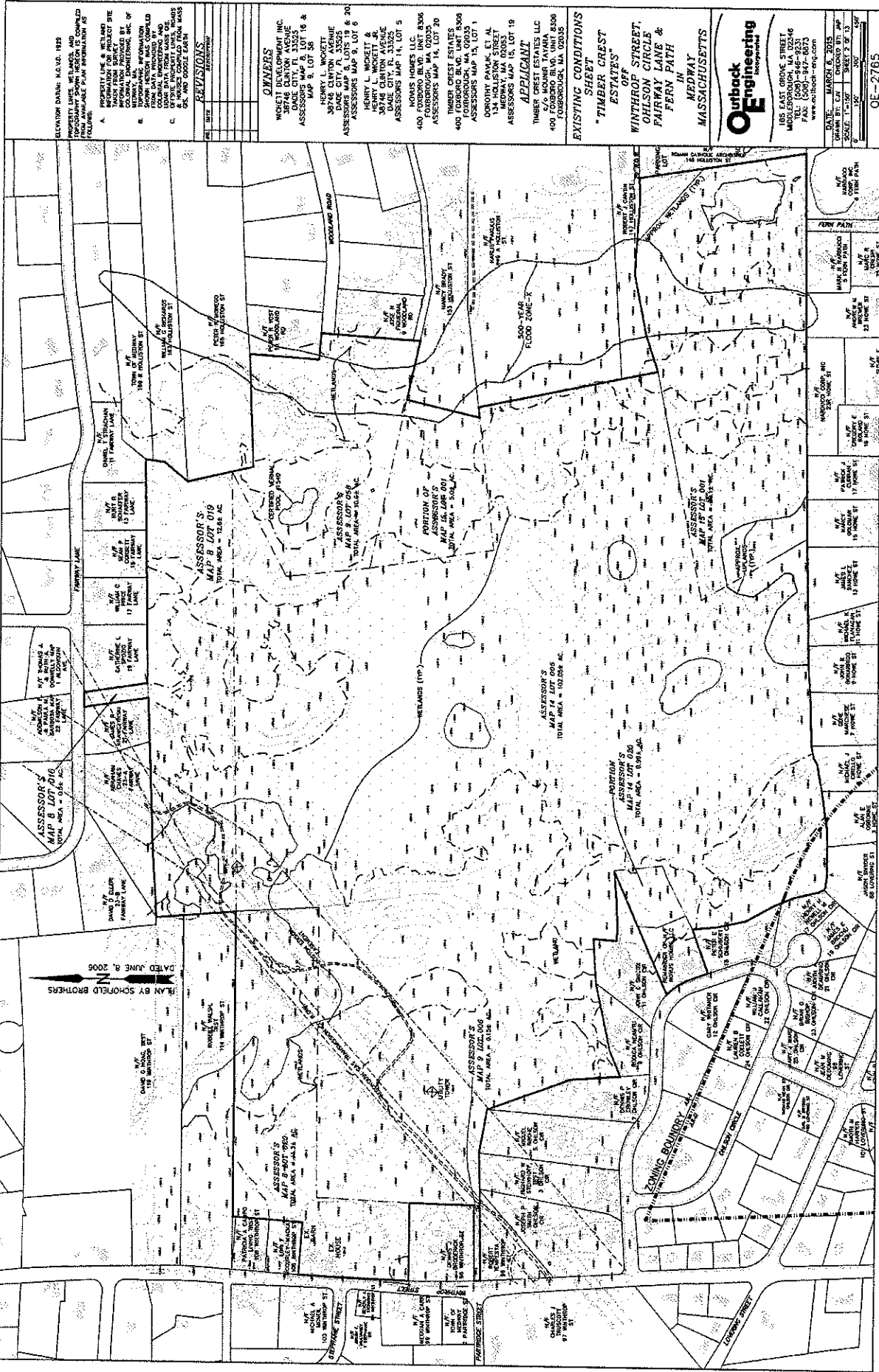
Please visit Delphic's web site at www.DelphicAssociates.com

ENGINEER

The applicant has chosen the engineering firm of Outback Engineering Inc., a full service site planning, civil engineering and land survey firm located in Middleborough, MA. Outback has been in business since 1997, involved in site design on a variety of commercial and residential projects. Services include land surveying, site planning through full design and permitting, and construction surveying and observation services. Over the last 18 years, Outback and Delphic have been development team members in a substantial number of projects permitted in accordance with M.G.L. 40B.

Please visit their web site www.Outback-Eng.com

The developments listed above have all been permitted and/or constructed with the development team consisting of one of the Stonebridge companies along with Delphic and Outback.



DATED JUNE 9, 2006
PLAN BY SCHOFIELD BROTHERS

ELEVATION DATA: M.G.D. 1922
PROPERTY LINES, WETLANDS, AND
FLOOD ZONE DATA WERE OBTAINED FROM
THE MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL AFFAIRS (DEA) AND
THE MASSACHUSETTS DEPARTMENT OF
NATURAL RESOURCES (DNR).
A. PROPERTY LINES & WETLANDS
WERE OBTAINED FROM THE
MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL AFFAIRS (DEA).
B. FLOOD ZONE DATA WERE
OBTAINED FROM THE MASSACHUSETTS
DEPARTMENT OF NATURAL RESOURCES
(DNR).
C. ELEVATION DATA WERE OBTAINED
FROM THE MASSACHUSETTS
DEPARTMENT OF NATURAL RESOURCES
(DNR).
D. AND DOUGLAS EARTH

NO.	DATE	REVISIONS
1	06/09/06	ISSUED FOR PERMIT

OWNERS
WICKETT DEVELOPMENT INC.
3000 WICKETT DRIVE
DADE CITY, FL 33523
ASSESSORS MAP 8, LOT 16 &
MAP 8, LOT 36
30748 CLAYTON MACHINE
DADE CITY, FL 33523
ASSESSORS MAP 9, LOT 6 &
LOT 7
HENRY L. WICKETT &
JENNIFER L. WICKETT JR.
DADE CITY, FL 33523
ASSESSORS MAP 14, LOT 5
NORRIS HOMES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
ASSESSORS MAP 14, LOT 20
TIMBER CREST ESTATES
400 TOWERS BLVD. UNIT 8306
ASSESSORS MAP 14, LOT 1
ORCHARD PARK, LLC
134 HOLISTON STREET
MIDWAY, MA 02035
ASSESSORS MAP 13, LOT 19
AFFILIATE
TIMBER CREST ESTATES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
TOWERSIDE, MA 02035
EXISTING CONDITIONS
SHEET
"TIMBER CREST
ESTATES"
OFF
WINTHROP STREET,
OHLSON CIRCLE,
FAIRWAY LANE &
FERN PATH
IN
MIDWAY
MASSACHUSETTS

REVISIONS
NO. DATE REVISIONS
1 06/09/06 ISSUED FOR PERMIT

OWNERS
WICKETT DEVELOPMENT INC.
3000 WICKETT DRIVE
DADE CITY, FL 33523
ASSESSORS MAP 8, LOT 16 &
MAP 8, LOT 36
30748 CLAYTON MACHINE
DADE CITY, FL 33523
ASSESSORS MAP 9, LOT 6 &
LOT 7
HENRY L. WICKETT &
JENNIFER L. WICKETT JR.
DADE CITY, FL 33523
ASSESSORS MAP 14, LOT 5
NORRIS HOMES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
ASSESSORS MAP 14, LOT 20
TIMBER CREST ESTATES
400 TOWERS BLVD. UNIT 8306
ASSESSORS MAP 14, LOT 1
ORCHARD PARK, LLC
134 HOLISTON STREET
MIDWAY, MA 02035
ASSESSORS MAP 13, LOT 19
AFFILIATE
TIMBER CREST ESTATES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
TOWERSIDE, MA 02035
EXISTING CONDITIONS
SHEET
"TIMBER CREST
ESTATES"
OFF
WINTHROP STREET,
OHLSON CIRCLE,
FAIRWAY LANE &
FERN PATH
IN
MIDWAY
MASSACHUSETTS

REVISIONS
NO. DATE REVISIONS
1 06/09/06 ISSUED FOR PERMIT

OWNERS
WICKETT DEVELOPMENT INC.
3000 WICKETT DRIVE
DADE CITY, FL 33523
ASSESSORS MAP 8, LOT 16 &
MAP 8, LOT 36
30748 CLAYTON MACHINE
DADE CITY, FL 33523
ASSESSORS MAP 9, LOT 6 &
LOT 7
HENRY L. WICKETT &
JENNIFER L. WICKETT JR.
DADE CITY, FL 33523
ASSESSORS MAP 14, LOT 5
NORRIS HOMES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
ASSESSORS MAP 14, LOT 20
TIMBER CREST ESTATES
400 TOWERS BLVD. UNIT 8306
ASSESSORS MAP 14, LOT 1
ORCHARD PARK, LLC
134 HOLISTON STREET
MIDWAY, MA 02035
ASSESSORS MAP 13, LOT 19
AFFILIATE
TIMBER CREST ESTATES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
TOWERSIDE, MA 02035
EXISTING CONDITIONS
SHEET
"TIMBER CREST
ESTATES"
OFF
WINTHROP STREET,
OHLSON CIRCLE,
FAIRWAY LANE &
FERN PATH
IN
MIDWAY
MASSACHUSETTS

REVISIONS
NO. DATE REVISIONS
1 06/09/06 ISSUED FOR PERMIT

OWNERS
WICKETT DEVELOPMENT INC.
3000 WICKETT DRIVE
DADE CITY, FL 33523
ASSESSORS MAP 8, LOT 16 &
MAP 8, LOT 36
30748 CLAYTON MACHINE
DADE CITY, FL 33523
ASSESSORS MAP 9, LOT 6 &
LOT 7
HENRY L. WICKETT &
JENNIFER L. WICKETT JR.
DADE CITY, FL 33523
ASSESSORS MAP 14, LOT 5
NORRIS HOMES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
ASSESSORS MAP 14, LOT 20
TIMBER CREST ESTATES
400 TOWERS BLVD. UNIT 8306
ASSESSORS MAP 14, LOT 1
ORCHARD PARK, LLC
134 HOLISTON STREET
MIDWAY, MA 02035
ASSESSORS MAP 13, LOT 19
AFFILIATE
TIMBER CREST ESTATES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
TOWERSIDE, MA 02035
EXISTING CONDITIONS
SHEET
"TIMBER CREST
ESTATES"
OFF
WINTHROP STREET,
OHLSON CIRCLE,
FAIRWAY LANE &
FERN PATH
IN
MIDWAY
MASSACHUSETTS

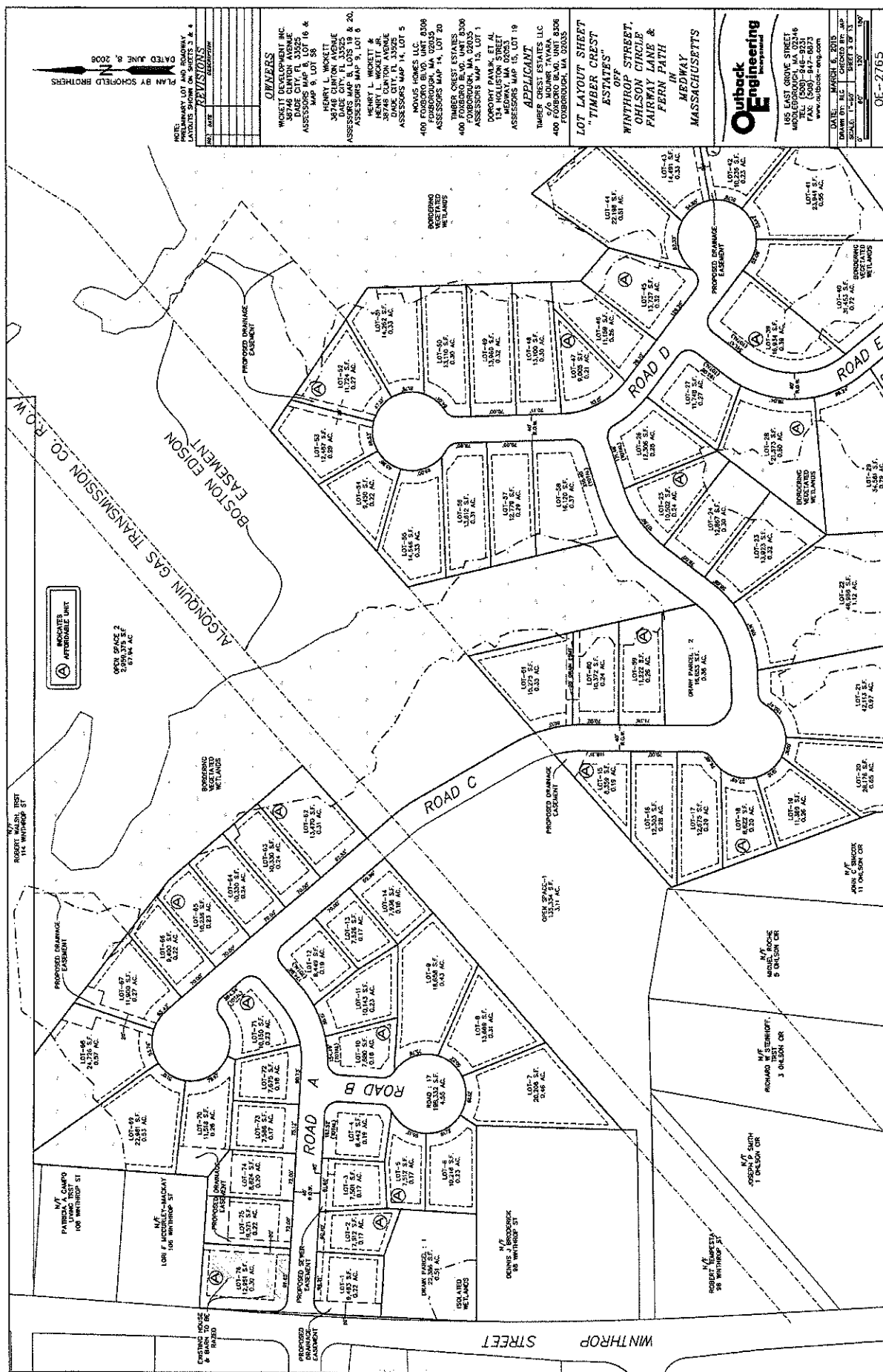
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NO. DATE REVISIONS
1 06/09/06 ISSUED FOR PERMIT

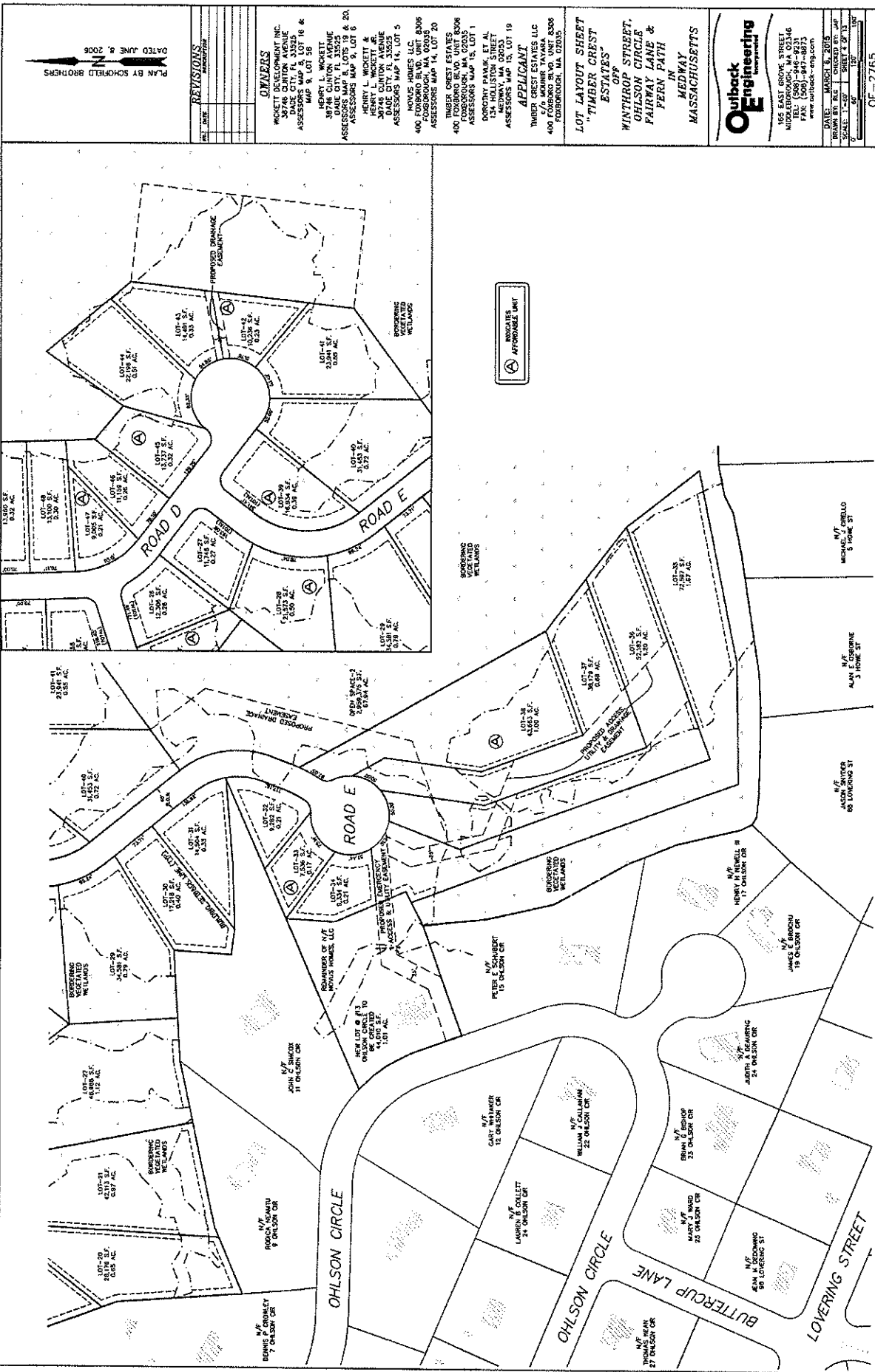
OWNERS
WICKETT DEVELOPMENT INC.
3000 WICKETT DRIVE
DADE CITY, FL 33523
ASSESSORS MAP 8, LOT 16 &
MAP 8, LOT 36
30748 CLAYTON MACHINE
DADE CITY, FL 33523
ASSESSORS MAP 9, LOT 6 &
LOT 7
HENRY L. WICKETT &
JENNIFER L. WICKETT JR.
DADE CITY, FL 33523
ASSESSORS MAP 14, LOT 5
NORRIS HOMES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
ASSESSORS MAP 14, LOT 20
TIMBER CREST ESTATES
400 TOWERS BLVD. UNIT 8306
ASSESSORS MAP 14, LOT 1
ORCHARD PARK, LLC
134 HOLISTON STREET
MIDWAY, MA 02035
ASSESSORS MAP 13, LOT 19
AFFILIATE
TIMBER CREST ESTATES LLC
400 TOWERS BLVD. UNIT 8306
TOWERSIDE BLVD. UNIT 14, LOT 20
TOWERSIDE, MA 02035
EXISTING CONDITIONS
SHEET
"TIMBER CREST
ESTATES"
OFF
WINTHROP STREET,
OHLSON CIRCLE,
FAIRWAY LANE &
FERN PATH
IN
MIDWAY
MASSACHUSETTS

Outback Engineering
185 EAST OGDON STREET
MIDDLEBOROUGH, MA 02546
TEL: (508) 946-8231
WWW.OUTBACK-ENG.COM

DATE: JUNE 9, 2006
DRAWN BY: LK
CHECKED BY: JH
SCALE: 1"=100'
SHEET 2 OF 3
JOB NO. 06-001
PROJECT: TIMBER CREST ESTATES
LOCATION: MIDWAY, MA
SHEET: 2 OF 3

OE-2765





OWNERS
WICKET L. WICKETT & ASSOCIATES, INC.
38746 CLINTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 18 & 19, LOT 18 & 19

APPLICANT
TIMBER CREST ESTATES, LLC
400 FORBORD BLVD. UNIT 8306
FORSYTH, GA 30055
ASSESSORS MAP 14, LOT 20

LOT LAYOUT SHEET
"TIMBER CREST ESTATES"
OFF
WINTHROP STREET
OHLSON CIRCLE
FAIRWAY LANE & FERN PATH
IN
MEDWAY
MASSACHUSETTS

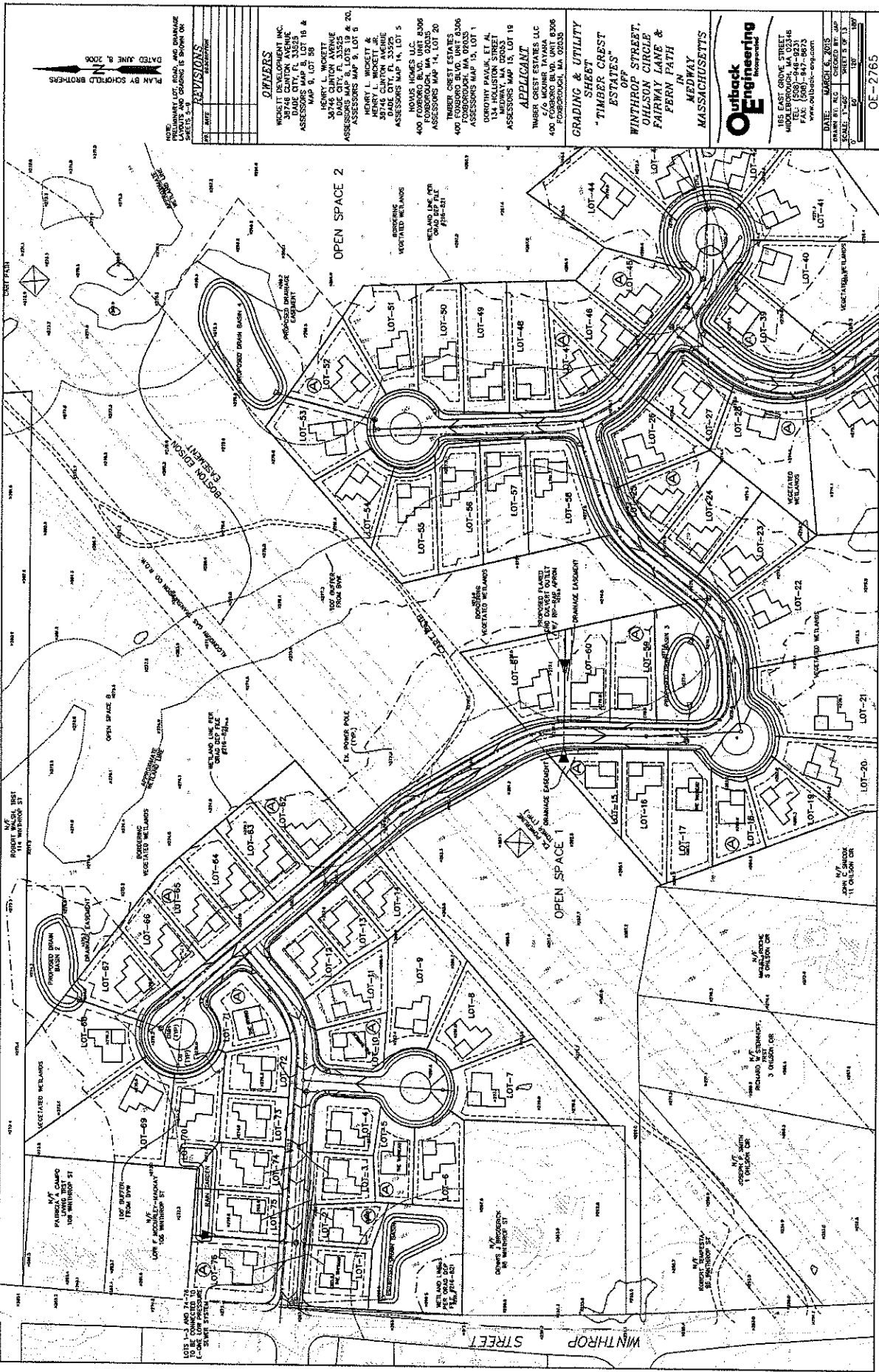
REVISIONS

REV.	DATE	DESCRIPTION
1	10/13/06	ISSUED FOR PERMIT

DATE: MARCH 8, 2015
DESIGNED BY: JAP
DRAWN BY: JAP
CHECKED BY: JAP
SCALE: 1" = 40' (PLAN) & 1" = 10' (SECTION)

Outback Engineering
165 EAST GROVE STREET
MIDDLEBOROUGH, MA 02346
TEL: (508) 947-8833
FAX: (508) 947-8833
www.outback-eng.com

OC-2765



PLAN BY SCOTT BROTHERS
 DATED JUNE 9, 2006
 PRELIMINARY LOT, ROAD, AND DRAINAGE
 MAPS. NO GRADING IS SHOWN ON
 SHEETS 1-3

REVISIONS

NO.	DATE	DESCRIPTION
1	06/09/06	ISSUED FOR PERMIT

OWNERS

WIDETT DEVELOPMENT INC.
 100 EAST GARDEN STREET
 BOSTON, MA 02134
 ASSESSORS MAP 8, LOT 18 &
 MAP 9, LOT 58

NEW WINDHAM
 5474 CANTON AVENUE
 BOSTON, MA 02134
 ASSESSORS MAP 8, LOT 18 &
 MAP 9, LOT 58

HOMER HOMES LLC
 400 FOREBROOK BLVD. UNIT 806
 BOSTON, MA 02134
 ASSESSORS MAP 14, LOT 5

THE WINDHAM
 134 HOLISTON STREET
 BOSTON, MA 02134
 ASSESSORS MAP 14, LOT 20

APPLICANT

WINDHAM CREST ESTATES
 400 FOREBROOK BLVD. UNIT 806
 BOSTON, MA 02134
 ASSESSORS MAP 14, LOT 1

GRADING & UTILITY

SHEET

"TIMBER CREST"

OFF

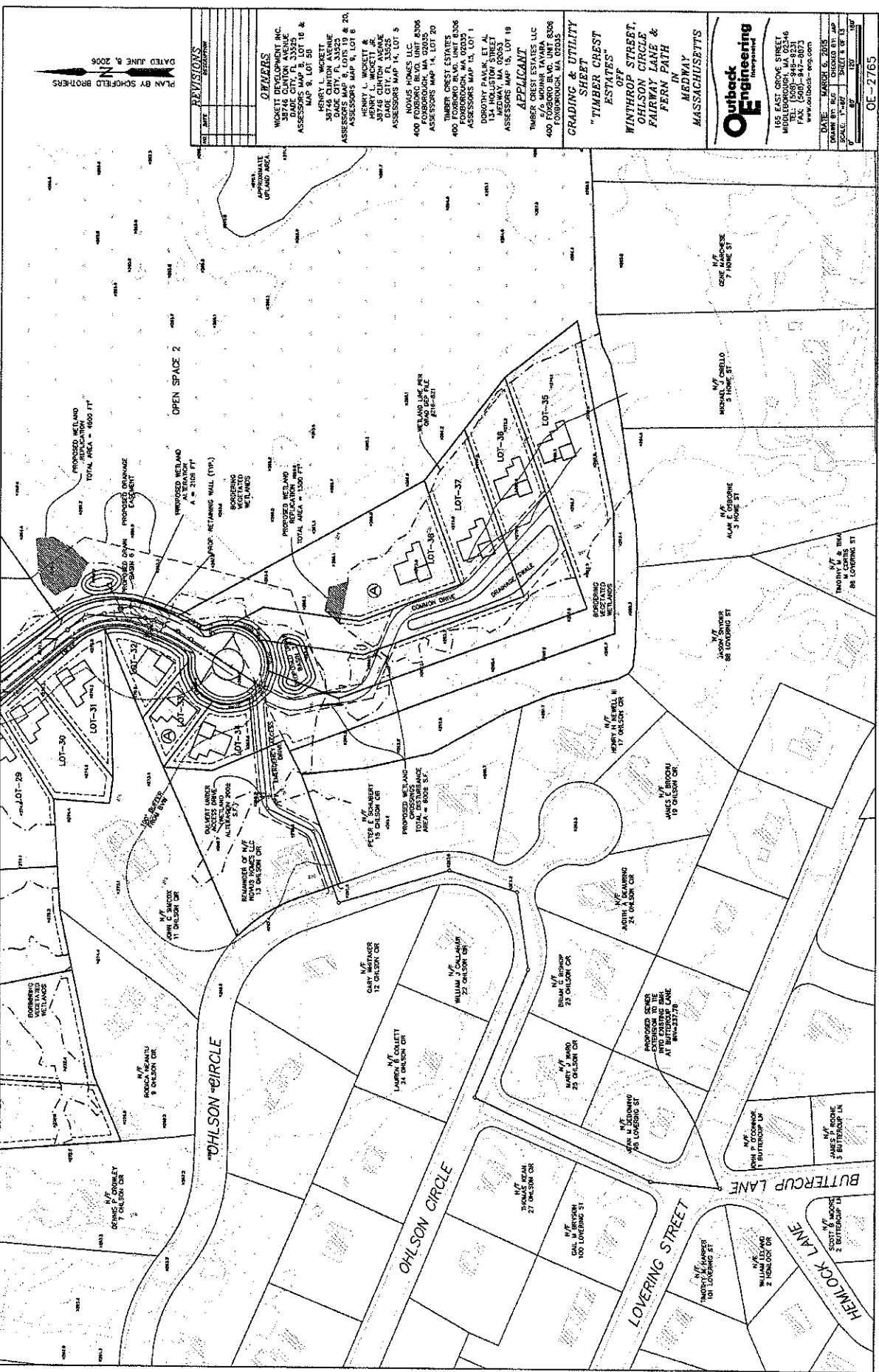
WINTHROP STREET,
 OHLSON CIRCLE
 FAIRWAY LANE &
 FERN PATH
 IN
 MEDWAY
 MASSACHUSETTS

Outback Engineering

185 EAST GROVE STREET
 MIDDLEBOROUGH, MA 02346
 TEL: (508) 942-1800
 FAX: (508) 942-1803
 www.outback-eng.com

DATE: MARCH 5, 2015
 DRAWN BY: AG
 CHECKED BY: JAP
 SCALE: 1"=20' SHEET 5 OF 13
 PROJECT: WINDHAM CREST ESTATES

OF-2765



PLAN BY SCHOFIELD BROTHERS
DATED JUNE 8, 2006

REVISIONS	
NO.	DESCRIPTION
1	ISSUED

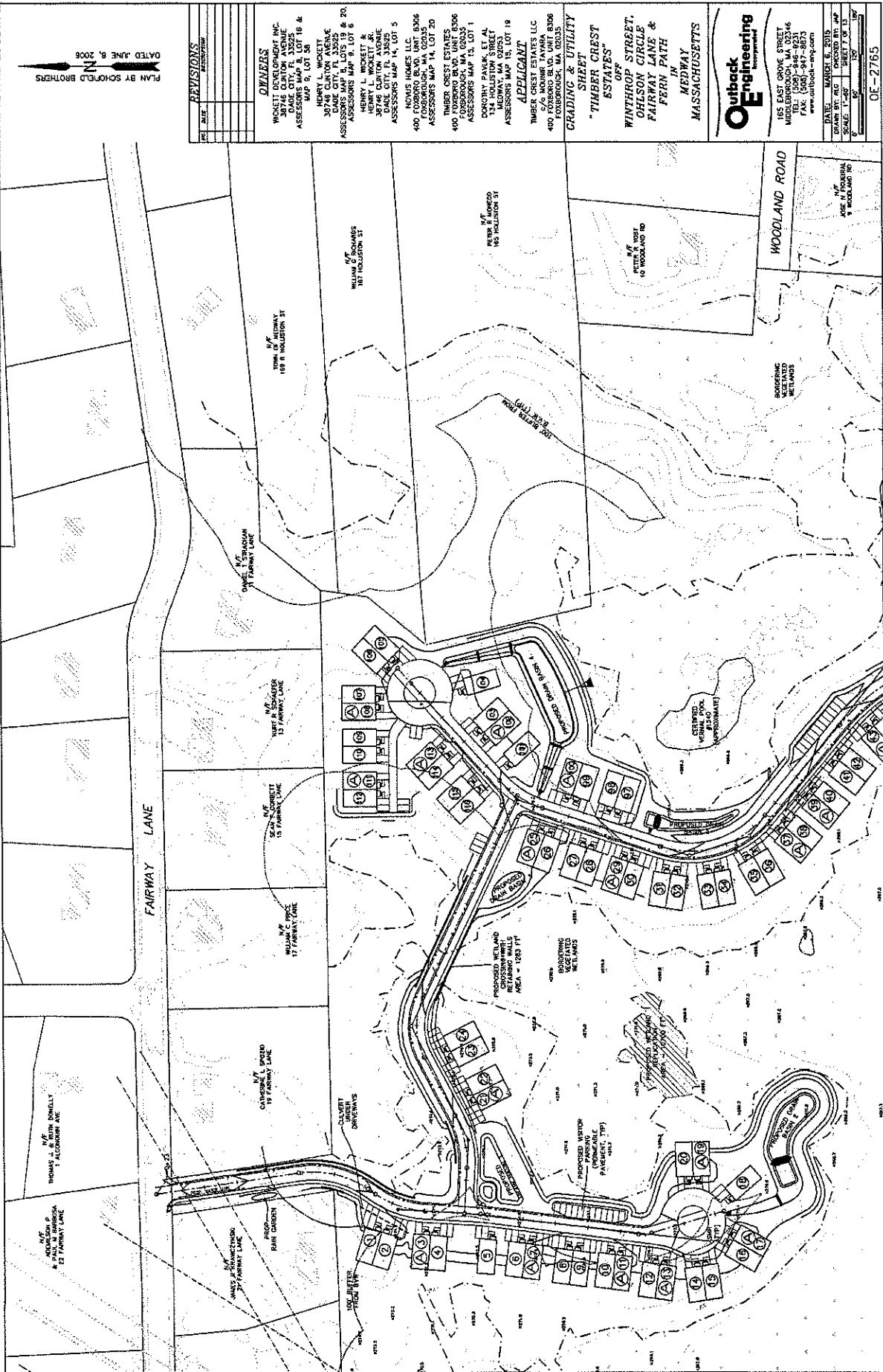
OWNERS
WEST 12 DEVELOPMENT INC.
18717 W. 12TH AVE.
DADE CITY, FL 33525
ASSESSORS MAP 14, LOT 16 &
MAP 15, LOT 17
HENRY L. WICKETT
38745 CLINTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 9, LOT 6 &
LOT 7
HENRY L. WICKETT &
HENRY L. WICKETT JR.
38745 CLINTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 14, LOT 5
ASSESSORS MAP 14, LOT 5
NOVUS HOMES LLC
400 FORBES BLVD. UNIT 6006
FOXBOROUGH, MA 02035
ASSESSORS MAP 14, LOT 20
TIMBER CREST ESTATES
400 FORBES BLVD. UNIT 6006
FOXBOROUGH, MA 02035
ASSESSORS MAP 13, LOT 1
DOROTHY PAULIK ET AL
114 HOLISTON STREET
FOXBOROUGH, MA 02035
ASSESSORS MAP 13, LOT 19
APPLICANT
TIMBER CREST ESTATES LLC
S/O MARIAN TAVARA
400 FORBES BLVD. UNIT 6006
FOXBOROUGH, MA 02035

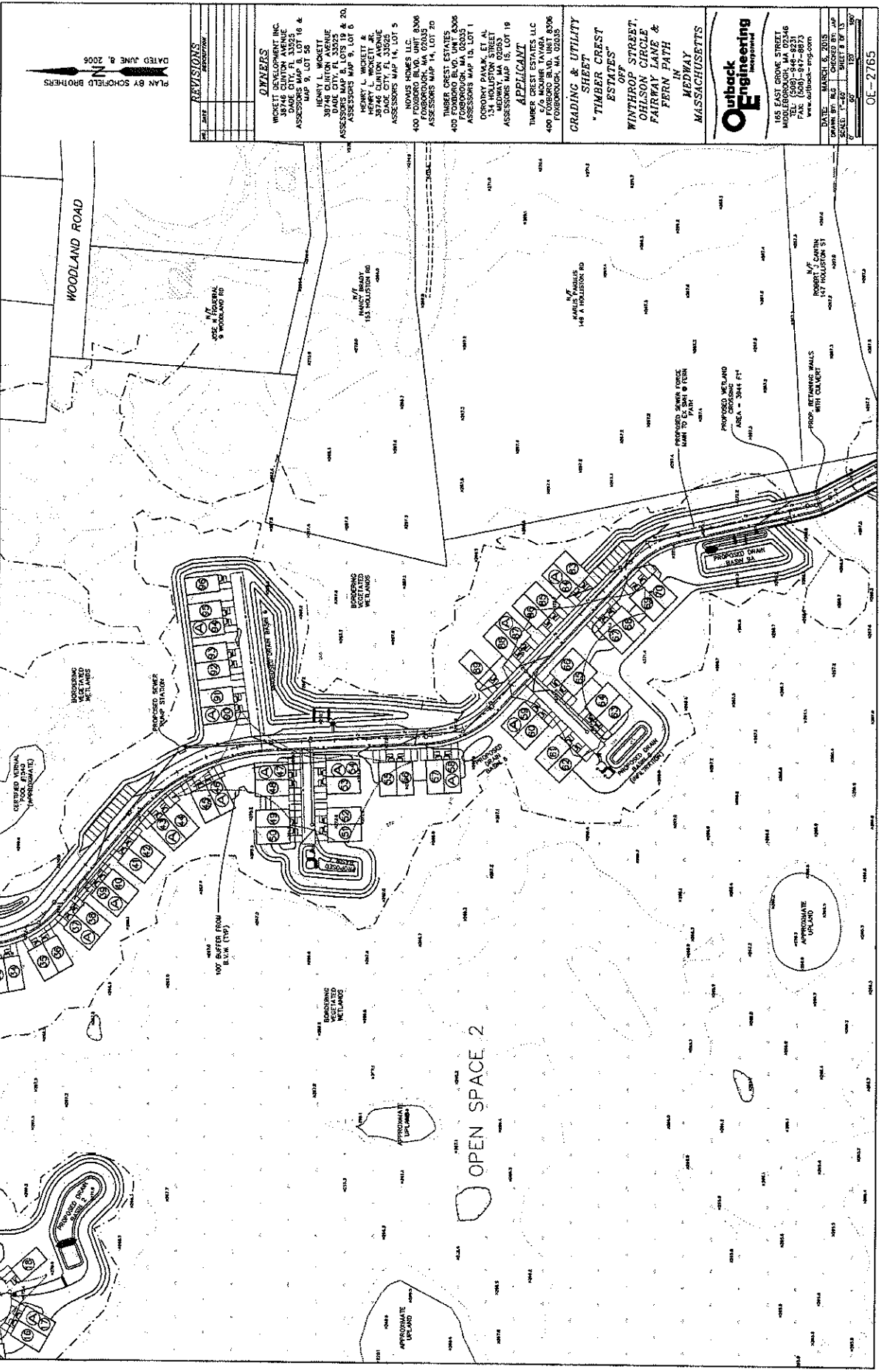
**GRADING & UTILITY
SHEET**
"TIMBER CREST
ESTATES"
OFF
WINTHROP STREET,
OHLSON CIRCLE &
FAIRLAN LANE &
FERN PATH
MEDWAY
MASSACHUSETTS

Outback Engineering
165 EAST GROVE STREET
MILLIS, MA 02034
TEL: (508) 947-8873
FAX: (508) 947-8873
www.outback-eng.com

DATE: MARCH 6, 2006
DRAWN BY: JES
CHECKED BY: JES
SCALE: 1" = 40' 1" = 80' 1" = 160'

06-2765





PLAN BY SCHOENFELD BROTHERS
DATED JUNE 8, 2005

REVISIONS	
NO.	DATE
1	06/08/05

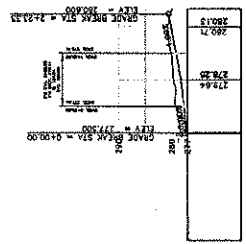
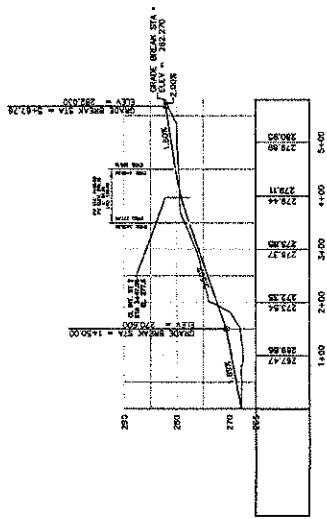
OWNERS
WICKET CREST ESTATES, INC.
38746 CLINTON AVENUE
DAGE CITY, FL 33525
ASSESSORS MAP 9, LOT 16 &
ASSESSORS MAP 9, LOT 18
HENRY L. WICKETT
38746 CLINTON AVENUE
DAGE CITY, FL 33525
ASSESSORS MAP 9, LOT 16
ASSESSORS MAP 9, LOT 18
HENRY L. WICKETT &
TIMBER CREST ESTATES
38746 CLINTON AVENUE
DAGE CITY, FL 33525
ASSESSORS MAP 14, LOT 5
ASSESSORS MAP 14, LOT 6
ROADS HOMES LLC
400 FOREBROOK BLVD. UNIT 8006
FOXBOROUGH, MA 02033
ASSESSORS MAP 14, LOT 20
ASSESSORS MAP 14, LOT 21
TIMBER CREST ESTATES
400 FOREBROOK BLVD. UNIT 8006
FOXBOROUGH, MA 02033
ASSESSORS MAP 13, LOT 1
DOROTHY PARK, ET AL
134 HOLISTON STREET
FOXBOROUGH, MA 02033
ASSESSORS MAP 15, LOT 16
ASSESSORS MAP 15, LOT 18
APPLICANT
TIMBER CREST ESTATES LLC
c/o MAURER TAYLOR
400 FOREBROOK BLVD. UNIT 8006
FOXBOROUGH, MA 02033

GRADING & UTILITY SHEET
"TIMBER CREST ESTATES"
OFF WINTHROP STREET,
OHLSON CIRCLE,
FAIRWAY LANE &
FERN PATH
MEDWAY
MASSACHUSETTS

Outback Engineering
Incorporated
165 EAST GROVE STREET
MEDFORD, MA 02155
PHONE: (508) 927-8873
FAX: (508) 927-8873
www.outback-eng.com

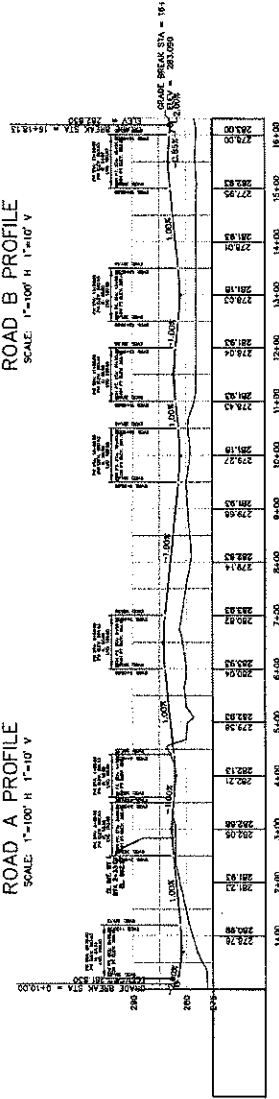
DATE: MARCH 8, 2015
DRAWN BY: RJC
CHECKED BY: JAP
SCALE: 1" = 40' & 1" = 80'

01-2765

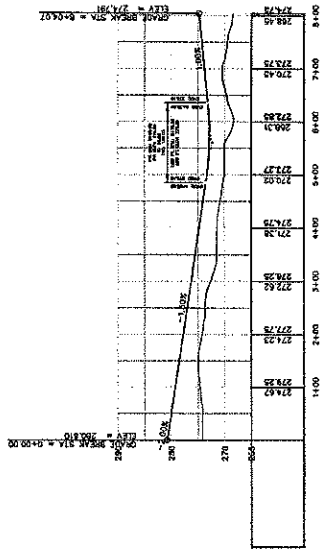
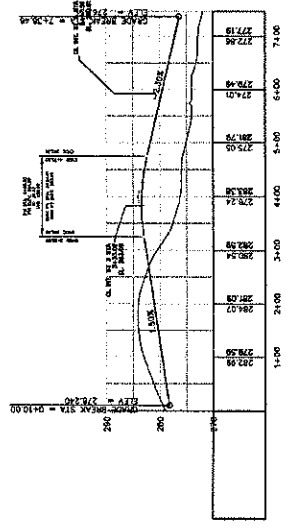


ROAD B PROFILE
SCALE: 1"=100' H 1"=10' V

ROAD A PROFILE
SCALE: 1"=100' H 1"=10' V



ROAD C PROFILE
SCALE: 1"=100' H 1"=10' V



REVISIONS	
NO.	DATE

OWNERS
MOORE DEVELOPMENT INC.
38746 CLINTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 16 &
MAP 9, LOT 56
HENRY L. WICKETT
38746 CLINTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 9, LOT 6
HENRY L. WICKETT &
38746 CLINTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 14, LOT 5
DADE CITY, FL 33525
ASSESSORS MAP 14, LOT 5
400 FORD ROAD, UNIT 8306
FORDBOROUGH, MA 02035
ASSESSORS MAP 14, LOT 20

APPLICANT
TIMBER CREST ESTATES LLC
c/o MOUNTAINVIEW
400 FORD ROAD, UNIT 8306
FORDBOROUGH, MA 02035

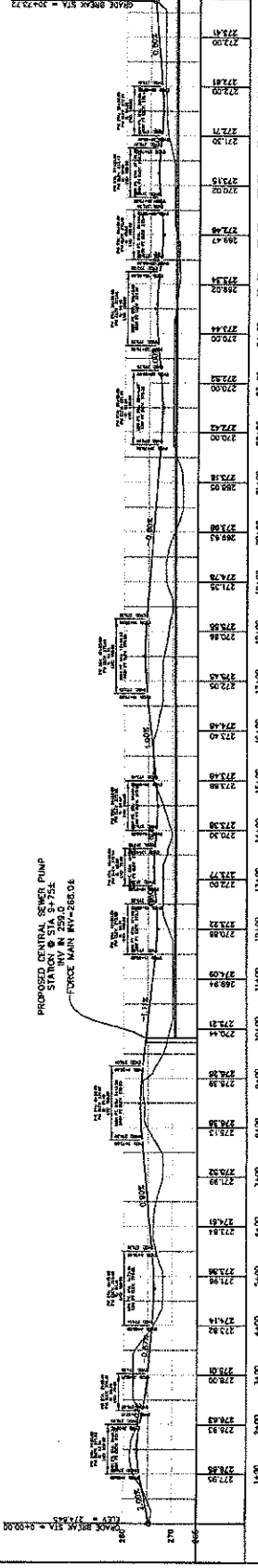
PROFILE SHEET
"TIMBER CREST
ESTATES"
OFF
WINTHROP STREET,
OHLSON CIRCLE &
FAIRWAY LANE &
FERN PATH
MEDWAY
MASSACHUSETTS

Outback Engineering
INCORPORATED
165 EAST GROVE STREET
MEDFORD, MA 02155
TEL: (508) 941-8831
FAX: (508) 941-8873
www.outback-eng.com

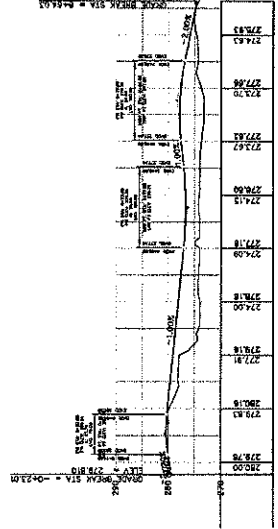
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CHECKED BY: J. WICKETT
SCALE: 1"=100' H 1"=10' V

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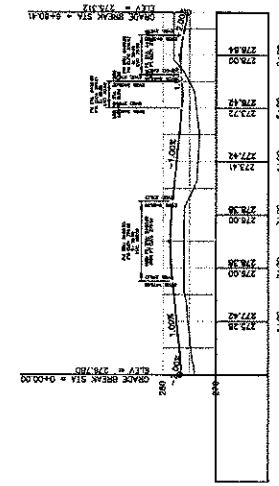
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STATION 6+55.47-752
INV. 8+200.0
FORCE MAIN INV-285.0E



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CONDO DRIVE A PROFILE
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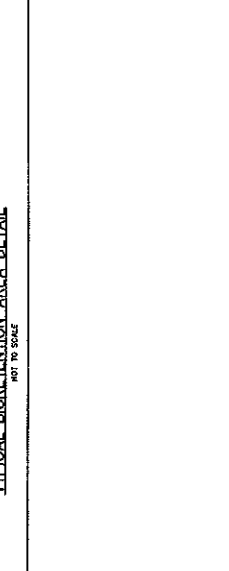
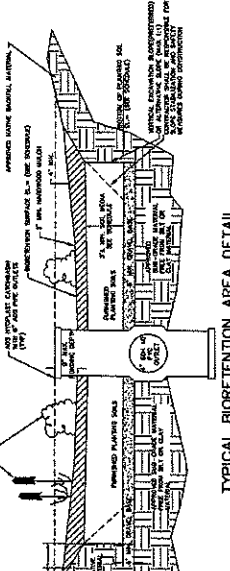
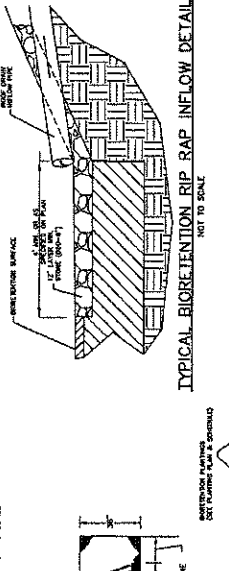
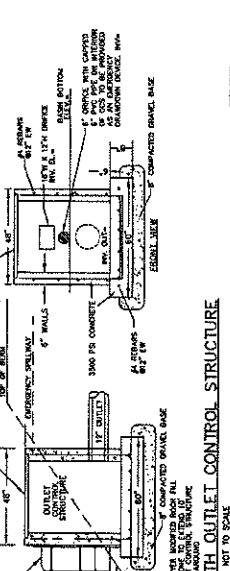
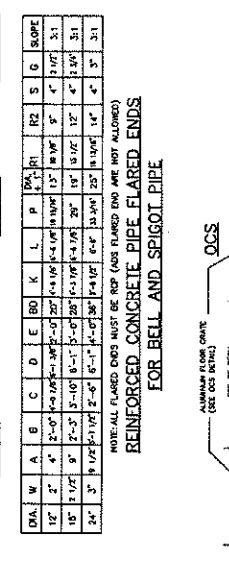
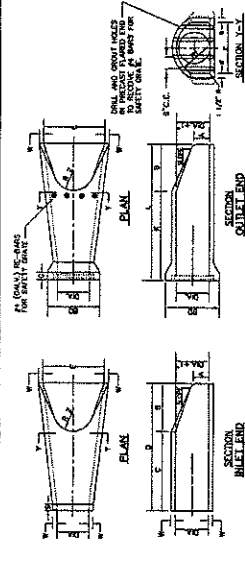
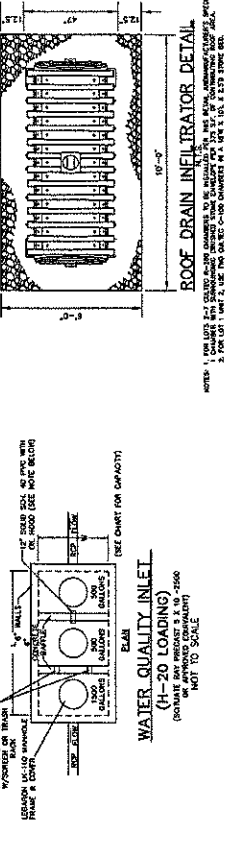
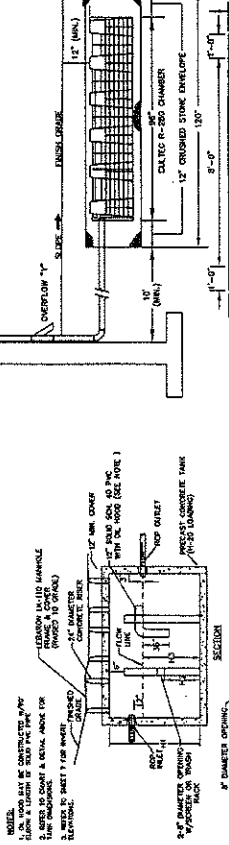
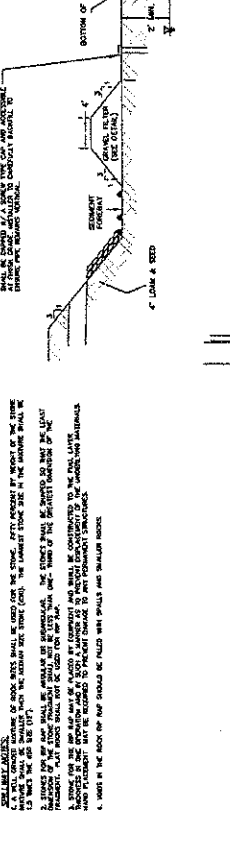
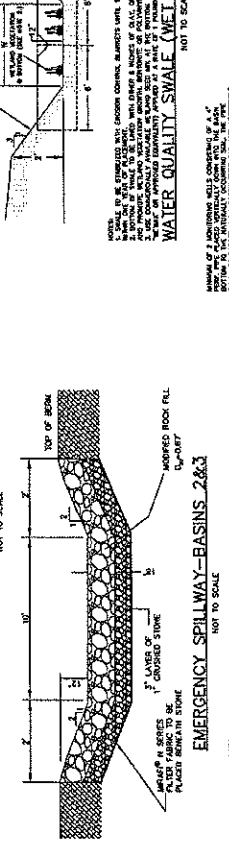
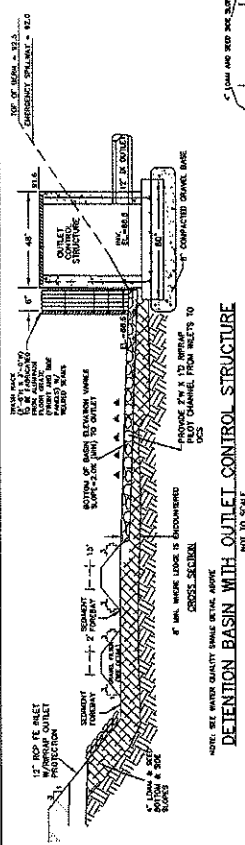
CONDO DRIVE B PROFILE
SCALE: 1"=100' H. 1"=10' V

OWNERS
WICKET DEVELOPMENT INC.
5015 WICKET DRIVE
DADE CITY, FL 33523
ASSESSORS MAP 8, LOT 76 &
10, LOT 10
HENRY L. WICKETT
30746 CLAYTON AVENUE
DADE CITY, FL 33523
ASSESSORS MAP 9, LOT 6 & 20
HENRY L. WICKETT JR.
30746 CLAYTON AVENUE
DADE CITY, FL 33523
ASSESSORS MAP 14, LOT 5
NOVUS HOMES LLC
400 FORDRO BLVD. UNIT 8306
FARMINGTON, MA 02455
ASSESSORS MAP 14, LOT 2B
TIMBER CREST ESTATES
400 FORDRO BLVD. UNIT 8306
FARMINGTON, MA 02455
ASSESSORS MAP 15, LOT 1
OROTHY PARK ET AL
134 HOLLISTER STREET
FARMINGTON, MA 02455
ASSESSORS MAP 15, LOT 19
APPLICANT
TIMBER CREST ESTATES LLC
c/o MOUNIR AYARA
400 FORDRO BLVD. UNIT 8306
FARMINGTON, MA 02455

CONDOMINIUM PROFILE SHEET
"TIMBER CREST ESTATES" OFF
WINTHROP STREET,
OHLSON CIRCLE,
FAIRWAY LANE &
FERN PATH
IN
MAY
MASSACHUSETTS

Outback Engineering
165 EAST GROVE STREET
MIDDLEBROUGH, MA 02146
TEL: (508) 947-8251
FAX: (508) 947-8073
www.outback-eng.com

DATE: MARCH 8, 2015
DRAWN BY: RLD
CHECKED BY: JWP
SCALE: 1"=100' H. 1"=10' V
SHEET 11 OF 12
0E-2765



REVISIONS

NO.	DATE	DESCRIPTION
1	01/15/01	ISSUED FOR PERMIT
2	01/15/01	ISSUED FOR PERMIT
3	01/15/01	ISSUED FOR PERMIT
4	01/15/01	ISSUED FOR PERMIT
5	01/15/01	ISSUED FOR PERMIT
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OWNERS
WRIGHT CLAYTON AVENUE
32748 CLAYTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 16 &
ASSESSORS MAP 17

DESIGNER
HENRY L. WICKETT
32748 CLAYTON AVENUE
DADE CITY, FL 33525
ASSESSORS MAP 16 &
ASSESSORS MAP 17

APPLICANT
THUNDER CREST ESTATES LLC
400 S. MOHAWK AVENUE
FOXBOROUGH, MA 01533
ASSESSORS MAP 14, LOT 20

DETAIL SHEET
"TIMBER CREST ESTATES"
WINTHROP STREET, CHILSON STREET, FAIRWAY LANE & FERN PATH
MEDWAY, MASSACHUSETTS

DETAIL SHEET
"TIMBER CREST ESTATES"
WINTHROP STREET, CHILSON STREET, FAIRWAY LANE & FERN PATH
MEDWAY, MASSACHUSETTS

DETAIL SHEET
"TIMBER CREST ESTATES"
WINTHROP STREET, CHILSON STREET, FAIRWAY LANE & FERN PATH
MEDWAY, MASSACHUSETTS

DETAIL SHEET
"TIMBER CREST ESTATES"
WINTHROP STREET, CHILSON STREET, FAIRWAY LANE & FERN PATH
MEDWAY, MASSACHUSETTS

DETAIL SHEET
"TIMBER CREST ESTATES"
WINTHROP STREET, CHILSON STREET, FAIRWAY LANE & FERN PATH
MEDWAY, MASSACHUSETTS



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000 | FAX: 617.854.1091
VP: 866.758.1435 | www.masshousing.com

January 6, 2016

Mr. Mounir M. Tayara, Manager
Timber Crest, LLC
400 Foxborough Boulevard, Unit 8306
Foxborough, MA 02035

**Re: Timber Crest, Medway
Project Eligibility/Site Approval
Project #746**

Dear Mr. Tayara:

This letter is in response to your application as "Applicant" for a determination of Project Eligibility (Site Approval) pursuant to Massachusetts General Laws Chapter 40B ("Chapter 40B"), 760 CMR 56.00 (the "Regulations") and the Comprehensive Permit Guidelines issued by the Department of Housing and Community Development ("DHCD") (the "Guidelines" and, collectively with Chapter 40B and the Regulations, the "Comprehensive Permit Rules"), under the New England Fund ("NEF") Program ("the Program") of the Federal Home Loan Bank of Boston ("FHLBB").

You have proposed to build 188 homeownership units (the "Project") on 163.1 acres of land located at 102 Winthrop Street (the "Site") in Medway, MA (the "Municipality").

In accordance with the Comprehensive Permit Rules, this letter is intended to be a written determination of Project Eligibility ("Site Approval") by MassHousing acting as Subsidizing Agency under the Guidelines, including Part V thereof, "Housing Programs In Which Funding Is Provided By Other Than A State Agency."

MassHousing has performed an on-site inspection of the Site, which local boards and officials were invited to attend, and has reviewed the pertinent information for the Project submitted by the Applicant, the Municipality and others in accordance with the Comprehensive Permit Rules.

Municipal Comments

Pursuant to the Regulations, the Municipality was given a thirty (30) day period in which to review the Site Approval application and submit comments to MassHousing. The Town of Medway Board of Selectmen submitted comments to MassHousing regarding the Application on June 9, 2015 and responded with additional comments based on additional information provided

by the applicant on September 8, 2015, summarizing comments from municipal officials, staff and members of the public. The following concerns were identified in their comments:

- The Municipality expressed concern regarding public safety vehicles having difficulty maneuvering around on-street visitor parking in the event of an emergency.
- The Municipality is concerned that additional traffic generated from this development may impact the existing neighborhood.
- The Municipality is concerned that the existing public sewer system may not have the capacity to handle the additional flows generated from your development.
- The Municipality believes the site plan lacks adequate information to determine whether sidewalks will be included throughout the development.
- The Municipality acknowledges that most of the proposed housing is located a reasonable distance from adjacent homeowners. However, the Board of Selectmen recommend that the dwellings closest to existing homes on Winthrop Street, Fern Path, Fairway Lane and Ohlson Circle be eliminated to offer additional landscape and/or screening opportunities for existing homeowners.

Community Comments

MassHousing received several letters and signed petitions from area residents, all of which expressed opposition to the proposed development. While letters from members of the community basically echoed the concerns identified by the local officials, the letters received are summarized below:

- Area residents expressed concern about potentially negative environmental impacts of the Project. They noted that portions of the Site have historically experienced flooding, and expressed concern that Project grading could result in erosion and flooding impacts on adjacent properties. In addition, they are concerned that the site supports a large and diverse wildlife population and that the proposed development may result in harm to wildlife and its associated habitat.
- Area residents believe the municipal sewer system cannot handle the additional sewer capacity required to develop this Site.

Comments Outside of the Finding

While Comprehensive Permit Rules require MassHousing, acting as Subsidizing Agency under the Guidelines, to “accept written comments from Local Boards and other interested parties” and to “consider any such comments prior to issuing a determination of Project Eligibility,” they also limit MassHousing to specific findings outlined in 760 CMR 56.04(1) and (4). MassHousing identified issues that are not within the scope of our review including possible impacts on classroom size, and on the quality of the Medway Public Schools.

MassHousing Determination and Recommendations

MassHousing staff has determined that the Project appears generally eligible under the requirements of the Program, subject to final review of eligibility and to Final Approval. As a result of our review, we have made the findings as required pursuant to 760 CMR 56.04(1) and (4). Each such finding, with supporting reasoning, is set forth in further detail on Attachment 1 hereto. It is important to note that Comprehensive Permit Rules limit MassHousing to these specific findings in order to determine Project Eligibility. If, as here, MassHousing issues a determination of Project Eligibility, the Developer may apply to the Zoning Board of Appeals of the Municipality for a comprehensive permit. At that time local boards, officials and members of the public are provided the opportunity to further review the Project to ensure compliance with applicable state and local standards and regulations.

Based on MassHousing's site and design review, and in light of feedback received from the Municipality and members of the community, the following issues should be addressed in your application to the Medway Zoning Board of Appeals, and you should be prepared to explore them more fully during the public hearing process:

- Development of this site will require resolution of all environmental conditions per laws, regulations and standards applicable to existing conditions and to the proposed use, including but not limited to compliance with all applicable regulatory restrictions relating to floodplain management, the protection of wetlands (WPA), river and wildlife habitats/conservation areas as well as local and state environmental protection requirements relating to the protection of the public water supply, storm water runoff, wastewater treatment, and hazardous waste safety. The Applicant should provide evidence of such compliance prior to the issuance of a building permit for the project.
- The Applicant should provide a detailed traffic study assessing potential impacts of the Project on area roadways, including traffic volumes, crash rates, and the safety and level of service (LOS) of area intersections, and identifying appropriate traffic mitigation in compliance with all applicable state and local requirements governing site design.
- The traffic study or other professional peer review process should address proposed on-site circulation and parking to ensure compliance with public safety standards and good design practice relative to drive-aisle widths, turning radii and sight distances along the site drive and the parking areas through which it passes. The Applicant should be prepared to address concerns about provisions for safe pedestrian access and pedestrian/vehicular separation within the Site; sufficiency of resident and guest parking; and plans for snow storage.
- The Applicant should be prepared to address Municipal concerns regarding the proposed site plan and the Board's recommendation to eliminate some homes in order to create additional landscaping and/or screening opportunities for existing homeowners.
- The Applicant should be prepared to provide detailed information relative to proposed water and sewer use, potential impacts on existing capacity, and appropriate mitigation.
- A landscape plan should be provided to address Municipal concerns, including a detailed

planting plan as well as paving, lighting, and signage details and the location of outdoor dumpsters or other waste receptacles.

- In the event that public sewer is not an option, you must comply with Title V regulations regarding the design and construction of individual wells, septic systems and wastewater treatment plants. The Applicant should provide evidence of such compliance prior to the issuance of a building permit for the project.

MassHousing has also reviewed the application for compliance within the requirements of 760 CMR 56.04(2) relative to Application requirements, and has determined that the material provided by the Applicant is sufficient to show compliance.

This approval is expressly limited to the development of no more than one hundred eighty-eight (188) homeownership units under the terms of the Program, with not less than forty-seven (47) of such units restricted as affordable homeownership units for low and moderate income persons or families as required under the terms of the Guidelines. It is not a commitment or guarantee of NEF financing and does not constitute a site plan or building design approval. Should you consider, prior to obtaining a Comprehensive Permit, the use of any other housing subsidy program, the construction of additional units or a reduction in the size of the Site, you may be required to submit a new Site Approval application for review by MassHousing. Should you consider a change in tenure type or a change in building type or height, you may be required to submit a new Site Approval application for review by MassHousing.

For guidance on the Comprehensive Permit review process, you are advised to consult the Guidelines. Further, we urge you to review carefully with legal counsel the M.G.L. c.40B Comprehensive Permit Regulations and 760 CMR 56.00.

This approval will be effective for a period of two years from the date of this letter. Should the Applicant not apply for a Comprehensive Permit within this period or should MassHousing not extend the effective period of this letter in writing, this letter shall be considered to have expired and no longer be in effect. In addition, the Applicant is required to notify MassHousing at the following times throughout this two year period: (1) when the Applicant applies to the local ZBA for a Comprehensive Permit, (2) when the ZBA issues a decision and (3) if applicable, when any appeals are filed.

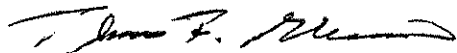
Should a comprehensive permit be issued, please note that prior to (i) commencement of construction of the Project or (ii) issuance of a building permit, the Applicant is required to submit to MassHousing a request for Final Approval of the Project (as it may have been amended) in accordance with the Comprehensive Permit Rules (see especially 760 CMR 56.04(07) and the Guidelines including, without limitation, Part III thereof concerning Affirmative Fair Housing Marketing and Resident Selection). Final Approval will not be issued unless MassHousing is able to make the same findings at the time of issuing Final Approval as required at Site Approval.

Please note that MassHousing may not issue Final Approval if the Comprehensive Permit contains any conditions that are inconsistent with the regulatory requirements of the New

England Fund Program of the FHLBB, for which MassHousing serves as Subsidizing Agency, as reflected in the applicable regulatory documents. In the interest of providing for an efficient review process and in order to avoid the potential lapse of certain appeal rights, the Applicant may wish to submit a "final draft" of the Comprehensive Permit to MassHousing for review. Applicants who avail themselves of this opportunity may avoid significant procedural delays that can result from the need to seek modification of the Comprehensive Permit after its initial issuance.

If you have any questions concerning this letter, please contact Michael J. Busby at (617) 854-1219.

Sincerely,



Thomas R. Gleason
Executive Director

cc: Chrystal Kornegay, Undersecretary, Department of Housing and Community
Development
John Foresto, Chairman, Medway Board of Selectmen
David Cole, Chairman, Medway Zoning Board of Appeals

Attachment 1.

760 CMR 56.04 Project Eligibility: Other Responsibilities of Subsidizing Agency
Section (4) Findings and Determinations

Timber Crest, Medway, MA #746

After the close of a 30-day review period and extension, if any, MassHousing hereby makes the following findings, based upon its review of the application, and taking into account information received during the site visit and from written comments:

(a) that the proposed Project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7);

The Project is eligible under the NEF housing subsidy program and at least 25% of the units will be available to households earning at or below 80% of the Area Median Income, adjusted for household size, as published by the U.S. Department of Housing and Urban Development ("HUD"). The most recent HUD income limits indicate that 80% of the current median income for a four-person household in Medway is \$65,800. The Applicant has a letter of financial interest from Mechanics Cooperative Bank, a member bank of the FHLBB under the NEF Program.

(b) that the site of the proposed Project is generally appropriate for residential development, taking into consideration information provided by the Municipality or other parties regarding municipal actions previously taken to meet affordable housing needs, such as inclusionary zoning, multifamily districts adopted under c.40A, and overlay districts adopted under c.40R, (such finding, with supporting reasoning, to be set forth in reasonable detail);

Medway does not have a current Housing Production Plan approved by DHCD. Medway has 111 Subsidized Housing Inventory (SHI) units (3.6% of its housing inventory) which is 200 SHI units shy of the 10% SHI threshold. The current zoning allows for either agriculture or residential use, and the residential use would be compatible with surrounding uses.

(c) that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns (such finding, with supporting reasoning, to be set forth in reasonable detail);

In summary, based on evaluation of the site plan using the following criteria, MassHousing finds that the proposed conceptual project design is generally appropriate for the Site. The following plan review findings are made in response to the conceptual plan, submitted to MassHousing:

Relationship to Adjacent Building Typology (Including building massing, site arrangement, and architectural details):

The surrounding area consists of existing single family housing on large lots. The proposed development is similar in character to abutting properties and the general pattern of development adjacent to the Site. The proposed homes will be wood-framed with exteriors requiring minimal maintenance and designed to maximize the aesthetic characteristics of the development. The project consists of 188 housing units, including 72 single-family homes on the west portion of the site and 116 condominiums (56 duplex buildings and 4 detached single-family units) on the east portion of the site. The architectural designs and building scale are compatible with the style of homes found in the nearby neighborhood. The proposed homes will be a maximum of two stories high which is similar in height to housing found throughout the area.

Relationship to Adjacent Streets

The Site is bordered by residential areas along Winthrop Street to the west, Fairway Lane to the north, Holliston Street to the east and Fern Path to the south. There appears to be adequate lines of sight for vehicles entering and exiting the proposed Site. The proposed development is able to successfully integrate with existing development patterns.

Density

The applicant proposes to build 188 homes on 163.1 acres, approximately 50 plus buildable acres. The resulting density is 3.76 units per buildable acre, which is acceptable given the proposed housing type.

Conceptual Site Plan

The Developer has taken into consideration the site constraints, wetlands and topographical features of the site design to provide safe access and egress for future residents. The Site consists of approximately 163.1 acres of land, 50 plus acres buildable and 89 acres of designated wetlands. In order to buffer the adjacent neighborhood the roadway will extend well into the Site before any homes are visible. The homes will be clustered together in several areas to create a village-style community and allow for the use of a proposed shared sewage disposal system.

Topography

The subject property is gently rolling with small hills and valleys where the wetlands are located. The Site is heavily impacted by wetlands, overhead utility lines and underground gas lines. The topographic features of the Site have been considered in relationship to the proposed Project plans and do not constitute an impediment to development of the Site.

Environmental Resources

The subject property is a large parcel with extensive natural resources and undisturbed wetland areas. Extensive wetlands throughout the Site will limit the development to upland areas identified by the Developer. Development of the Site will require careful attention to current Best Management Practices to avoid any adverse impacts to the protected wetland resource areas. These resource areas will ultimately serve to break down the perceived massing of the Site and provide visual screening and surround the residential portions of the Site with natural features.

Proposed Use

Based on MassHousing staff's site inspection, internal discussions, and a thorough review of the application, MassHousing finds that the Site is suitable for residential use and development and that such use would be compatible with surrounding uses.

(d) that the proposed Project appears financially feasible within the housing market in which it will be situated (based on comparable rentals or sales figures);

The Project appears financially feasible based on a comparable sales letter submitted by realtor Ralph Costello of William Raveis Real Estate of Medfield, MA.

(e) that MassHousing finds that an initial pro forma has been reviewed, including a land valuation determination consistent with the Department's Guidelines, and the Project appears financially feasible and consistent with the Department's Guidelines for Cost Examination and Limitations on Profits and Distributions (if applicable) on the basis of estimated development costs;

The initial pro forma has been reviewed for the proposed residential use and the Project appears financially feasible with a projected profit margin of 16.8%. In addition, a third party appraisal commissioned by MassHousing has determined that the "As Is" land value for the Site of the proposed Project is \$1,350,000.

(f) that the Applicant is a public agency, a non-profit organization, or a Limited Dividend Organization, and it meets the general eligibility standards of the housing program; and

The Applicant must be organized as a Limited Dividend Organization prior to applying for Final Approval. MassHousing sees no reason this requirement could not be met given information reviewed to date. The Applicant meets the general eligibility standards of the NEF housing subsidy program and has executed an Acknowledgment of Obligations to restrict their profits in accordance with the applicable limited dividend provisions.

(g) that the Applicant controls the site, based on evidence that the Applicant or a related entity owns the site, or holds an option or contract to acquire such interest in the site, or has such other interest in the site as is deemed by the Subsidizing Agency to be sufficient to control the site.

The Applicant controls the entire 163.1 acre Site under multiple purchase and sales agreements with no expiration date.

**Preliminary Waiver List
Timber Crest Estates
Medway, Massachusetts
March 6, 2015**

The intent of this waiver list is to request all waivers from all of the town's written by-laws, rules, regulations and policies that are necessary to allow the development to be built in accordance with the approved plans. If a specific request has been unintentionally omitted, it is deemed to be requested.

The Applicant reserves the right to amend this request. Should there be any conflict between this list of requested waivers and the plans submitted, the plans will control.

**Planning Board Regulations, Land Subdivision - Chapter 100
Adopted April 26, 2005**

A general waiver is requested to replace Zoning Board wherever the Planning Board is given authority in the regulations. The intent is to build the road according to the material specifications and construction standards of the subdivision regulations. Procedural items administered by the Planning Board should be administered by the Zoning Board as this project is a Comprehensive Permit.

1. Waive the entirety of Sections 1 (General), 2 (Definitions), 4 (Procedure for Submission and Review of Preliminary Plans), 5 (Procedure for Submission and Review of Definitive Plans), 6 (Subdivision Administration), 7 (Design and Construction Standards), and 8 (Administration),
2. Section 1.6.1 Waive requirement for that no subdivision plan shall be approved unless all buildings, structures and lots therein comply with all zoning requirements, unless variances have been issued by the Zoning Board.
3. Section 5.0 Waive requirement of Definitive Subdivision submittal, review, approval and endorsement by the Planning Board.
4. Section 5.2 Waive requirement of Definitive subdivision submittal of all items in Sections 5.5 and 5.7, Definitive Plan filing and plan review to the Planning Board, as well as submittals to the Town Clerk and Board of Health.
5. Section 5.5 Waive requirement of submittals to the Planning Board, including 18 sets of plans under 5.5.1, Form C under 5.5.2, Form D under 5.5.3, receipts of submittals to the Town clerk and Board of Health under 5.5.7 and 5.5.8, and a Stormwater Analysis under 5.5.9, Stormwater System Operation and Maintenance Plan under 5.5.10, Development Impact Report Form F under 5.5.11, a traffic study under 5.5.12, sight distance computations under 5.5.13, ANRAD under 5.5.14 and proof of ownership under 5.5.15, whereby applicant proposes to submit only those items necessary for the Zoning Board to issue a Comprehensive Permit.
6. Section 5.7 Waive requirements for all required plan submittals, whereby applicant proposes to submit plans sufficient for a Comprehensive Permit.
7. Section 5.7.23 and 7.7 Waive requirement for compliance with town stormwater design regulations, whereby applicant proposes to comply with DEP Stormwater Management Standards and standard engineering practices (i.e., assess 2, 10 and 100-yr. design storms to control rate of runoff; site design may also make use of

- Low Impact Development techniques such as permeable pavement, grass swales, bioretention areas; use actual proposed houses instead of 40'x 80' boxes, etc.).
8. Sections 5.8 -5.10 Waive requirements for review by Bd. of Health and other town boards and the Public Hearing process by the Planning Board, where Zoning Board shall act on this plan under the Comp. Permit.
 9. Section 7.7.2.p Waive requirements for drainage basin systems to be on their own lots and set back 30 ft. from lot lines.
 10. Section 7.7.2.r. Waive requirement for double row of plantings at retention basins.
 11. Section 7.9.2.b. Waive the minimum centerline radius for a local street from the requirement of 150 ft. to allow 100 ft., except 40 ft. radius proposed at Road C.
 12. Section 7.9.4.a Waive roadway right of way width of 50 ft. to 40 ft. proposed.
 13. Section 7.9.5.a Waive minimum road grade of 2% to 1%.
 14. Section 7.9.6.a. Waive requirement prohibiting dead end streets
 15. Section 7.9.6.b. Waive requirement limiting dead end streets to 600 ft. max., where proposed subdivision roads are a series of several roads totaling approx. 4,300 linear feet with an emergency access proposed to connect the last cul de sac (Road E) to Ohlson Circle.
 16. Section 7.9.6.e.1. Waive requirement of 24' diameter landscaped island, as other diameter islands and/or permeable pavement may be provided.
 17. Section 7.9.7.g. Waive requirement for local roadway pavement width of 26 ft. to allow 24' pavement on Roads A, C, D, and E and the condominium roads. Where less than 6 homes on the cul de sacs (Roads B, C, D), allow pavement width as required for Neighborhood street at 20' width.
 18. Section 7.10.2 Waive the requirement for sloped granite curbing (Type S-B), and provide 12" wide Cape Cod berm where there are no sidewalks, and provide vertical granite curbing (5" thickness) where the proposed sidewalk is adjacent to the roadway pavement. Waiver to allow 5" thickness, vertical granite curb at roadway intersection with Winthrop Street and Fairway Lane only, with Cape Cod berm at all other intersection roundings.
 19. Section 7.11.2 Waive requirement that no driveway openings be allowed within 65' of road intersection centerlines or within 14' of a catch basin.
 20. Section 7.11.3 Waive maximum grade of 8% for driveways, as may be necessary.
 21. Section 7.13.2 Allow 1 sidewalk at 5-ft. width with no grass strip (6' sidewalk with 6.5' grass strip is required for a local street), as shown on the plans.
 22. Section 7.13.3 Waive requirement to construct sidewalk along project frontage on Winthrop Street, Ohlson Circle and Fern Path where none exists now.
 23. Section 7.19.2 Waive street tree requirements of 3 trees per lot at 40' intervals.
 24. Section 5.7.28 and Waive requirement for 25' high street lights, where street lights are typically not required on town subdivisions. Instead applicant proposes to provide driveway lanterns for each home (approx. 8 ft. height).

Planning Board Development Impact Report

A general waiver is requested from requiring a DIR submittal to the Planning Board, where this subdivision project is to be administered by the Zoning Board and subject to a Comprehensive Permit per MGL Ch. 40B.

**Planning Board Site Plan Review Regulations – Chapter 200
as amended December 3, 2002 (updated December 9, 2002)**

Where a Site Plan may be required for the condominium portion of this project, a general waiver is requested from Planning Board's Site Plan regulations, including but not limited to contents, application and review process, where this project is subject to review by the Zoning Board and a Comprehensive Permit per MGL Ch. 40B.

**Planning Board Scenic Road Work Permit Regulations – Chapter 400
Adopted July 16, 2002 (corrected August 5, 2002)**

Article V. Where Winthrop Street is designated by town as a Scenic Road, a general waiver is requested to replace Zoning Board wherever the Planning Board is given authority in the regulations. Review of stonewall and tree alterations within Winthrop Street to be reviewed as part of the Comprehensive Permit process by the Zoning Board.

Zoning By-law

1. Section V.B.4. To allow dwellings or structures to be erected on lots which have less than 50% of the required minimum lot area for that zoning district comprised of uplands. Proposed minimum lot sizes are 7,500 sq. ft..
2. Section V.B.5. To allow lots with a Shape Factor greater than 22.
3. Section V. C. Site Plan Review and Approval. Waive section in its entirety for the condominium portion of this project where project is subject to a Comprehensive Permit to be issued by the ZBA under MGL Ch. 40B.
4. Section V.E.3. To allow multiple single and two-family houses on a single lot for the condominium portion of the project between Fairway Lane and Fern Path.
5. Section V.E.4. To allow lots with 7,500 sq. ft. minimum area and 50 ft. frontage, except lot 29 shall have 30 ft. (44,000 sq. ft. with 180 ft. frontage required in the AR-I Zoning District, or 22,000 sq. ft. with 150 ft. frontage in AR-II).
6. Section V.E.5. To allow building setbacks as follows: 20' front yard, 7' side, and 10' rear (required yards are 35' front, 15' side and rear).

ZBA Rules and Standards for Comprehensive Permits, dated September 20, 2004

1. Waive all town requirements including, but not limited to, Standard 4 that requires 30 ft. green belt to adjacent residential lots, Standard 7 that requires 30 ft. between buildings, Standard 8 that specifies no building setback waivers are to be granted along Scenic Roads, and town filing and review fees.

**Article XXI of Town General By-laws, General Wetlands Protection
Amended 2014**

1. Section 21.1 Waive town jurisdiction as specified in the wetland by-law, and follow the Massachusetts Wetlands Protection Act and its regulations.
2. Section 21.2(a) Waive jurisdiction over any freshwater wetlands and lands within 100 ft. of any of the other listed resource areas such that these areas shall not be additionally regulated as resource areas under the town by-law, and follow Massachusetts Wetlands Protection Act and its regulations for jurisdictional areas.

3. Section 21.2(b) Waive requirement that no work be allowed within 25 ft. of wetland resource areas, where several wetland crossings for roadways are proposed and other areas of the site involve work within 25 ft. of wetlands.
4. Section 21.4(a) Waive requirement to filing under the town wetland by-law for any work within within jurisdiction, and to follow Massachusetts Wetlands Protection Act and its regulations.
5. Section 21.5 Waive local by-law filing and review fees.

**Rules and Regulations of the Medway Conservation Commission
Amended August 14, 2014**

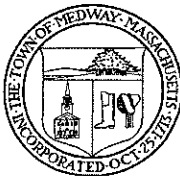
Waive all local regulations and filing fees, and follow 310 CMR 10.00 et seq.

Water & Sewer Department Regulations

Waive all connection fees for water and sewer extensions and individual services

Building Department Fees

Waive all building permit and inspection fees for affordable homes to be built (49 homes).



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

MEMORANDUM

May 4, 2015

TO: Stephanie Mercandetti, Director of Community and Economic Development
FROM: Susy Affleck-Childs
RE: Proposed Timber Crest Estates

The Medway Planning and Economic Development Board and I have reviewed the proposed Timber Crest Estates development described in the MassHousing Comprehensive Permit Site Approval Application submitted by Timber Crest LLC as provided to the Town of Medway on March 20, 2015.

We offer the following comments/concerns with the proposal as presented.

1. Site access from south. The application represents that the site will be accessed from the south via Fern Path. Please note that Fern Path is not an accepted Town public way, nor is Redgate Drive on which one must drive to access Fern Path from Holliston Street, nor is an approximately 1200 linear foot segment of Howe Street closest to Fern Path. Until such time as those streets are accepted, if at all, does the applicant/developer have rights to use those privately owned streets to access the eastern section of the development site?
2. Section 2.5 of the MassHousing application requires the developer to submit a by-right development plan to show what would be permitted under the community's standard zoning regulations for the applicable district. In response, the applicant has submitted a plan sheet titled *By-Right Plan Timber Crest Estates* prepared by Outback Engineering, dated March 12, 2015. The notes on this plan sheet indicate the by-right development would be an open space residential development (OSRD) project with 99 dwelling units (31 house lots and 68 townhouse units) and a small commercial building.

We believe the applicant has misrepresented this illustrative OSRD project as a by-right plan. Medway's Zoning Bylaw provides for an OSRD development as a special permit use, not a by-right use. A legitimate by-right development plan would be for a conventional subdivision of one acre lots with 180 feet of frontage in the Agricultural Residential I zoning district.

3. The Chapter 40B Design Guidelines specify that the development should take advantage of the site's natural topography and features. The Existing Conditions Sheet prepared by Outback Engineering shows the standard topography, utility lines/easements, and wetlands resources. It does not appear that other site features/elements have been inventoried and mapped. Accordingly, we are uncertain as to whether other key site features/elements have been considered and taken fullest advantage of in developing the site plan design for Timber Crest Estates.

4. Buffers with adjacent neighborhoods – In reviewing the site plan, most of the residential development is located a reasonably far distance away from existing residences. However, that is not the case around units 1 and 2 in the northern portion of the duplex condominium section. We would recommend that those dwelling units be eliminated to provide a more substantial buffer area to the property at 21 Fairway Lane where the existing house is set back on the lot. The same recommendation is offered to eliminate units 79 & 80 at the southern end of the duplex section closest to 5 Fern Path and to reduce the number of units at the entryway from Winthrop Street.

Further, we would recommend that the developer offer to provide landscaping and/or fencing on the following adjacent properties to provide the owners of existing homes with a buffer to the new development.

- Crowley @ 7 Ohlson Circle
 - Neamtu @ 9 Ohlson Circle
 - Simcox @ 11 Ohlson Circle
 - Broderick @ 98 Winthrop Street
 - McCurley-MacKay @ 106 Winthrop Street
 - Campo @ Winthrop Street
5. Neighborhood Context - As expected, the proposed density for Timber Crest is in strong contrast to the adjacent conventional subdivisions with one acre zoning. This is particularly noticeable in the western side of the development site in the single family home section with proposed individual house lots of one sixth to one third of an acre and standard setbacks reduced by as much as 53%. We would recommend that Lots 1 and 76 at the beginning of Road A off of Winthrop Street remain undeveloped and be used instead to provide an attractive entranceway into Timber Crest Estates. Starting at Lots 2 and 75 and going easterly to Lots 4 and 72, we suggest that the lots be increased to at least ½ acre or more in size to better blend with the adjacent properties at 98 and 106 Winthrop Street. This would provide a more gradual transition from the rural character of Winthrop Street, a Medway Scenic Road, to the higher density area further into the subject site.
6. The proposed small house lots and 7 ft. side yard setbacks will result in an appearance where the dwelling units appear overly dense on the site. The Board is also concerned about the appearance of overly large homes on small lots. To address this, the smaller house lots should be specified for the proposed 25 two-bedroom dwelling units. On the eastern section of the development, perhaps some of the duplex structures could become triplexes or quads. This would allow for a bit more space between buildings and give some much needed breathing room.
7. The development plan and project description clearly indicate that Timber Crest is “two separate and unique sections”. The west section is a single family subdivision. The east section is a private duplex condominium community. There is no vehicular connectivity between the two. Because of this separateness, we would recommend that each portion of the site be given its own individual neighborhood name. Furthermore, we request that this proposal be considered as two separate projects/applications.
8. There are three open space areas shown on the various site plan sheets - Open Space Parcel #1 (3.11 acres), Open Space Parcel #2 (67.94 acres) and Open Space Parcel B (no acreage specified). It is unclear what the applicant’s intentions are in terms of open space. There is no discussion of ownership, use, on-going maintenance, public access, etc. Are any pocket parks to be incorporated? With such a large development, there would be great value in having pedestrian

accessible play areas in each of the two sections of the site. Further, there is no evidence of any proposed pedestrian connectivity within the open space or between the two distinct areas of the development. We would recommend that the applicant address pedestrian and bicycle accommodation in a complete manner and include a detailed proposal for such in its comprehensive permit application to the Town.

9. The plans show 2 structures at 102 Winthrop Street and the project description indicates they are to be demolished. Please be advised that the house was constructed in 1842 and is subject to review by the Medway Historical Commission under Medway's Demolition Delay bylaw.
10. The Board is concerned about the impacts of traffic generated by the future residents of the eastern portion of Timbercrest Estates on the adjacent local, subdivision streets – Fairway Lane, Fern Path and Redgate Drive. We recommend that the applicant prepare and submit a traffic study for review by the ZBA during the comprehensive permit process.
11. The applicant has indicated it will seek a waiver from the tree planting requirement of Medway's Subdivision Rules and Regulations (Section 7.19.2) – 3 trees per lot at 40' intervals. It does not appear that an alternative landscaping plan is offered. Landscaping is an important feature in subdivision design. This is a matter of significant concern. Some level of street tree landscaping should be incorporated to enhance the visual quality of the neighborhood.
12. In the past, the Zoning Board of Appeals has specified that the P&EDB will manage the infrastructure construction and inspection process for comprehensive permit developments as it has the experience. The applicant has requested relief from Sections 5 and 6 of Medway's *Subdivision Rules and Regulations*. Within these sections are provisions addressing a developer's provision of performance guarantees which are a requirement of the Massachusetts Subdivision Control Law. This is an obligation of any subdivision developer and cannot be waived. Sections 5 and 6 also address the construction inspection and street acceptance processes and those provisions should not be waived.
13. The application indicates there are to be 595 parking spaces – 336 to be provided for the 116 condominium units (112 garaged spaces and 224 driveway and visitor parking spaces) and 259 for the 76 detached, single family dwellings. The Board is concerned about the absence of visitor parking in the northeastern portion of the duplex condominium section around units 101 – 116.
14. Composition of Affordable Housing Units – 100% of the 192 proposed dwelling units are to be owner-occupied. The Board is concerned about how many years it will take for the local market to absorb that many owner-occupied dwellings. We would encourage the developer to revise this composition to include some rental units. In particular, some senior rental housing is very much needed in Medway. We would encourage the developer to work with the Medway Housing Authority and/or the Medway Affordable Housing Trust to consider developing senior housing in the area closest to Winthrop Street. This would provide a more varied distribution of housing types within Timber Crest and more directly address the range of Medway's housing needs.
15. Sustainable Development Criteria Scorecard - The applicant claims that the proposed Timber Crest development will meet all 9 of 9 of the Commonwealth's Sustainable Development Principles. They are required to meet at least five. We question the validity of seven of those assertions as described below:
 - a) *Concentrate Development and Mix Uses* – Although the proposed development offers higher density and multifamily uses, it does not utilize existing water/sewer infrastructure. The

development is entirely new construction in a presently undeveloped area and does not include a mix of uses. The location of the proposed neighborhoods close to 2 miles from existing commercial districts precludes mixing with existing commercial, civic, cultural, educational and recreational uses which have become standard criteria for denser, multi-family housing developments.

- b) *Protect Land and Ecosystems* – By its construction, this development would decrease the amount of open space that has historically been present in this part of Medway. There is no discussion as to how the open space is to be managed, used and made accessible to the public.
- c) *Expand Housing Opportunities* – The construction of 192 owner occupied dwelling units does not address the growing need for rental housing in Medway and its nearby communities. It would be beneficial if a component of the development could provide rental housing opportunities, specifically for the elderly population. The applicant claims that the development expands the term of affordability but does not explain how. The neighborhood is not close to jobs, transit and other consumer services. There are no provisions proposed to outfit a portion of the units to provide options for the special needs and disabled population.
- d) *Provide Transportation Choice* – The applicant acknowledges that the development site is 2 miles from existing commercial centers and an automobile travel corridor. This is not considered to be “in close proximity”. Access to the site is completely dependent on private automobiles and is not walkable to public transportation. Provisions for bicycle and pedestrian access cannot be provided due to the limitations of Winthrop and Holliston Streets.
- e) *Increase Job and Business Opportunities* – This development project will provide construction jobs and the residents who will live in Timber Crest are reasonably expected to support local businesses. Beyond that, it does not appear that this proposed residential development meets any other examples of this Sustainable Development Principle – permanent jobs; jobs near housing; housing near an employment center; expanded access to education, training or entrepreneurial opportunities; supporting natural resource businesses; reusing materials from an industry’s waste stream; supporting the manufacture of resource efficient materials; and supporting businesses that utilize locally produced resources.
- f) *Promote Clean Energy* – The planned use of Energy Star appliances and heating equipment has become almost standard in new home construction and should not be considered as sufficient for this development to claim that it meets the Commonwealth’s clean energy goals. There is no evidence of any plans to incorporate renewable energy sources, use recycled construction materials or employ water conservation measures.
- g) *Plan Regionally* – The proposed development with the planned 48 affordable dwelling units will provide additional housing opportunities for future owner occupants. In principle, that is a very good thing. However, there is growing evidence that communities in the southwest sub-region struggle with securing qualified, income eligible buyers for affordable, owner-occupied dwelling units and that is a concern for Medway for Timber Crest. The applicant claims that Timber Crest will address barriers identified in a Regional Analysis of Impediments to Fair Housing, but does not specify how, what those barriers are, nor does the applicant refer to a specific publication or regional plan.

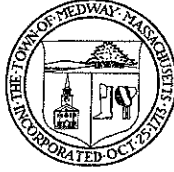
16. Concern about Validity of Land Survey – The March 6, 2015 Timber Crest Estates plan includes the following information.

GENERAL NOTES

1. PROPERTY LINES, WETLANDS, AND TOPOGRAPHY SHOWN HEREON IS COMPILED FROM AVAILABLE PLAN INFORMATION AS FOLLOWS:
 - A. PROPERTY LINE & WETLAND INFORMATION FOR PROJECT SITE TAKEN FROM SURVEY INFORMATION PROVIDED BY COLONIAL ENGINEERING, INC. OF MEDWAY, MA.
 - B. TOPOGRAPHIC INFORMATION SHOWN HEREON WAS COMPILED FROM DATA PROVIDED BY COLONIAL ENGINEERING AND LIDAR DATA FROM MASS GIS.
 - C. OFFSITE PROPERTY LINES, ROADS & HOUSES COMPILED FROM MASS GIS, AND GOOGLE EARTH
 - D. CERTIFIED VERNAL POOL INFORMATION TAKEN FROM ONLINE MASS GIS DATALAYER.

It is our understanding from residents in the immediate vicinity of the Timber Crest site that survey work for the adjacent Cider Mill subdivision, undertaken by the above noted survey company, was the subject of civil lawsuits in which the accuracy of survey lines was called into question. We do not know the results of the litigation but are concerned that the survey work for this site might be dependent on those prior surveys. At a minimum, the status of those lawsuits should be researched and/or Outback Engineering should conduct its own new property survey to ensure the accuracy of the land area under discussion.

17. Stormwater Management – The applicant has requested waivers from the Town's stormwater regulations to be replaced by the State's standards. Medway's stormwater standards are more rigorous and we strongly recommend that they be adhered to protect both Timber Crest residents and the abutting properties from damaging stormwater runoff.
18. Roadway Length – We approximate the roadway length for the single family residence portion of the site to be 2500 linear feet. This is a dead end street far in excess of the Town's 600 foot maximum dead end street length. The plan does show a secondary emergency access easement over 13 Ohlson Circle. The Board has concerns about this dead-end roadway length and are concerned about the adequacy of access for safety and emergency vehicles. Any concerns of Fire Chief Lynch should be addressed regarding the length of the dead end street and the adequacy of the roadways for the efficient access of emergency equipment.



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 Hayes, P.E.
Richard Di Iulio

MEMORANDUM

April 13, 2016

TO: Maryjane White, Town Clerk
Town of Medway Departments, Boards and Committees

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

RE: ***Public Hearing Continuation – Proposed Amendments to the Medway Zoning Bylaw***
CONTINUATION DATE – Tuesday, April 26, 2016 at 6:45 p.m.
LOCATION – Medway Middle School, 45 Holliston Street – School Committee
Presentation Room

At its meeting on April 12, 2016, the Planning and Economic Development Board voted to continue the public hearing on proposed amendments to the Medway Zoning Bylaw to Tuesday, April 26, 2016 at 6:45 p.m. The public hearing will occur during a regular meeting of the Planning and Economic Development Board to be held in the School Committee Presentation Room at the Medway Middle School, 45 Holliston Street. The room is accessible via Door #7 on the south side of the building.

Please contact me if you have any questions.

SITE PLAN REVIEW

REVISED 4-8-16

ARTICLE : To see if the Town will vote to amend the Medway Zoning Bylaw by deleting sub-SECTION 3.5 Site Plan Review and replacing it as follows: Note the text to be deleted is indicated with a ~~strike through~~ and new or relocated text is indicated in **bold**.

3.5. SITE PLAN REVIEW

3.5.1 Purposes

Site plan review is a means of managing the aesthetics and environmental impacts of land use by the regulation of permitted uses, not their prohibition. Its purpose is to:

- assure protection of the public interest consistent with a reasonable use of the site for the purposes permitted in the district; **and**
- **promote and encourage desired community characteristics as expressed in the *Master Plan and Design Review Guidelines***

~~Accordingly, no building permit shall be issued for any use, site, or building alteration, or other improvement that is subject to this Section 3.5 unless an application for site plan review has been prepared in accordance with the requirements herein and unless such application has been approved by the Planning and Economic Development Board (hereinafter referred to in this Section as the Board)~~

3.5.2 Requirements

- A. No building permit shall be issued for any use, site, or building alteration, or other improvement that is subject to this Section 3.5 unless an application for site plan review has been prepared in accordance with the requirements herein and unless such application has been approved by the Planning and Economic Development Board (hereinafter referred to in this Section as the Board) or its designee in the instance of administrative site plan review.**
- B. Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.**
- C. Any work done in deviation from an approved site plan shall be a violation of this Bylaw unless such deviation is approved in writing by the Board or its designee or is determined by the Building Inspector to be an insubstantial change.**

~~3.5.2~~ 3.5.3. Applicability

A. Site plan review shall apply to the following:

1. Major Site Plan Review:

- a. New construction or any alteration, reconstruction, **change in use** or renovation of any multi-family, commercial, industrial, institutional, or municipal use **which involves one or more of the following:** involving: 2,500 square feet or more of gross floor area;
 - i. **the addition of 2,500 square feet or more of gross floor area; or**
 - ii. **the addition of fifteen or more new parking spaces; or**
 - b. ~~New construction or any alteration, reconstruction, or renovation of an existing building, or any change in use of an existing building requiring fifteen or more parking spaces; or~~
 - e. ~~b.~~ **Construction, expansion, redesign, or alteration** **The redesign, alteration or modification** of an existing parking area involving the addition of fifteen or more new parking spaces.
 - c. **Construction of ground mounted solar photovoltaic installations of any size including solar canopy type systems in parking areas.**
2. ~~Minor Site Plan Review: Any construction, alteration, reconstruction or renovation project or change of in-use that is not subject to Major Site Plan Review but which requires a building permit and involves one or more of the following:~~
- a. **New construction or any alteration, reconstruction, change in use or renovation of any multi-family, commercial, industrial, institutional, or municipal use which is not subject to Major Site Plan Review but which involves one or more of the following:**
 - i. **the addition of 1,000 to 2,499 square feet of gross floor area; or**
 - ii. **the addition of five or more but less than fifteen new parking spaces; or**
 - a. ~~Exterior alteration of an existing building or premises, visible from a public or private street or way, except where such alteration is exempt under Section B below; or~~
 - b. ~~New construction, expansion of an existing structure, or a change in use in an existing building requiring five or more but less than fifteen parking spaces; or~~
 - e.b. ~~Construction;~~ **The redesign, alteration** or modification of a **an existing** parking area involving the addition of five or more but less than fifteen new parking spaces; or
 - d. ~~c.~~ Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3, ~~if one or more of the above criteria a-c also apply, and only to the extent allowed by law.~~
3. **Administrative Site Plan Review:**
- a. **New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:**
 - i. **The addition of less than 1,000 square feet of gross floor area, or**

- ii. **Exterior alteration/renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:**
 - a) **installation or replacement of awnings**
 - b) **change in a building's exterior surface material**
 - c) **rearrangement or addition of windows or doors**
 - d) **façade reconstruction/replacement**
 - e) **roofing if the Building Inspector determines the roof to be a distinctive architectural feature of the building**
 - b. **The redesign, alteration or modification of an existing parking area involving the addition of up to four new parking spaces**
 - c. **A change in curb cuts/vehicular access to a site from a public way**
 - d. **Installation or alteration of sidewalks and other pedestrian access improvements**
 - e. **Removal of hedges, living shrubs, and trees greater than four inches in caliper**
 - f. **Installation of fencing or retaining walls.**
- 4. Consideration of planned activities subject to administrative site plan review may be advanced to minor site plan review status at the determination of the Building Inspector or the Board when the collective scope and/or quantity of the proposed activities is substantial enough to merit review at a public meeting.**
- 3- 5. Relationship to Other Permits and Approvals.**
- a. **If an activity or use requires both major or minor site plan review and one or more special permits, the Planning and Economic Development Board shall serve as special permit granting authority.**
 - b. **If both a special permit and major or minor site plan review are required, they shall be considered together under the provisions of Section 3.4. the Board shall review and conduct the public hearing concurrently and the Board may issue a single decision.**
 - c. **The Building Inspector shall not issue a building permit for any project subject to this Section 3.5 unless:**
 - i. **the Board has approved a site plan therefor or allowed ninety calendar days (in the instance of a major site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or**
 - ii. **the Board has approved a site plan therefor or allowed sixty calendar days (in the instance of a minor site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or**
 - iii. **Administrative site plan approval has been granted or twenty-one calendar days have elapsed from the site plan submission date unless the applicant has requested an extension in writing.**

~~Any work done in deviation from an approved site plan shall be a violation of these Bylaws unless such deviation is approved in writing by the Board or determined by the Building Inspector to be an insubstantial change.~~

B. Exemptions. The following shall be exempt from Site Plan Review under this Section 3.5:

1. Single-family and two-family homes, including additions or enlargements **and accessory structures, except as specified in Section 3.5.3.A.1. c. herein.**
2. Residential subdivisions approved by the Board under the Medway Subdivision Rules and Regulations.
3. ~~Projects submitted to the PEDB under Section 8.5, Adult Retirement Community Planned Unit Development.~~
4. **Projects in which the only exterior change that is visible from a public or private way, requiring a building permit, pertains to the removal of architectural barriers to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB)**
 - a. ~~Architectural barrier removal to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB); or~~
 - b. ~~Installation of awnings, exterior siding, or roofing, or replacement of windows or doors;~~

3.5.4 Site Plan Review Standards

~~The Board's Site Plan Rules and Regulations shall adopt standards for site plan review that will at a minimum address the following:~~

- A. ~~Siting of facilities;~~
- B. ~~Design guidelines;~~
- C. ~~Open space and natural features;~~
- D. ~~Pedestrian, bicycle, and vehicular circulation;~~
- E. ~~Water quality;~~
- F. ~~Stormwater;~~
- G. ~~Utilities, exterior lighting, parking, and snow removal;~~
- H. ~~Trees and landscaping;~~
- I. ~~Town character and historic significance;~~
- J. ~~Impacts on public services and facilities;~~
- K. ~~Signage;~~
- M. ~~Safety;~~
- N. ~~Energy efficient site design;~~

~~O. Potential adverse effects and mitigation thereof.~~

3.5.3. 3.5.4 Procedures for Site Plan Review

- ~~A. The Board shall promulgate, after public notice and hearing, Site Plan Rules and Regulations to effectuate the purposes and intent of this Section 3.5, including submission requirements and procedures for major and minor site plans, modification of approved site plans, delegating administrative review to the Board's designee for review of small-scale projects without a public meeting, and standards of review consistent with Section 3.5.4 below.~~
- A. Pre-Application Review – Before filing a site plan application, applicants for major site plan review shall and applicants for minor site review may schedule a pre-application meeting with the Town's interdepartmental project review team. Applicants may also request an informal, pre-application meeting with the Board to review conceptual plans.**
- B. Applicants shall submit an application for major and minor site plan review to the Town Clerk and the Board.**
- C. The site plan submission date shall be the date the site plan application is filed with the Town Clerk and the Board, unless the Board notifies the applicant within twenty-one days of submission that the application is incomplete. In such case, the site plan application will not be deemed to have been submitted.**
- D. For Major Site Plan Review applications, the Board shall hold a public hearing on the proposed site plan. The public hearing shall conform to the requirements for public hearings and notice under G.L. c. 40A, § 11, and the Board's Site Plan Rules and Regulations. All costs of the public notice requirements shall be at the expense of the applicant.**
- E. For Minor Site Plan Review applications, the Board shall review the site plan at a duly posted open meeting. Any public notice to abutters and other parties of interest shall be conducted in accordance with the Site Plan Rules and Regulations.**
- F. The Board shall review and act upon the applications for major and minor site plan review, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section 3.5.4 3.5.5 B. below, and notify the applicant of its decision. The decision shall be by majority vote of the membership, shall be made in writing and shall be filed with the Town Clerk within ninety days of the date of application for Major Site Plan Review, or sixty days of the application date for Minor Site Plan Review. The applicant may request, and the Board may grant by majority vote of the membership, an extension of the time limit set forth herein.**
- G. The Board may approve the a major and minor site plan or approve it with the conditions, limitations, safeguards and mitigation measures or deny a site plan only if the plan does not include adequate information as required by the Site Plan Rules and Regulations, or if the plan depicts a use or structure so contrary to health, safety and welfare of the public that no set of conditions would render the project tenable. The Board's decision shall be by majority vote of the membership, and the decision shall be in writing.**
- ~~H. The applicant shall satisfy or comply with all conditions of the site plan review decision prior to the issuance of a building permit except for those conditions that by their terms are intended to be satisfied during construction or later.~~

- I. ~~Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.~~
- H. The Board's designee shall review and act on applications for administrative site plan review and may require conditions as necessary to satisfy the Administrative Site Plan Review Standards.

3.5.5 Site Plan Rules and Regulations

- A. The Board shall promulgate, after public notice and hearing, Site Plan Rules and Regulations to effectuate the purposes and intent of this Section 3.5, including but not limited to the following requirements and procedures for:
 - 1. submission and review of major and minor site plans
 - 2. administrative review of small-scale projects by the Board's designee without a public hearing or meeting
 - 3. waivers
 - 4. conditions/limitations/safeguards and mitigation measures
 - 5. performance security
 - 6. construction inspection
 - 7. standards of review consistent with Section 3.5.5 B. below
 - 8. decision criteria
 - 9. modification of approved site plans and/or decisions
- B. The Board's Site Plan Rules and Regulations shall include standards for major, minor and administrative site plan review that will at a minimum address the following:
 - 1. Siting of facilities
 - 2. Design guidelines
 - 3. Open space and natural features
 - 4. Pedestrian, bicycle, and vehicular circulation
 - 5. Water quality
 - 6. Stormwater
 - 7. Utilities, exterior lighting, parking, and snow removal
 - 8. Trees and landscaping
 - 9. Site Amenities
 - 10. Town character and historic significance

11. Impacts on public services and facilities

12. Signage

13. Safety

14. Energy efficient site design

15. Potential adverse effects and mitigation thereof.

3.5.5 3.5.6 Appeal

- A. Any person aggrieved by the Board's major or minor site plan decision may appeal to the court within 20 days of the date the decision is filed with the Town Clerk, as provided in G.L. c. 40A, § 17.**
- B. Any person aggrieved by an administrative site plan decision may appeal to the Planning and Economic Development Board.**

Accessory Family Dwelling Units Amendments – 3/8/2016

ARTICLE : To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting SECTION 8.2 Accessory Family Dwelling Unit in its entirety and replacing it as follows: Note that eliminated text is shown with a ~~strikethrough~~ and new text is shown in **bold**.

8.2 ACCESSORY FAMILY DWELLING UNIT

- A. Purposes. The purposes of this ~~sub-section Accessory Family Dwelling Unit~~ bylaw are to:
1. **establish an option for the creation of Accessory Family Dwelling units to provide suitable housing** ~~assist Medway residents with creating suitable housing to accommodate for a family member and/or a caregiver for a family member who is an occupant of the premises;~~
 2. **provide opportunities to support residents who wish to age in place; and**
 3. **maintain the residential character of neighborhoods.**
- B. Applicability. The Board of Appeals may grant a special permit for an accessory family dwelling unit in accordance with this Section 8.2 and Table 1: Schedule of Uses.
- C. Basic Requirements.
1. An accessory family dwelling unit shall be located within:
 - a. ~~a detached single-family dwelling (principal dwelling unit); or and designed so as to preserve the appearance of the single-family dwelling.~~
 - b. **an addition to a detached single-family dwelling (principal dwelling unit); or**
 - c. **a separate structure on the same premises as a detached single-family dwelling (principal dwelling unit).**
 2. ~~There shall be only no more than one accessory family dwelling unit associated with a detached single-family dwelling (principal dwelling unit). per premises on a lot, and no accessory family dwelling unit shall have more than one bedroom.~~
 3. **No accessory family dwelling unit shall have more than one bedroom, unless a second bedroom is authorized by the Board of Appeals pursuant to 8.2.C. 8. herein.**
 4. **An accessory family dwelling unit shall not exceed 800 sq. ft. of gross floor area unless:**
 - a. **there is an existing detached accessory structure larger than 800 sq. ft. located on the same lot as a detached single-family dwelling (principal dwelling unit) and the Board of Appeals determines its use as an accessory family dwelling unit is in character with the neighborhood; or**
 - b. **authorized by the Board of Appeals pursuant to 8.2.C.8. herein.**
 - 3- 5. There shall be at least one **designated** off-street parking space for the accessory family dwelling unit in addition to parking for the **occupants of the detached single-family (principal dwelling unit)**. The off-street parking **space** shall be located in a garage ~~or carport~~, or in the

driveway, and ~~shall have vehicular access to the driveway. shall not be permitted within any required yard area or setback. There shall be no additional driveway or curb cut providing access to the accessory family dwelling unit.~~ The location, quantity and adequacy of parking for the accessory family dwelling unit shall be reviewed by the Board of Appeals to ensure its location and appearance are in keeping with the residential character of the neighborhood.

6. Occupancy of the single-family dwelling (principal dwelling unit) and accessory family dwelling unit shall be restricted as follows:

- a. The owners of the property shall reside in one of the units as their primary residence, **except for bona fide temporary absences due to employment, hospitalization, medical care, vacation, military service, or other comparable absences which would not negate the primary residency standard.** For purposes of this section, "owners" shall mean one or more individuals who hold legal or beneficial title to the premises.
- ~~b. The unit not occupied by the owners may only be occupied by the owners' immediate family or step-family members, grandparents, or in-laws. A notarized statement of the owner's relationship to the occupant shall be submitted to the Building Inspector prior to the issue of a certificate of occupancy for the accessory family dwelling unit.~~
- b. The accessory dwelling unit and the detached single-family dwelling (principal dwelling unit) shall be occupied by any one or more of the following:
 - i. the owner(s) of the property
 - ii. the owner's family by blood, marriage, adoption, foster care or guardianship
 - iii. an unrelated caregiver for an occupant of the detached single-family dwelling or the accessory family dwelling unit, who is an elder, a person with a disability, handicap or chronic disease/medical condition, or a child.

Prior to the Town's issuance of a certificate of occupancy for the accessory family dwelling unit, the property owner shall submit to the Building Inspector a notarized statement of the property owner's relationship to the occupant of the dwelling unit not occupied by the property owner.

7. An accessory family dwelling unit shall be designed so as to preserve the appearance of the single-family dwelling (principal dwelling unit) and be compatible with the residential character of the neighborhood. Any new separate outside entrance serving an accessory family dwelling unit shall be located on the side or in the rear of the building.

8. In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility or a chronic medical condition, the Board of Appeals may allow reasonable deviations from the Basic Requirements where necessary to install features in the accessory family dwelling unit to facilitate the care of, and access and mobility for, disabled and handicapped individuals and persons with limited mobility or a chronic medical condition. This may include, but is not limited to, authorizing a second bedroom in the accessory family dwelling unit.

~~D. Limitations of Special Permit. The special permit for an accessory family dwelling unit shall expire not more than three years after the date of issuance unless extended by the Board of~~

~~Appeals. Upon transfer or conveyance of the property, the special permit granted hereunder shall become null and void.~~

D. Decision

- 1. The Board of Appeals, in making its decision, shall make findings that all of the special permit criteria specified in SECTION 3.4 C. herein are met.**
- 2. Conditions, Limitations and Safeguards – Special permits shall be subject to the conditions, limitations, and safeguards set forth in SECTION 3.4.D. herein subject to such exceptions as the Board of Appeals may deem appropriate. Every special permit shall include the following conditions:**
 - a. Recording. The special permit shall be recorded with the Registry of Deeds prior to issuance of an occupancy permit for the accessory family dwelling unit.**
 - b. Transfer of Ownership. If the new owner(s) desires to continue to exercise the special permit, they must, within thirty (30) days of the conveyance, submit a notarized letter to the Building Inspector stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences, and that the accessory family dwelling unit is to be occupied by one of parties specified in C. 6. b. herein.**
 - c. Bi-Annual Certification. The owner of the property shall provide a bi-annual certification to the Building Inspector verifying that the unit not occupied by the owner is occupied by one of the parties specified in C. 6. b. herein or that the space is being used for another lawfully allowed use pursuant to this Bylaw.**

And by deleting the current definition of Accessory Family Dwelling Unit in SECTION 2 DEFINITIONS and replacing it as follows:

~~Accessory Family Dwelling Unit: A separate and complete housekeeping unit contained within, or being an extension of, a single family dwelling to accommodate additional family members of a resident of the primary dwelling.~~

Accessory Family Dwelling Unit: A separate dwelling unit contained within or attached to a detached single-family dwelling unit (principal dwelling unit) or in an accessory structure thereto and which is subordinate in size to the principal dwelling unit, that is designed to accommodate family members of and/or caregivers for a resident of the primary or accessory family dwelling unit and which includes its own living, sleeping, sanitary and food preparation facilities such that the occupant(s) of the accessory family dwelling unit does not need to rely on the corresponding facilities located in the principal dwelling unit.

And by adding the following definition in SECTION 2 DEFINITIONS as follows:

Caregiver: An individual who regularly looks after a child or a sick, elderly, disabled, or handicapped person or an individual with a chronic medical condition, by providing for or assisting with the tasks of daily living such as, but not limited to activities necessary to maintain good health, personal care, meal preparation, child care, household and property maintenance, and transportation.

And to act in any manner relating thereto.

ZONING BOARD OF APPEALS

DRAFT

Definition Ideas – 2/8/16

ARTICLE : To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting item F. Building Height from Section 6.2. General Provisions and inserting the following definition in alphabetical order in SECTION 2 DEFINITIONS:

Building Height – The vertical distance from grade plane to the average height of the highest roof surface.

And by inserting the following definitions in alphabetical order in SECTION 2 DEFINITIONS:

Garage, private residential: A structure which is accessory to a residential building and used by the residents thereof for personal household storage and/or the parking and storage of motorized vehicles and other moveable items such as campers, boats and other types of recreational vehicles owned by the residents of the building, and which is not a separate commercial enterprise available to the general public.

Membrane Structure: An air-inflated, air-supported, tensioned, cable or frame-covered structure as defined by the International Building Code and not otherwise defined as a tent or canopy.

Tent: A structure, enclosure or shelter constructed of fabric or pliable material with or without sidewalls or drops, supported by any manner except by air or the contents that it protects.

Self -Storage Facility: A structure containing separate, individual, and private storage spaces of varying sizes leased or rented for varying periods of time for personal, household, and/or business storage.

Automated Teller Machine (ATM) Kiosk: A free-standing, electronic banking outlet which allows customers to complete various banking transactions without the aid of a branch representative or teller. NOTE – Sometimes referred to as automated banking machines.

Abandonment of Use: The intentional cessation or discontinuation of a particular use of property. The abandonment of a nonconforming use occurs when the owner forms an intent to abandon the use and engages in conduct that carries the implication of abandonment. Abandonment does not include temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

Museum: A premises open to the public for the procurement, care, conservation, storage, study and display of inanimate objects of lasting historical, scientific, artistic or cultural interest or value.

Movie Theatre/Cinema: A venue, usually a building that contains an auditorium for viewing movies (films) for entertainment.

Theatre: A building, part of a building or outdoor area where plays, dramatic presentations and stage entertainment, etc., are performed.

Recreational Vehicle: A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to serve as a

temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravan, camping trailers, and self-propelled motor homes.

And by eliminating the following existing definitions in SECTION 2 DEFINITIONS (noted in strikethroughs) and replacing them (as noted in **bold text**) as follows:

~~Shopping Center (Current): A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site and provision for good delivery separated from customer access.~~

Shopping Center/Multi-Tenant Development (proposed): A group of two or more business establishments designed, planned, constructed and managed as a total entity, located in one or more buildings on one or more lots under single or multiple ownership, with customer and employee parking provided on-site.

~~Family (current): Any number of individuals living and cooking together on the premises as a single housekeeping unit, as distinguished from a group occupying a boarding or lodging house, motel or hotel.~~

Family (proposed):

- An individual or two or more persons including children, who are related by blood, marriage, foster care, legal adoption or guardianship, living together as a single housekeeping unit
- A group of up to four individuals not related by blood, marriage, foster care, legal adoption or guardianship, living together as a single housekeeping unit
- Two unrelated adults and their related children living together as a single housekeeping unit

~~Commercial Motor Vehicle (current): Any vehicle licensed by the Commonwealth of Massachusetts as a commercial motor vehicle (540 CMR 4.02 Special Definitions)~~

Commercial Motor Vehicle (proposed): Any vehicle defined as such by the Massachusetts Registry of Motor Vehicles in 540 CMR 2.05

~~Dwelling Unit (current): One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for same, and including room or rooms for living, sleeping, and food preparation.~~

Dwelling Unit (proposed): One or more rooms providing complete living facilities for one family, including room or rooms for living, sleeping, food preparation and sanitary facilities.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ZBL Amendments - EDITING ZBL

February 3, 2016

ARTICLE :

To see if the Town will vote to amend the Medway Zoning Bylaw by adding a new Section 1.7 as follows:

1.7 FORMAT

The Planning and Economic Development Coordinator, under the auspices of the Planning and Economic Development Board, is authorized to edit this Zoning Bylaw for format only through use of bold, italics, underscores, bullets, font style, font size, spacing, and other similar editing measures to improve the Bylaw's readability and ease of use without changing the text, section and heading titles, numbering, or content in any manner; and to clearly denote those terms throughout the Bylaw that are officially defined within SECTION 2 of the Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

REVISE PROHIBITED USES

Draft – February 8, 2016

ARTICLE : To see if the Town of Medway will vote to amend SECTION 5.2 of the Zoning Bylaw by inserting the following to Sub-Section 5.2 B. PROHIBITED USES:

B. 13. Self-Storage Facilities

And by revising the identification of item B. 13 to become B. 14.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

ZONING DISTRICT BOUNDARIES

Revised Draft – March 3, 2016

ARTICLE : To see if the Town will vote to amend the Medway Zoning Bylaw by adding a new Section 4.4 as follows:

4.4 ZONING DISTRICT BOUNDARIES

Where a zoning district boundary line is shown on the Zoning Map as being within a public or private street or right-of-way, the center line of the street or right-of-way shall be the zoning district boundary line.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Susan Affleck-Childs

From: Barbara J. Saint Andre <BSaintAndre@k-plaw.com>
Sent: Wednesday, April 20, 2016 8:58 AM
To: Susan Affleck-Childs
Cc: Stephanie Mercandetti; Carolyn M. Murray
Subject: RE: Article 30 - Zoning Bylaw Amendment

You need to check with Mark Cerel, but I would not have any issue with it.

Barbara J. Saint Andre, Esq.
KOPELMAN AND PAIGE, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
F: (617) 654 1735
bsaintandre@k-plaw.com
www.k-plaw.com

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From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Wednesday, April 20, 2016 8:52 AM
To: Barbara J. Saint Andre
Cc: Stephanie Mercandetti
Subject: RE: Article 30 - Zoning Bylaw Amendment

And that would be an OK amendment for the PEDB to offer during town meeting as part of its recommendation on this article?

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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From: Barbara J. Saint Andre [<mailto:BSaintAndre@k-plaw.com>]
Sent: Wednesday, April 20, 2016 8:44 AM
To: Susan Affleck-Childs
Cc: Stephanie Mercandetti
Subject: RE: Article 30 - Zoning Bylaw Amendment

Susy, a sunset provision would work, in my opinion, simply add at the end that the section will expire two years after Town Meeting vote.

Barbara J. Saint Andre, Esq.
KOPELMAN AND PAIGE, P.C.
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From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Tuesday, April 19, 2016 11:07 AM
To: Barbara J. Saint Andre
Cc: Stephanie Mercandetti
Subject: Article 30 - Zoning Bylaw Amendment

Hi Barbara,

At last week's public hearing on proposed amendments to the Zoning Bylaw, the Board reviewed the article.

ARTICLE 30: (Amend Zoning Bylaw: Editing Zoning Bylaws)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw by adding a new Section 1.7 as follows:

1.7 FORMAT

The Planning and Economic Development Coordinator, under the auspices of the Planning and Economic Development Board, is authorized to edit this Zoning Bylaw for format only through use of bold, italics, underscores, bullets, font style, font size, spacing, and other similar editing measures to improve the Bylaw's readability and ease of use without changing the text, section and heading titles, numbering, or content in any manner; and to clearly denote those terms throughout the Bylaw that are officially defined within SECTION 2 of the Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Stephanie doesn't feel language like this should be a permanent part of a zoning bylaw. An idea was offered to amend the article to include a sunset provision, perhaps two years after approval.

Thoughts??

Susy



BOHLERTM ENGINEERING

352 Turnpike Road
Southborough, MA 01772
PHONE 508.480.9900
FAX 508.480.9080

April 19, 2016

Town of Medway
Planning Board
155 Village Street
Medway, MA 02053

Re: Tri Valley Commons
72 Main Street
Medway, MA

Dear Board Members:

Please find this letter to serve as a formal request for a Certificate of Site Plan Completion so we can obtain an Occupancy Permit for the Direct Tire and Advanced Auto Parts stores. In support of this request please find six (6) copies of an as-built survey dated 4/17/16, prepared by Control Point Associates.

Based on review of the above plan and a final site observation conducted on April 20, 2016, the subject project has been constructed in general conformance with the plans dated January 9, 2015, revised through September 4, 2015, with the following deviations as the work is not yet complete.

- Final building and pavement construction on the eastern property (spec retail) has not been completed and is not part of the Thurken project.
- Construction of the wall on this parcel has not been completed. This work will be initiated in the coming weeks when the site dries out and material is delivered. (Item bonded with Town)
- Final grading of this parcel, as shown on the Phasing Plan - C-5, will be completed in conjunction with construction of the wall. (Item bonded with Town)
- The gate and fencing adjacent to the detention basin access will be constructed the same time as the wall. (Item bonded with Town)
- Final cleaning of the stormwater system and detention basin will be completed upon completion of the above mentioned wall work. E&S controls will be removed at this time. (Item bonded with Town)
- Minor site stabilization is required on portions of the site as well as final stabilization of the landscape berm on the western portion of the property adjacent to Papa Ginos. (Item bonded with Town)
- Gas service moved slightly per utility company final design.
- Trash receptacles are on-site, but need to be placed.
- Final parking lot sweeping is required. This is expected to be completed within a week when the Direct Tire fit out is completed.
- Additional stone will be added to the detention basin spillway to match design grades. Stone is presently on site.

Should you have any questions or need additional information please do not hesitate to contact me at (508) 480-9900.

Sincerely,

BOHLER ENGINEERING


John A. Kucich, P.E.

Cc: Rich Landry

**TETRA TECH**

Bond Estimate
Tri-Valley Commons
Medway, Massachusetts
 December 3, 2015 (revised December 24, 2015)

Marlborough Technology Park
 100 Nickerson Road
 Marlborough, MA 01752
 Tel 508.786.2200 Fax 508.786.2201

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Top Course Pavement	0	TON	\$100.00	\$0
Raise Castings	0	EA	\$300.00	\$0
Bollards	13	EA	\$500.00	\$6,500
Concrete Mat	0	SF	\$8.50	\$0
Concrete Walk	0	SF	\$8.50	\$0
ADA Ramps	0	SY	\$80.00	\$0
Guiderail	0	LF	\$52.00	\$0
Chain Link Fence	319	FT	\$31.00	\$9,889
8' Wide Gate	1	LS	\$5,500.00	\$5,500
Trash Enclosure	0	LS	\$8,000.00	\$0
Retaining Wall	1	LS	\$40,000.00	\$40,000
Light Pole and Fixture	4	EA	\$2,000.00	\$8,000
Line Striping	1	LS	\$1,000.00	\$1,000
Monument Sign	1	EA	\$8,000.00	\$8,000
Signage	1	EA	\$300.00	\$300
Bike Rack	1	EA	\$1,000.00	\$1,000
Removable Planters	1	EA	\$1,500.00	\$1,500
Sitting Bench	1	EA	\$2,000.00	\$2,000
Transformer Pads	0	EA	\$500.00	\$0
Transformers (Electrical Installation)	1	LS	\$8,000.00	\$8,000
Trash Receptacle	2	EA	\$2,000.00	\$4,000
Remove Erosion Controls	1	LS	\$1,500.00	\$1,500
Rehandled Topsoil	0	CY	\$25.00	\$0
Seeding ³	4,530	SY	\$1.80	\$8,154
Landscape Walls	1	LS	\$10,000.00	\$10,000
Landscaping	1	LS	\$5,000.00	\$5,000
As-built Plans	1	LS	\$6,000.00	\$6,000
Legal Services	1	LS	\$3,000.00	\$3,000

Subtotal	\$129,343
25% Contingency	\$32,336
Total	\$161,679

Notes:

1. Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 12/2014 - 12/2015. MassDOT pricing supplemented with pricing gathered from site contractor for non-MassDOT standard items.
2. Items included in this estimate were generated based upon Phase I only as shown on Sheet 5 of the approved plan set. Construction in Phase II of the project has not started as of this date.
3. Hydroseeding has been completed throughout this phase but has not yet germinated. TT recommends the PEDB keep seeding in the bond estimate until spring 2016 to determine if additional seeding is required at that time.

P. **Sidewalks and Crosswalks**

1. The applicant shall coordinate with the Medway Department of Public Services regarding easements as may be necessary for the sections of public sidewalk along Route 109 which extend onto the private property.
2. The applicant shall coordinate with the Medway Department of Public Services to determine maintenance practices and responsibilities for the painted crosswalks located at the site driveways.

Q. **Signage**

1. There shall be no product signage or promotional posters displayed in the store windows of the tenants on the premises.
2. Any entrance/egress signs at the site driveway shall not include any corporate names, colors, text, symbols or logos of any tenant in Tri Valley Commons.

R. **Use of Premises** – Pursuant to the special permit for vehicle repair use, the vehicle repair use allowed on the premises is limited to 7 service/garage bays.

S. **Future Vehicular and Pedestrian Connectivity to Abutting Property Gould's Plaza, 74 Main Street** – The applicant shall be obligated to provide for future connections for vehicles and pedestrians to the abutting properties (Assessors Map/Parcel 40-53 and 40-49, currently the site of Gould's Plaza and Cassidy's Clubhouse respectively) at such time as additional development is proposed on either the applicant's or abutting properties and provided a mutually agreeable access and maintenance agreement is reached between the applicable parties. This is condition of approval shall run with the land.

T. **Site Amenities** - Site development is expected to result in the availability of rock outcroppings. The applicant has agreed to position such rock outcroppings within the landscaped area adjacent to the stormwater detention pond.

U. **Performance Security**

1. No occupancy permit shall be granted until the Board has provided a written communication to the Inspector of Buildings that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Board's satisfaction, to cover the cost of all remaining site improvements, including landscaping, which are incomplete or not constructed.
2. The applicant shall propose a form of performance security which shall be of a source and in a form acceptable to the Board, the Medway Treasurer/Collector and Town Counsel. The Board may require 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 Board
 - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the Site that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
 4. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the developer fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a twenty-five percent (25%) contingency.
 5. Final release of performance security is contingent on project completion.

IX. GENERAL CONDITIONS OF APPROVAL - At its June 23, 2015 meeting, the Planning and Economic Development Board, on a motion made by Robert Tucker and seconded by Matthew Hayes voted by roll call to approve the GENERAL CONDITIONS included herein. The motion was approved unanimously.

- A. **Other Town 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, including but not limited to a Street Opening/Roadway Access Permit from the Department of Public Services.
- B. **Fees** - Prior to Plan endorsement by the Board, the following shall be paid in full by the Applicant and/or property owner.
 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 required by the Board; and

3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.

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

C. Document/Plan Recording

1. The applicant shall record this decision and the complete endorsed site plan with the Norfolk County Registry of Deeds prior to the issuance of a building permit, after the required appeal period has lapsed in accordance with MGL, Chapter 40A. Section 17.
2. Within thirty days of recording the Decision and the associated site plan, the Applicant or his assign shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred.

D. Plan Modification

1. This Approval is subject to all subsequent conditions that may be imposed by other Town boards, agencies or commissions. Any changes to the Plan that may be required by the decisions of other boards, agencies or commissions shall be submitted to the Board for review as plan modifications pursuant to the *Medway Zoning Bylaw* Section 3.5.
2. Any work that deviates from the approved Plan and Decision shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan or decision modification pursuant to Section 3.5 of the *Medway Zoning Bylaw* and such approval is provided in writing to the Board.
3. Whenever additional reviews by the 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 hearing including legal notice and a butter notification. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the filing and review fees.

E. Plan Compliance

1. The Applicant shall construct all improvements in compliance with the approved and endorsed Plan and any modifications thereto.
2. The Board or its agent(s) may use all legal options available to it, including referring any violation to the Inspector of Buildings for appropriate enforcement action, to ensure compliance with this Decision.

F. Project Completion

1. Site plan approval and the issuance of this special permit for the shopping center and vehicle repair use shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause as determined by the Board. All improvements shown on the Phasing Plan shall be completed by the applicant within two years of the date of plan endorsement excepting the development of Building C which is to be completed at a later time period as specifically in the rendering of this Decision. Upon receipt of a written request by the applicant filed at least thirty days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of a final occupancy permit, the Board shall provide a ***Certificate of Site Plan Completion*** to the Inspector of Buildings/Zoning Enforcement Officer. The ***Certificate*** serves as the Board's confirmation that the completed work conforms to the approved Plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements.

To secure a ***Certificate of Site Plan Completion*** from the Board, the applicant shall:

- a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict compliance with the approved and endorsed Plan, and any modifications thereto; and
- b) submit six copies of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for review by the Town's Consulting Engineer and the Board's approval. The As-Built Plan shall show actual as-built locations and conditions of all work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in an electronic format as may be specified by the Board of Assessors.
- c) Be current with the Town of Medway for any taxes/fees associated with these parcels or other property owned by the applicant in the Town of Medway.

- G. **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.

To: Susan Affleck-Childs – Medway Planning and Economic Development Board Coordinator

Cc:

From: Steven Bouley, EIT – Tetra Tech



Date: April 22, 2016

Subject: Tri-Valley Commons Punch List

On April 21, 2016 at the request of the Medway Planning and Economic Development Board (PEDB), Tetra Tech (TT) performed a punch list inspection of the Tri-Valley Commons site. The inspection was conducted based upon the approved plan set and PEDB Decision. This inspection does not include items related to development of Lot C which will be constructed as part of the next phase of the project.

The following is a list of items and issues that should be repaired or resolved:

Drainage

1. The sediment forebay for Infiltration Basin #1 is filled with sediment just below to top of the rip-rap spillway which spills into the main portion of the infiltration basin. It is recommended the applicant/contractor clean the forebay to prevent fine sediment from migrating to the lower portion of the basin, potentially reducing the BMP's infiltrative capacity. It is recommended the contractor determine where the sediment is originating and remedy the issue prior to damage occurring to the basin. The completed infiltration basin should not be used as a sediment basin during construction activities.
2. It is recommended the applicant clean the drain system and sweep hardscaped areas prior to project completion.
3. The proposed grading for Lot C should be implemented to prevent runoff from the lot from directly entering nearby wetland areas. All flow from the lot shall be directed to Infiltration Basin #1 as specified in *Section IX. Specific Conditions A.6* of the modified decision for the project.
4. Areas of top course pavement are being damaged by Lull activity on-site during building work. These areas should be repaired to prevent future asphalt damage during plowing operations in the winter months.

Site

5. Chain-link fence and gate has not been installed around Infiltration Basin #1.
6. The retaining wall and associated chain-link fence proposed along the eastern portion of the site has not been installed.
7. Landscape walls around existing tree have not been installed.

8. It appears grass seed, which was sprayed fall 2015, is not growing. It is recommended the applicant/contractor reseed all loamed areas to ensure grass is established in the proper growing season.
9. Proposed removable planter located on-site but requires planting.
10. Removal of erosion controls upon receiving Certificate of Compliance from Medway Conservation Commission.

These comments are offered as guides for use during the Town's review. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

P:\21583\143-21583-15014 (PEBD TRI-VALLEY COMMONS CONSTR ADMIN.)\CONSTRUCTION\FIELD OBSERVATION\PUNCH LIST\MEMO_TVC PUNCH LIST_2016-04-22.DOC



BOHLERTM

ENGINEERING

352 Turnpike Road
Southborough, MA 01772
PHONE 508.480.9900
FAX 508.480.9080

Town of Medway
Planning Board
155 Village Street
Medway, MA 02053

April 26, 2016

Attn: Susan Affleck-Childs

Re: Tri Valley Commons
72 Main Street
Medway, MA

Dear Board Members:

Bohler Engineering is in receipt of a Punch List prepared by Tetra-Tech relative to the project. On behalf of the developer we are providing the following additional information, for clarity purposes the original comments are in italics and our responses are in bold.

Comment #1: The sediment forebay for Infiltration Basin #1 is filled with sediment just below to top of the rip-rap spillway which spills into the main portion of the infiltration basin. It is recommended the applicant/contractor clean the forebay to prevent fine sediment from migrating to the lower portion of the basin, potentially reducing the BMP's infiltrative capacity. It is recommended the contractor determine where the sediment is originating and remedy the issue prior to damage occurring to the basin. The completed infiltration basin should not be used as a sediment basin during construction activities.

Response: The majority of the sediment deposited in the basin is due to a blow out that occurred in early March. The issue was corrected and all washed out sediment was contained within the forebay area and inside the limit of disturbance. This area was subsequently stabilized. Cleaning of the forebay as well as the basin will occur just prior to starting construction of the retaining wall when the appropriate machinery is on site and the site has dried out to avoid damage to the basin.

Comment #2: It is recommended the applicant clean the drain system and sweep hardscaped areas prior to project completion.

Response: Cleaning of the catch basins, proprietary separator units and piping will be performed this week. The parking lot will be swept upon completion of the work associated with the Direct Tire Building. This is anticipated to occur within the next week or two.

Comment #3: The proposed grading for Lot C should be implemented to prevent runoff from the lot from directly entering nearby wetland areas. All flow from the lot shall be directed to Infiltration Basin #1 as specified in Section IX. Specific Conditions A.6 of the modified decision for the project.



Response: Final grading of this parcel, as shown on the Phasing Plan - C-5, will be completed in conjunction with construction of the retaining wall in the coming weeks. (Item bonded with Town)

Comment #4: Areas of top course pavement are being damaged by Lull activity on-site during building work. These areas should be repaired to prevent future asphalt damage during plowing operations in the winter months.

Response: Any damaged pavement will be repaired.

Comment #5: Chain-link fence and gate has not been installed around Infiltration Basin #1.

Response: The gate and fencing adjacent to the detention basin access will be constructed at the same time as the retaining wall on Lot C. (Item bonded with Town)

Comment #6: The retaining wall and associated chain-link fence proposed along the eastern portion of the site has not been installed.

Response: Acknowledged, construction of the wall on Lot C has not been completed. This work will be initiated in the coming weeks when the site dries out and material is delivered. (Item bonded with Town)

Comment #7: Landscape walls around existing tree have not been installed.

Response: The two walls were originally proposed to avoid damage to trees if needed. However, during construction the contractor was able to construct the slope without impacting the trees so the walls were eliminated. It should be noted that this item is bonded with the Town and that installing the walls at this time may damage the roots of the trees.

Comment #8: It appears grass seed, which was sprayed fall 2015, is not growing. It is recommended the applicant/contractor reseed all loamed areas to ensure grass is established in the proper growing season.

Response: Bare areas will be reseeded.

Comment #9: Proposed removable planter located on-site but requires planting.

Response: Landscaping will be provided in the planter per the approved plans.



BOHLERTM
ENGINEERING

Comment #10: Removal of erosion controls upon receiving Certificate of Compliance from Medway Conservation Commission.

Response: The developer is currently working with the Conservation Commission and erosion controls will be maintained until completion of the remaining site work. Upon completion the developer will review the project with the Commission and erosion controls will be removed as part of the Certificate of Compliance process.

Should you have any questions or need additional information please do not hesitate to contact me at (508) 480-9900.

Sincerely,

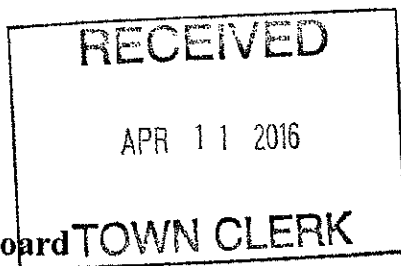
BOHLER ENGINEERING

Nathaniel E. Mahonen, P.E.

John A. Kucich, P.E.

Cc: Rich Landry

W141182
Ltr Planning 04-25-16.docx



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

April 11, 2016

NOTICE OF PUBLIC HEARING
2 Marc Road and 19 & 21 Jayar Road
Site Plan Approval and Registered Marijuana Facility
and Groundwater Protection District Special Permits

In accordance with the Medway Zoning Bylaw, Section 3.5 Site Plan Review, Section 5.63 Groundwater Protection District, and Section 8.9 Registered Marijuana Dispensary and the provisions of Chapter 40A, Massachusetts General Laws, notice is given that *the Medway Planning and Economic Development Board will conduct a Public Hearing on Tuesday, April 26, 2016 at 8:45 p.m. in the School Committee Presentation Room (Door 7) at the Medway Middle School, 45 Holliston Street, to consider the application of Ellen Realty Trust of Millis, MA for approval of a registered marijuana dispensary special permit, a groundwater protection district special permit, and a major site plan for the development of an industrial building and associated infrastructure at 2 Marc Road and 19 & 21 Jayar Road.*

The applicant proposes to construct a two story, 60,000 sq. ft. industrial facility and associated infrastructure on three parcels comprising 6.92 acres at 2 Marc Road, and 19 & 21 Jayar (*Medway Assessors' Parcels 33-001, 24-015 and 24-016*) on the north side of Marc Road in the Industrial I zoning district. A portion of the site includes wetlands resources within the jurisdiction of the Medway Conservation Commission. The property is also located within a groundwater protection district; the northern boundary of the property is approximately 600' from a Town of Medway public water supply well. The properties are owned by Ellen Realty Trust of Millis, MA.

The applicant proposes to develop the site and use the building to contain a registered medical marijuana cultivation and processing facility. That use requires a special permit, the location requires a groundwater protection district special permit, and the overall project requires site plan review and approval. The *2 Marc Road Site Plan of Land in Medway, MA* is dated March 30, 2016 and was prepared by Merrikin Engineering, LLP of Millis, MA. Building elevations were prepared by Keenan & Kenny Architects, LTD of Falmouth, MA.

Access and egress to the development will be from Marc Road which runs westerly off of Industrial Park Road which is off Main ST/Route 109. Proposed site work includes construction of the access/egress driveways, curbing, 35 off-street parking spaces, landscaping, lighting, sidewalk, installation of stormwater drainage facilities, connection to municipal sewer, and reconstruction of the privately owned portions of Jayar and Marc Roads.

Telephone: 508-533-3291 Fax: 508-321-4987
planningboard@townofmedway.org

The applications, proposed site plan, stormwater report, and other documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The applications, plans, reports and documents are also posted at the Planning and Economic Development Board's web page at: <http://www.townofmedway.org/planning-economic-development-board/pages/2-marc-road-site-plan-and-special-permits>

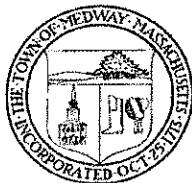
Interested persons are invited to review the plans, attend the public hearing, and express their views at the designated time and place. Questions should be directed to 508-533-3291. Written comments are encouraged and may be forwarded to: planningboard@townofmedway.org.

Andy Rodenhiser, Chairman

To be published in the *Milford Daily News*: Monday, April 11, 2016 and Tuesday, April 19, 2016

cc: *Planning Boards* – Bellingham, Franklin, Holliston, Milford, Millis and Norfolk

Medway Town Officials/Departments – Board of Selectmen/Town Administrator, Board of Assessors, Board of Health, Building Inspector/Zoning Enforcement Officer, Conservation Commission, Design Review Committee, Economic Development Committee, Fire Department, Police Department, Public Services Department, Town Clerk, and Treasurer/Collector



Planning & Economic Development Board - Town of Medway, MA
SITE PLAN REVIEW

Application for Major Site Plan Approval

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the *Medway Zoning Bylaw* and
The Board's *Rules and Regulations for the Submission and Review of Site Plans*
The Town's Planning and Engineering Consultants will review the Application and the proposed
Site Plan and provide review letters to the Planning and Economic Development Board.
A copy of those review letters will be provided to you in advance of the meeting.
You and/or your duly authorized Agent/Official Representative are expected to attend the
Board meetings at which your Application will be considered to answer any questions and/or
submit such additional information as the Board may request.
Your absence at hearings may result in a delay in the Board's review of the site plan.

April 1, 2016

APPLICANT INFORMATION

Applicant's Name: Ellen Realty Trust
Mailing Address: 730 Main Street, Suite 2A
Millis, MA 02054
Name of Primary Contact: Ellen Rosenfeld
Telephone:
Office: 508-376-4600
Cell: n/a
Email address: ellen@rosenfeld-law.com

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

MAJOR SITE PLAN INFORMATION

Development Name: 2 Marc Road
Plan Title: "2 Marc Road Site Plan of Land in Medway"
Plan Date: March 30, 2016
Prepared by:
Name: Daniel J. Merrikin, P.E
Firm: Merrikin Engineering, LLP
Phone #: 508-376-8883
Email: dan@me-llp.com

PROPERTY INFORMATION

Location Address: 2 Marc Road (33-001), 19Jayar Rd(24-015), and 21Jayar Road (24-016)*

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

Total Acreage of Land Area: 6.92+/-

General Description of Property: Developed land located on Marc Road.

Industrial buildings about the property on all sides except to the north which
is wooded.

Medway Zoning District Classification: Industrial I (IND-I), Groundwater Protection

Current Use of Property: The site is currently used for contractor equipment and
material storage.

Length of Existing Frontage: 220.12' On what street? Marc Road

Setbacks for Existing Structure (if applicable)

Front: _____
Back: _____
Side: _____
Side: _____

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? X Yes No

Groundwater Protection

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

Flood Plain

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: Special permits: Section 8.9K(1) for a RMD, Section 5.6.3(E)3(c)

for hazardous materials, Section 5.6.3(E)3(e) for impervious coverage

PROPOSED DEVELOPMENT PROJECT INFORMATION

Development Name: 2 Marc Road

A Major Site Plan is any commercial, industrial, institutional, multi-family, or municipal project which involves:

- a. New construction; or
- b. Alteration, reconstruction, or renovation work that will result in a change in the outside appearance of an existing building or premises, visible from a public or private street or way; or
- c. A change of use of a building or buildings or premises:

AND which includes one or more the following: (Please check all that apply.)

- ☒ New Construction - 2,500 or more sq. ft. of "gross floor area"
- ☒ New Construction - Construction of a new building or addition requiring 15 or more parking spaces
- ☐ Change in Use requiring the construction of 15 or more parking spaces
- ☐ Change in Parking Area - The construction, expansion, redesign or alteration of an existing parking area involving the addition of 15 or more new parking spaces
- ☐ Other – Any use or structure, or expansion thereof, exempt under MGL, c. 40A, s. 3, but only if one or more of the above criteria is met.

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

The owner's title to the land that is the subject matter of this application is derived under deed from: Huna Rosenfeld to Ellen Realty Trust dated July 21, 1989 and recorded in Norfolk County Registry of Deeds, Book 8379; 18164 Page 83; 320 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

CONSULTANT INFORMATION

ENGINEER: Merrikin Engineering, LLC

Mailing Address: 730 Main Street, Suite 2C
Millis, MA 02054

Primary Contact: Daniel J. Merrikin, P.E.

Telephone: _____
Office: 508-376-8883 Cell: 508-868-8353

Email address: dan@me-llp.com

Registered P.E. License #: MA 43309

SURVEYOR: Paul DeSimone
Mailing Address: PO Box 9
Medway, MA 02053
Primary Contact: Paul DeSimone
Telephone: Office: 508-533-1644 Cell: n/a
Email Address: _____
Registered P.L.S. License #: 30466

ARCHITECT: Keenan + Kenny Architects, LTD.
Mailing Address: 189 Main Street
Falmouth, MA
Primary Contact: Antonia A. Kenny, R.A.
Telephone: Office: 508-540-0075
Cell: _____
Email address: office@kandkarchitects.com
Registered Architect License #: 5446

LANDSCAPE ARCHITECT/DESIGNER: _____
Mailing Address: _____
Primary Contact: _____
Telephone: Office: _____
Cell: _____
Email address: _____
Registered Landscape Architect License #: _____

ATTORNEY: Valerio Romano
Mailing Address: VGR Law Firm, PC
109 State St. # 404
Primary Contact: Valerio Romano
Telephone: Office: 617-307-4728 Cell: _____
Email address: valerio@vgrlawfirm.com

OFFICIAL REPRESENTATIVE INFORMATIONName: Daniel J. Merrikin, P.E.Address: 730 Main Street, Suite 2C
Millis, MA 02054Telephone: Office: 508-376-8883Cell: 508-868-8353Email address: dan@me-llp.com**SIGNATURES**

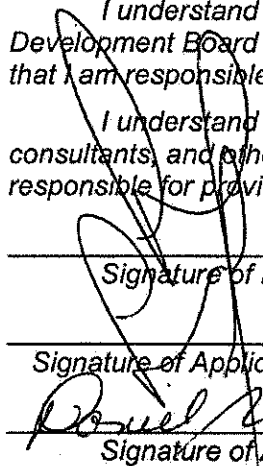
The undersigned, being the Applicant for approval of a Major Site Plan Project, herewith submits this application and Site Plan to the Medway Planning and Economic Development Board for review and approval. I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property and proposed development under consideration.

(If applicable, I hereby authorize Daniel J. Merrikin, P.E. to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.)

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

I understand that pursuant to MGL 53G, the Medway Planning and Economic Development Board may retain outside professional consultants to review this application and that I am responsible for the costs associated with such reviews.

I understand that the Planning and Economic Development Board, its agents, staff, consultants, and other Town staff and committees may request additional information which I am responsible for providing to assist them in reviewing the proposed development.



Signature of Property Owner4/1/2016

Date_____
Signature of Applicant (if other than Property Owner)4/1/2016

Date

Signature of Agent/Official Representative2016-04-01

Date**MAJOR SITE PLAN FEES****Filing Fee**

For projects up to 4,999 sq. ft./gross floor area = \$ 750 plus \$.25/sq. ft.
For projects of 5,000 - 9,999 sq. ft./gross floor area = \$1,000 plus \$.25/sq. ft.
For projects of 10,000 - 14,999 sq. ft./gross floor area = \$1,500 plus \$.25/sq. ft.
For projects of 15,000 sq. ft. or more/gross floor area = \$1,500 plus \$.25/sq. ft.

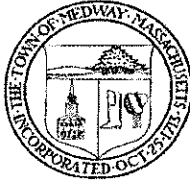
Advance on Plan Review Fee

For projects up to 4,999 sq. ft./gross floor area = \$1,000 deposit
For projects of 5,000 - 9,999 sq. ft./gross floor area = \$1,500 deposit
For projects of 10,000 - 14,999 sq. ft./gross floor area = \$2,000 deposit
For projects of 15,000 sq. ft. or more/gross floor area = \$2,500 deposit

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

MAJOR SITE PLAN **APPLICATION CHECKLIST**

- ☒ Major Site Plan Application (2 signed originals – one for Town Clerk and one for Planning and Economic Development Board)
- ☒ Ten (10) full size copies of the Site Plan prepared in accordance with Sections 204-4 and 204-5 of the *Medway Site Plan Rules and Regulations*
- ☒ One (1) ledger size (11" x 17") copy of the Site Plan
- ☒ Electronic Version of the Site Plan and all associated application documents. Provide disk or flash drive or email.
- ☒ Certified Abutters List from the Medway Assessor's office – for 300 feet around the subject property – Form E
- ☒ One (1) copy of a *Project Description* as described in Section 204 - 3, 6) of the *Medway Site Plan Rules and Regulations*. This description should also include narrative on how the proposed project meets the requirements of the Medway Zoning Bylaw for parking (V. H) and exterior lighting (V. B. 6)
- ☒ One (1) copy of a *Development Impact Statement* as described in Section 204 - 3, 7) of the *Medway Site Plan Rules and Regulations*
- ☒ Request for Waivers from the *Medway Site Plan Rules and Regulations* - Form Q.
- ☒ Two (2) copies of the *Stormwater Drainage Calculations/Report* prepared in conformance with Section 204 – 3, 3) of the *Site Plan Rules and Regulations*
- N/A Two (2) copies of a traffic study, depending on the size and scope of the proposed development project.
- N/A One (1) copy of all relevant approvals received to date from other Town boards/committees/departments
- ☒ Proof of present or pending ownership of all land within the proposed development.
- ☒ Major Site Plan Filing Fee – Payable to Town of Medway
- ☒ Advance of Plan Review Fee – Payable to Town of Medway



**Planning & Economic Development Board
Town of Medway, MA**

Application for Approval of Special Permit

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw.

The Town's Planning and Engineering Consultants will 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.

April 4, 2016

APPLICANT INFORMATION

Applicant's Name: Ellen Realty Trust

Mailing Address: 730 Main Street, Suite 2A

Millis, MA 02054

Name of Primary Contact: Ellen Rosenfeld

Telephone:
Office: 508-376-4600
Cell: n/a

Email address: ellen@rosenfeld-law.com

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

PROPERTY INFORMATION

Location Address: 2 Marc Road

The land shown on the plan is shown on Medway Assessor's Map # 33;24 as Parcel # 001;015,016

Size of Development Parcel(s): 6.92+/-

Development Name: _____

General Description of Property: Developed land located on Marc Road. The site is currently used for contractor equipment and material storage.

Medway Zoning District Classification: Industrial I (IND-I), Groundwater Protection

TYPE OF SPECIAL PERMIT

As provided in the following Section(s) of the Medway Zoning Bylaw:

Section 8.9 Registered Marijuana Dispensary; Section 5.6.3.(E)3.(c) Groundwater Overlay District - Activities that involve handling of toxic or hazardous materials; and Section 5.6.3(E)3(e) Any use that will render impervious >15% or 2,500 s.f.

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

OFFICIAL REPRESENTATIVE INFORMATION

Name: Daniel J. Merrikin, P.E. _____

Address: 730 Main Street, Suite 2C _____

Millis, MA 02054 _____

Telephone: _____
Office: 508-376-8883 Cell: 508-868-8353

Email address: dan@me-llp.com _____

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 Daniel J. Merrikin, P.E. to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.)

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

Signature of Property Owner

4/1/2016

Date

Signature of Applicant (if other than Property Owner)

4/1/2016

Date

Signature of Agent/Official Representative

2016.04.01

Date

PROJECT DESCRIPTION
AND
DEVELOPMENT IMPACT STATEMENT
FOR

2 MARC ROAD

*ASSESSORS PARCELS
33-001 & 24-015 & 24-016*

*SITE PLAN OF LAND
IN
MEDWAY, MASSACHUSETTS*

Submitted Per s. 204-3 of the
Town of Medway Planning Board Rules and Regulations
Chapter 200 – Site Plans

DATE: March 30, 2016

PREPARED BY:
Merrikin Engineering, LLP
730 Main Street, Suite 2C
Millis, MA 02054

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COVER SHEET

TABLE OF CONTENTS

PROJECT DESCRIPTION

DEVELOPMENT IMPACT STATEMENT

- Traffic Impact

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- Environmental Impact

- Community Impact

- Operational Considerations

ATTACHMENT A – Summary of Materials Usage

PROJECT DESCRIPTION

The proposed development lies on land at 2 Marc Road and consists of three parcels held in common ownership (Assessors parcels 33-001 and 24-015 and 24-016). This applicant proposes to construct a new two-story commercial building to contain a medical marijuana cultivation facility. The site is currently fully developed and used for storage and processing of earthen products such as loam, mulch, crushed stone, sand, and other similar materials as well as for the storage of landscape/construction equipment.

Note the following summary of the proposed redevelopment:

Construction:

- 60,000 s.f. building
- 35 parking spaces
- Associated loading area, driveways, landscaping, utilities etc...

Use(s):

- Medical marijuana cultivation facility

Project intended to serve:

- Prospective Tenant: CommCan, Inc., a Chapter 180 Non-profit, plans to operate the facility as a medical marijuana cultivation facility. Medical marijuana and associated products will be grown, processed and packaged at this facility.

Anticipated number of employees

- 30 in various shifts

Hours of Operation

- Approximately 12 hours per day, 7 days per week.

Timetable for project completion

- The applicant hopes to begin construction in the summer of 2016.
- Construction is expected to be completed by the summer of 2017.

DEVELOPMENT IMPACT STATEMENT

Traffic Impact:

The site is near the end of a dead-ended industrial subdivision road. There is very little traffic at the site frontage and only one building beyond the site. The subdivision roadway system provides adequate access and traffic flow for the site. The industrial park exits directly onto Route 109, which also has adequate capacity for the proposed use of the site. The proposed facility is expected to generate less than 100 trips per day at full operation. Note also that as part of the project, the applicant is proposing to reconstruct the private portion of Jayar and Marc Roads.

Given the location, the applicant seeks a waiver from having to provide a full traffic study.

Parking:

At full buildout, the facility is expected to have 30 employees, which will operate in various shifts. The site plan includes 35 parking spaces, which the applicant submits is more than adequate for the facility. Parking lot and driveway designs are in accordance with the requirements of the Zoning Bylaw and Site Plan Regulations.

The proposed parking lot lies entirely within the site and will not have any impact on surrounding properties or parking patterns within the industrial park. The parking lot faces Marc Road and includes the planting of several shade trees.

Environmental Impact Assessment:

Surface and Groundwater Quality:

The proposed cultivation activities will occur entirely within the building with state-of-the-art building mechanical systems. The activity within the building will have no effect on surface or groundwater quality.

The site is presently developed for use as a contractor's yard and consists of unvegetated or poorly vegetated gravel surfaces. There are currently no on-site stormwater management facilities dedicated to the treatment of runoff from the site. The site contains a series of vegetated drainage swales and a stormwater basin, but these facilities are dedicated to runoff from adjacent properties and portions of Marc Road and Jayar Road.

The proposed redevelopment of the site includes a new stormwater management system which will capture, treat, and infiltrate runoff from the proposed redevelopment. This includes a series of treatment BMPs and three vegetated stormwater infiltration basins. These proposed stormwater facilities exceed the requirements of the DEP Stormwater Management Standards. In addition, the project proposes to install a proprietary stormwater treatment unit on the existing street drainage pipeline, which will significantly improve the quality of the

stormwater runoff being discharged from the nearby roadways. Refer to the Stormwater Report for more information. As a result of these stormwater management improvements, both surface and groundwater will be protected and enhanced by the redevelopment.

Water Resources:

The proposed cultivation activities within the building will be serviced by an existing irrigation well, which draws water from the bedrock below the site. This well is isolated from the shallow gravel aquifer and will not have any appreciable impact on the surrounding groundwater hydrology.

Water consumption for domestic use (i.e. employee activities) and for the commercial kitchen are expected to range between 1,000 and 1,500 gpd. Water consumption for irrigation purposes (from the on-site irrigation well) are expected to range between 2,000 and 3,000 gpd. Less than 10% of that amount is expected to be discharged from the facility as sewage.

Sewage:

Title V flow rates for the proposed facility would be calculated at 20 gpd per employee (30) = 600 gpd. With the additional commercial kitchen activity, daily flow rates may range between 1,000 and 1,500 gpd. An exterior grease trap has been provided to treat kitchen wastes prior to discharge to the municipal sewer.

Any non-domestic sewage (i.e. any excess wastewater from the cultivation component of the facility) will be treated through a centralized recessed large capacity neutralization tank in accordance with the requirements of 248 CMR 10.13 and all local rules and regulations. It is not expected that an Industrial User discharge permit will be required pursuant to 314 CMR 7.

Waste Management:

All solid waste products will be disposed of off-site in accordance with all state and local regulations. Disposal will be by a properly licensed disposal company.

Community Impact:

This site is currently developed and located at the rear of an existing industrial park. Surrounding developed land uses are all industrial/commercial in nature with an existing building to the east and to the west. The proposed use is consistent with the uses contemplated for this type of zoning. The property lies at the eastern edge of edge of Medway and does not materially or significantly influence surrounding properties. We note that Economic Goal 6 of the 2009 Medway Master is to increase its commercial/ industrial base. This development will further that objective.

Operational Considerations:

The facility is expected to operate 7 days a week, approximately 12 hours per day. The facility is expected to begin with only the first floor built out and will expand to the second floor as demand warrants.

The facility will be constructed in strict compliance with the Massachusetts Department of Public Health (DPH) requirements and will include interior and exterior security cameras and a fully secured building. The DPH will also regulate and monitor the operation of the commercial kitchen within the facility.

Groundwater Protection District:

The site lies within a Zone II for a municipal water supply well. As such, the use and storage of potentially hazardous materials must be considered. The proposed facility will use a variety of agricultural fertilizers, herbicides and pesticides. These products will be pre-packaged and delivered into the building through a loading door at the northwest corner of the building. Such products will be stored within a dedicated area within the building and represent no threat to the groundwater quality. Most of these materials will be mixed with irrigation water within the building and applied to the plants in liquid form. Any incidental spills which may occur within the building will be fully contained and any substances which enter the facility's sewer system are treated prior to discharge to the municipal sewer system. Included as Attachment A is a list of materials that are expected to be used at the facility.

Deliveries are generally expected to be in small box trucks (UPS equivalent). Product will be removed from the facility within secure delivery vehicles (SUV or vans). The proposed 3,000 gallon CO2 tank located on the southeasterly corner of the building will be refilled by a tractor trailer.

ATTACHMENT A

SUMMARY OF MATERIALS USAGE

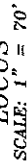
CULTIVATION FACILITY MATERIALS LIST

No.	SUBSTANCE PRODUCT NAME	USE	LIQUID OR SOLID?	TYPICAL QUANTITY STORED	STORAGE METHOD	UNIT PACKAGING
1	A-COCO NUTRIENT	Plant Nutrients	Liquid	1000L	Cultivation Supply Room*	20L Containers
2	B-COCO NUTRIENT	Plant Nutrients	Liquid	1000L	Cultivation Supply Room*	20L Containers
3	BOTANIGARD-22WP	Biological Insecticide	Powder	5LB	Cultivation Supply Room*	1LB Bags
4	CALI PRO BLOOM A	Plant Nutrients	Liquid	40L	Cultivation Supply Room*	20L Container
5	CALI PRO BLOOM B	Plant Nutrients	Liquid	40L	Cultivation Supply Room*	20L Container
6	CALI PRO GROW A	Plant Nutrients	Liquid	40L	Cultivation Supply Room*	20L Container
7	CALI PRO GROW B	Plant Nutrients	Liquid	40L	Cultivation Supply Room*	20L Container
8	DIP'N GROW LIQUID ROOTING CONCENTRATE	Liquid plant growth regulator	Liquid	24 Pints	Cultivation Supply Room*	1 Pint Container
9	DYNA GROW PRO-TEKT	Fertilizer	Liquid	30 Gallons	Cultivation Supply Room*	5 Gallon Container
10	EMERALD GODDESS	Plant Nutrients	Liquid	20L	Cultivation Supply Room*	20L Container
11	GRANDEVOD	Biological Insecticide	Powder	10 LB	Cultivation Supply Room*	5LB Bag
12	HONEY CHOME	Plant Nutrients/Aroma and Resin Enricher	Liquid	20L	Cultivation Supply Room*	20L Container
13	KING KOLA	Plant Nutrients/Bloom Booster	Liquid	40L	Cultivation Supply Room*	20L Container
14	M-PEDE Insecticide/Fungicide 7E1002	Insecticide	Liquid	10 Gallons	Cultivation Supply Room*	2.5 Gallon Container
15	NITROGEN BOOST	Fertilizer	Liquid	24L	Cultivation Supply Room*	1L Container
16	PFR-97	Insecticide	Granule	20 LB	Cultivation Supply Room*	5 LB Bag
17	PH DOWN	Supplement - lowers pH of Nutrient solutions	Liquid	4 Gallons	Cultivation Supply Room*	1 Gallon Container
18	PH UP	Supplement - raises pH of Nutrient solutions	Liquid	4 Gallons	Cultivation Supply Room*	1 Gallon Container
19	PROCIDIC	Bactericide/Fungicide	Liquid	5 Gallons	Cultivation Supply Room*	1 Gallon Container
20	PURE BLEND PRO	Plant Nutrients	Liquid	50 Gallons	Cultivation Supply Room*	5 Gallon Container
21	PYGANIC_CROP_PROTECTION_EC_1.4_II	Insecticide for Organic Crop Protection	Liquid	5 Gallons	Cultivation Supply Room*	1 Gallon Container
22	ROOT WIZARD	Plant Nutrients/Root Builder	Liquid	40L	Cultivation Supply Room*	20L Container
23	ROOTSHIELD-PLUS-WP	Biological fungicide	Powder	10 LB	Cultivation Supply Room*	1 LB Bag
24	SDS-SANIDATE-5.0	Sanitizer/Disinfectant	Liquid	25 Gallons	Cultivation Supply Room*	2.5 Gallon Container
25	TRILOGY 70EC	Fungicide/Miticide/Insecticide	Liquid	10 Gallons	Cultivation Supply Room*	2.5 Gallon Container

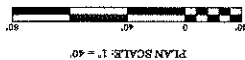
*All fertilizers and pesticides will be stored in climate controlled cultivation supply room with minimum of 10 air changes per hour

MARCH 30, 2016

MILLIS, MA 02054



SITE ADDRESS
 1 HARC ROAD
 MAP AND PARCEL
 PARCELS 2+ 0.15, 24+ 0.14, & 33+ 0.15
 ZONING CLASSIFICATION
 INDUSTRIAL
 OVERLAY DISTRICT
 RESIDENTIAL PROTECTION DISTRICT
 OWNER & ADDRESS
 1000 WEST
 750 MAIN STREET
 DALLAS, TX 05054
 DATE APPROVAL ISSUED
 PLAN ENDORSEMENT DATE



BY	DATE	REVISION
		PLAN DATE: MARCH 30, 2016

2 MARC ROAD
EXISTING CONDITIONS
PLAN OF LAND
IN
MEDWAY, MA



354-D63

SITE ADDRESS:

- 2 MARC ROAD
MAP AND PARCEL:
MAPS 24 & 33
PARCELS 24-015, 24-016, & 33-002
ZONING CLASSIFICATION:

INDUSTRIAL

- OWNER & APPLICANT:
ELLEN REALTY TRUST
750 MAIN STREET
MILLIS, MA 02054
- DATE APPROVAL ISSUED:
- PLAN ENDORSEMENT DATE:

LAW ENFORCEMENT DATE:

Figure 1

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

MEDWAY BOARD OF SELECTION

CONSTRUCTION NOTES:

1. THE CONTRACTOR SHALL CONTACT ENGINEER AT 825 PRIOR TO ANY EXCAVATION ACTIVITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ANY STRUCTURAL RETAINING WALLS (WALLS WITH AN EXPOSED FACE OF GREATER THAN 4'). DESIGN SHALL BE ON A REGISTERED STRUCTURAL ENGINEER AND SHALL BE STAMPED AND SIGNED.
- UTILITY NOTES:
- ACCESSION UNIT:

STILITY NOTES:

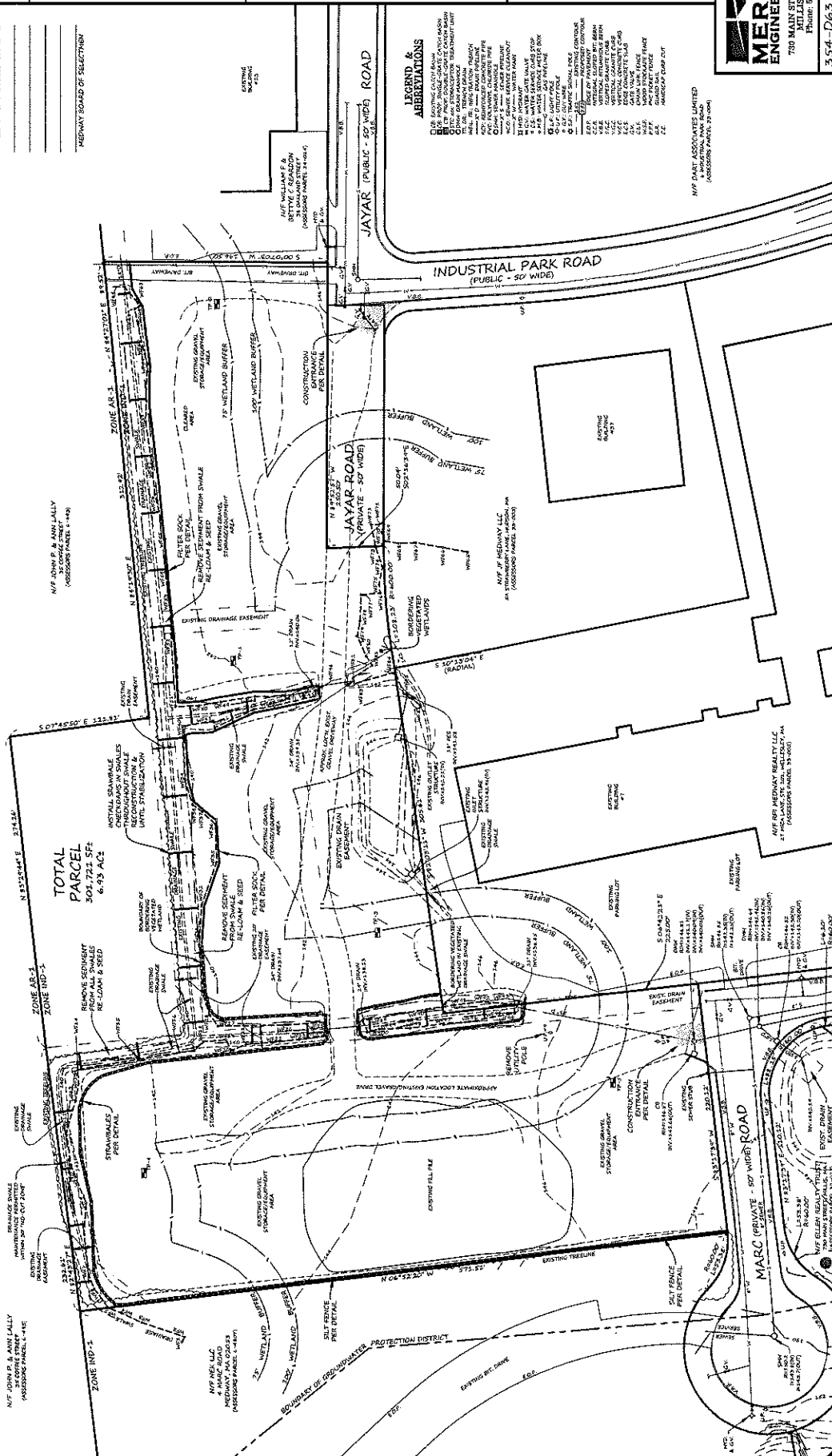
- ALL PIPELINE LINEAR FOOTAGES REFERENCED IN THESE PLANS ARE HORIZONTAL DISTANCES AND DO NOT REFLECT THE SLOPED DISTANCE OF THE PIPELINE. THE DESIGN OF ALL UNDERGROUND FIRE ALARM, GAS, ELECTRICAL, TELEPHONE, AND CABLE DISTRIBUTION SYSTEMS ARE BY THE APPROPRIATE UTILITY COMPANY AND PROSPECTIVE TRANSFORMER LOCATIONS HAVE BEEN APPROXIMATELY SHOWN. WATER MAINS SHALL BE CLASS 52 CEMENT LINED DUCTILE IRON PIPE. ALL ROSS GOODS FOR POTABLE WATER SYSTEMS TO BE LEAD FREE. OTHERWISE NOTED. DRAIN PIPING SHALL BE HDPE PIPE RATED FOR H-20 TRAFFIC.

1. The first part of the document is a list of references. The references are listed in a standard format, with the author's name, the title of the work, and the publisher. The references are as follows:

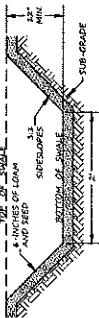
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GENERAL NOTES:

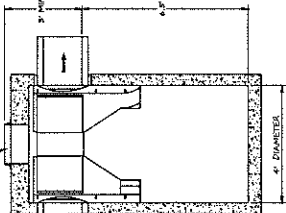
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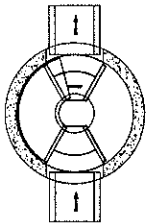
SITE ADDRESS:
 2. MARC ROAD
 140 AND PARCELS:
 MAPS 24 & 23
 PARCELS 24-055, 24-056, & 23-000
 ZONING CLASSIFICATION:
 INDUSTRIAL I
 SUBJULY DISTRICT:
 GROUNDWATER PROTECTION
 DISTRICT
 140 AND PARCELS:
 BULEN REALTY TRUST
 750 MAIN STREET
 MILLIS, MA 02054
 DATE APPROVAL ISSUED:
 PLAN ENFORCEMENT DATE



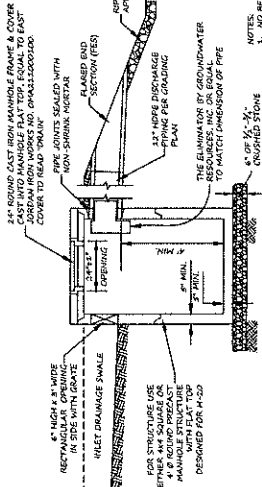
DRAINAGE SWALE DETAIL



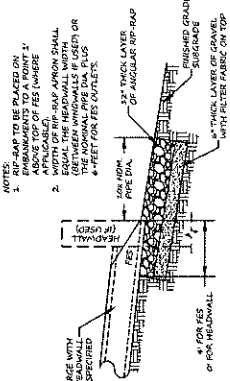
PROFILE VIEW



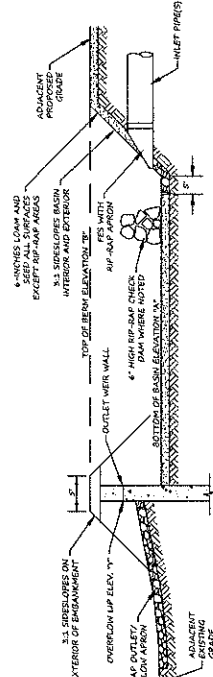
PLAN VIEW



SECTION VIEW



TYPICAL RIP-RAP APRON DETAIL

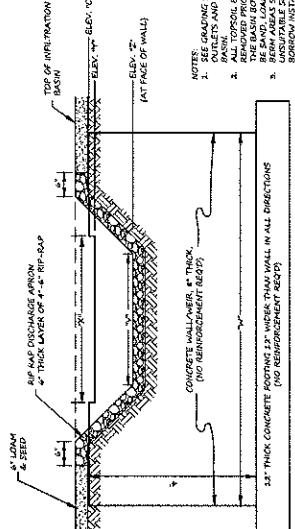


TYPICAL BASIN CROSS-SECTION

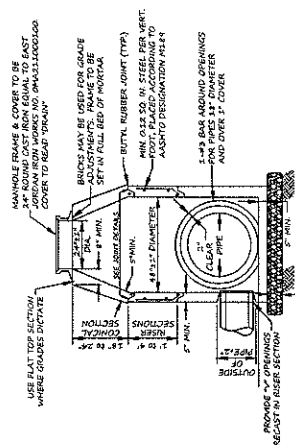
	BASIN #1	BASIN #2	BASIN #3
BOTTOM OF BASIN ELEVATION "X"	142.5	142.0	143.0
TOP OF BEAM ELEVATION "B"	144.5	143.0	145.0
OUTLET WEIR WALL LENGTH "W"	13'	23'	14'
OVERFLOW WEIR NOTCH LENGTH "N"	13'	23'	2'
OVERFLOW ELEVATION "Y"	143.0	143.5	144.0
TOE OF DAM ELEVATION "Z"	143.0	142.5	143.0
RIP RAP SHADE OUTLET GLEY "Z"	142.5	143.0	143.0
(AT OUTSIDE FACE OF DAM)			

NOTE:

1. SEE GRADING SHEETS AND PROFILE SHEETS FOR SIZE OF INLETS AND OUTLETS.
2. SEE OTHER DIMENSIONAL REQUIREMENTS FOR EACH BASIN.
3. INSPECTOR, BEFORE THE BOTTOM OF THE BASIN SHALL BE REMOVED FROM BASIN CONSTRUCTION, FILL MATERIALS UNDER THE BASIN BOTTOM SHALL BE CLEAN GRAVEL, FILL FOR BEAMS MAY BE SAND, LOAM, SAND OR SANDY LOAM, (TITLE V CLASSIFICATIONS).
4. INSPECTOR, BEFORE THE BASIN IS COVERED, THE BASIN SHALL BE UNSUITABLE SOLIDS, BEACH CORN SHALL CONSIST OF ORDINARY BOMBOW INSTALLED IN 12-INCH LIFTS TO A MINIMUM 4% PROCTOR DENSITY.



OUTLET WEIR AND RIP-RAP SWALE DETAILS



MANHOLE DIAMETER SHALL BE INCREASED IF NUMBER, SIZE, AND CONFIGURATION OF INLET/OUTLET PIPING NECESSITATES A LARGER MANHOLE DIAMETER. SUBSTITUTE FRAME AND COVERS SHALL BE MADE IN USA AND SHALL BE APPROVED BY THE ENGINEERING DEPARTMENT OR PLANNING BOARD PRIOR TO

PRECAST CONCRETE MANHOLE

TYPICAL INFILTRATION BASIN CROSS-SECTION

UNIT TO SCALE

1. CUBES SHALL BE CAST WITH 3.2% STEEL FIBERS FROM 3" TO 5" BURY MEET ANNA SPECS. (MILLER 8-2500L OR FORD 1-000 G)

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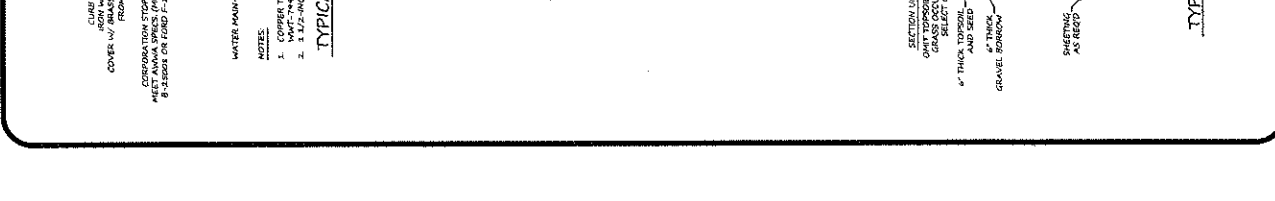
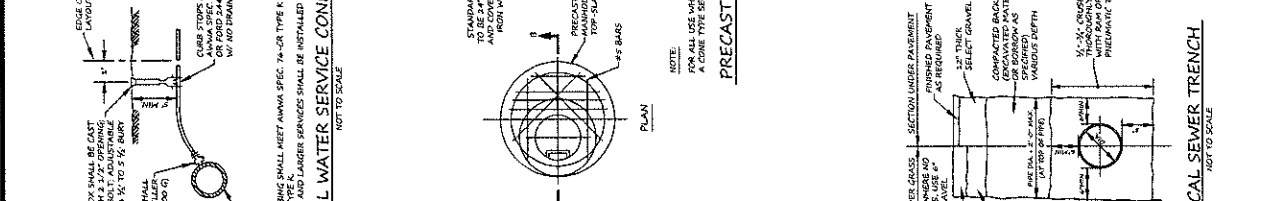
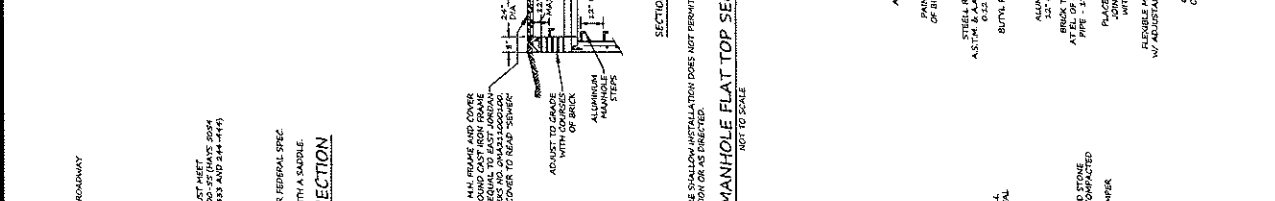
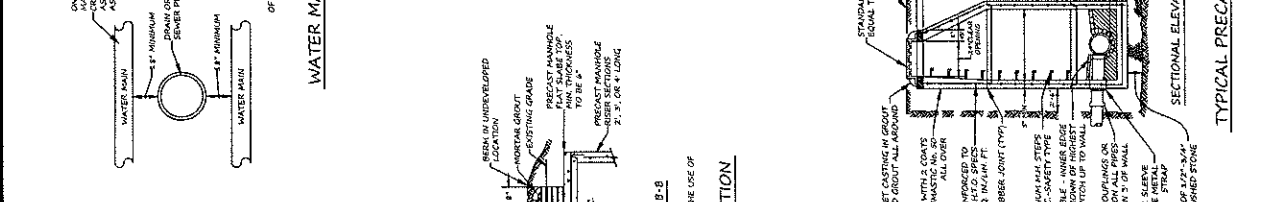
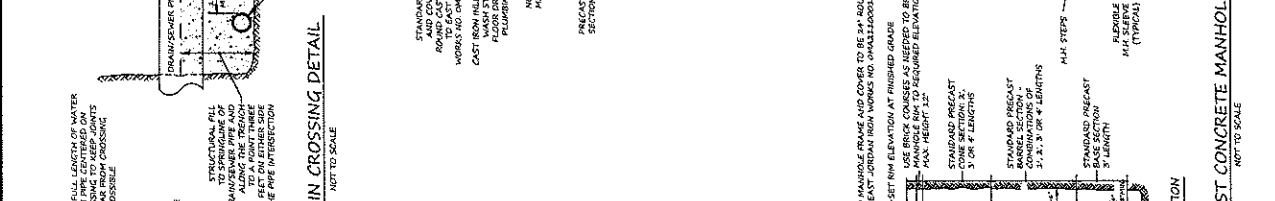
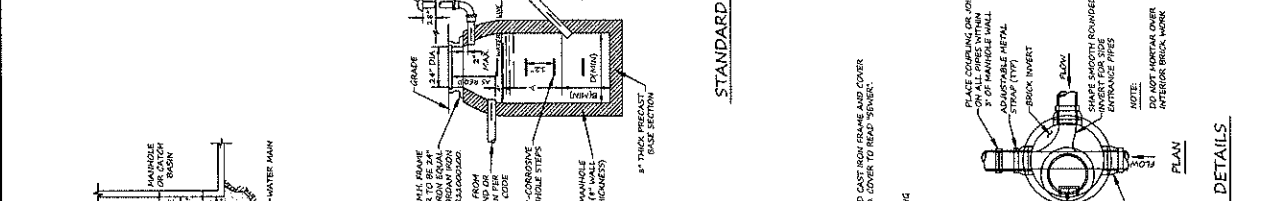
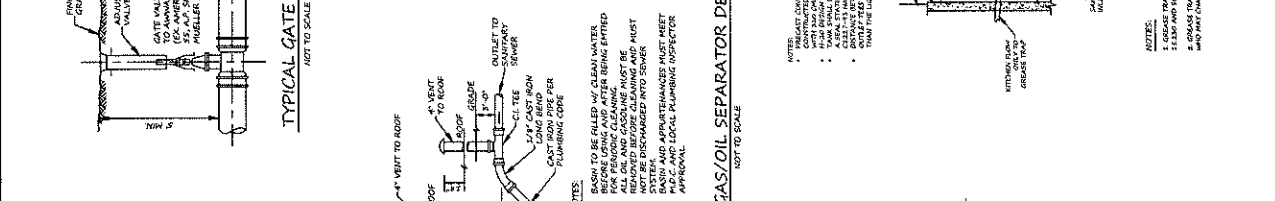
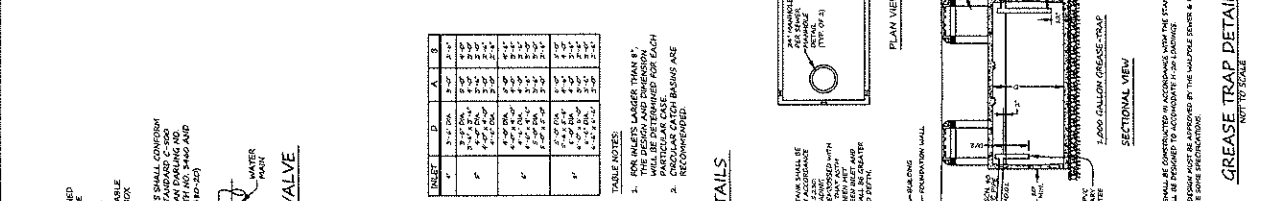
4. CUBES SHALL BE CAST WITH 3.2% STEEL FIBERS FROM 3" TO 5" BURY MEET ANNA SPECS. (MILLER 8-2500L OR FORD 1-000 G)

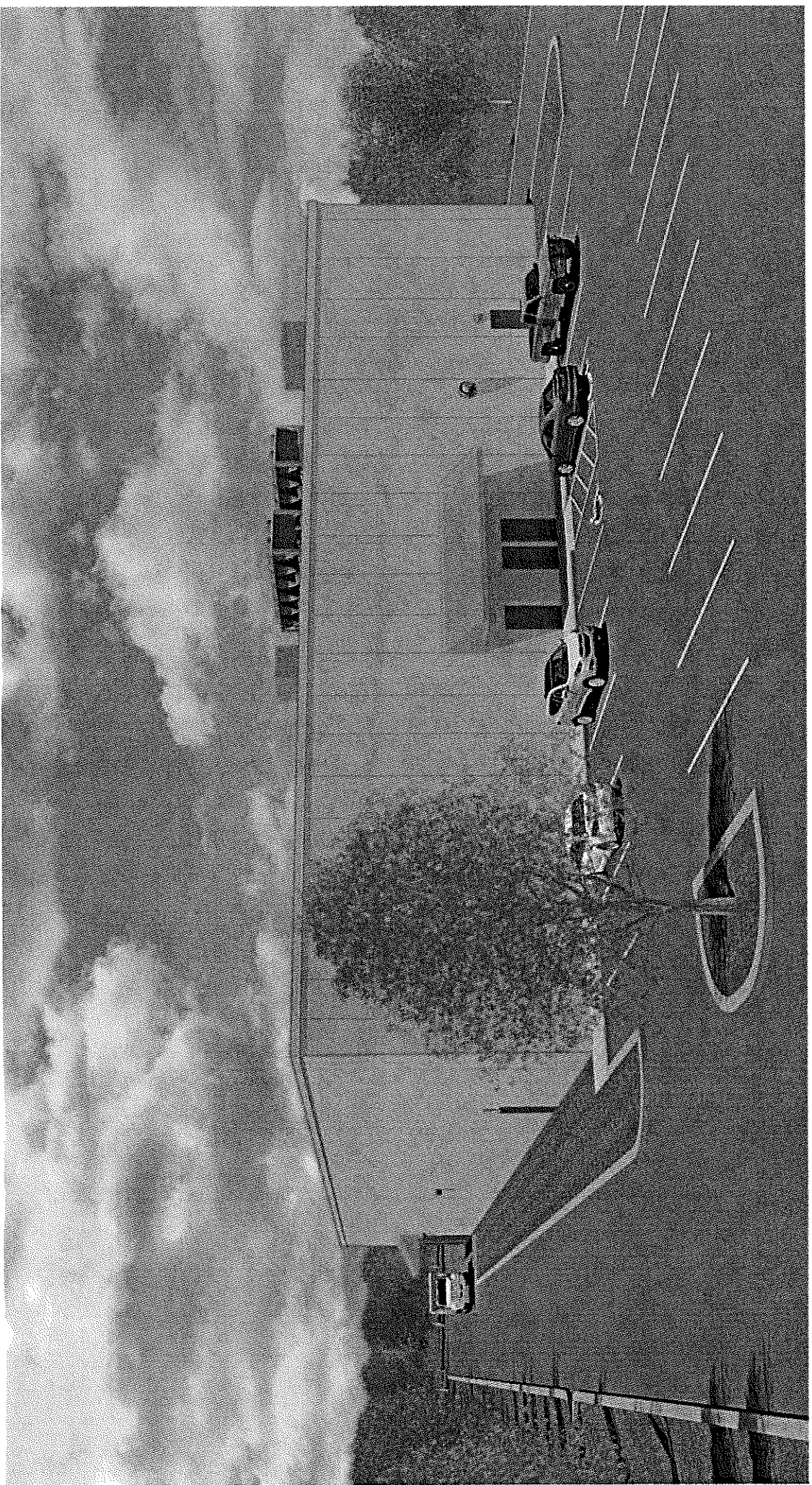
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6. CUBES SHALL BE CAST WITH 3.2% STEEL FIBERS FROM 3" TO 5" BURY MEET ANNA SPECS. (MILLER 8-2500L OR FORD 1-000 G)

7. CUBES SHALL BE CAST WITH 3.2% STEEL FIBERS FROM 3" TO 5" BURY MEET ANNA SPECS. (MILLER 8-2500L OR FORD 1-000 G)

8. CUBES SHALL BE CAST WITH 3.2% STEEL FIBERS FROM 3" TO 5" BURY MEET ANNA SPECS. (MILLER 8-2500L OR FORD 1-000 G)

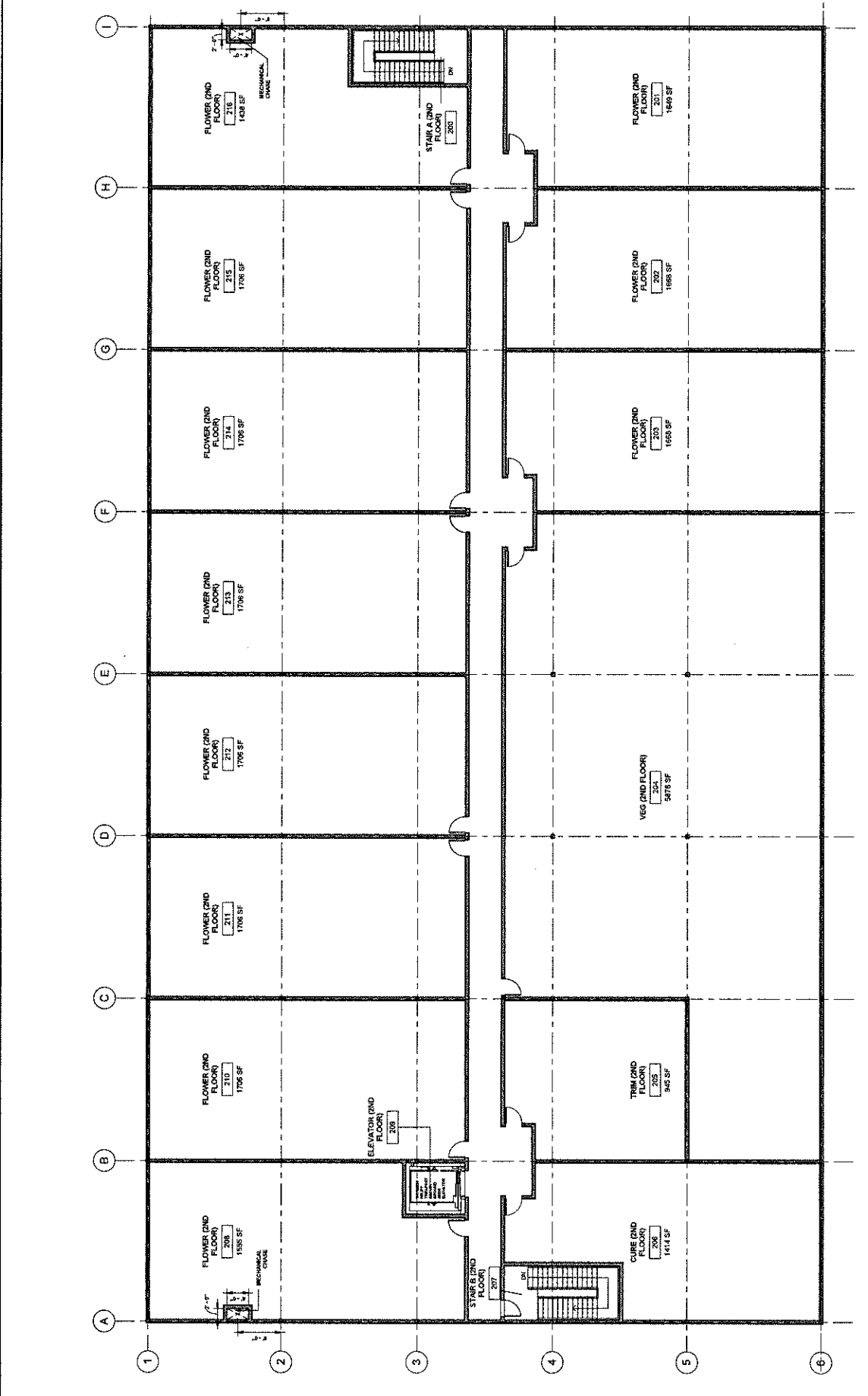




ROSENFELD MEDWAY CULTIVATION FACILITY
 MEDWAY, MASSACHUSETTS
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DATE: **NOVEMBER 24, 2015**
 REVISIONS:

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117242015-12A2.27 PM

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

Project Name:	2 Marc Road
Property Location:	2 Marc Road (Parcel 33-001, 24-015 and 24-016)
Type of Project/Permit:	Major Site Plan Application
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section 204-3.A.7.a. Traffic
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	A full Traffic Impact Assessment is required if the project involves adding > 30 parking spaces or frontage\access on a public way
What aspect of the Regulation do you propose be waived?	The requiremnet to prepare and submit a Traffic Impact Assessment
What do you propose instead?	To not prepare and submit a Trafic Impact Assessment
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The proposed Project is near the end of a dead end road that is in a lightly traveled industrial subdivision with direct access to a major state route with free flowing traffic in this section.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$5,000.00
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	We believe that the Traffic Impact Assessment will not provide additional and useful information relating to the Site.
What is the impact on the development if this waiver is denied?	Cost implications
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It is not anticipated that a Traffic Impact Assessment would reveal significant impacts from the proposed Project on the surrounding area due to its easily accessed remote location off Rt-109 but an Assessment would cost the Town time and money to review.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	Town Staff time and salary
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	N/A
What is the estimated value of the proposed mitigation measures?	N/A
Other Information?	N/A
Waiver Request Prepared By:	Merrikin Engineering, LLP
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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Type of Project/Permit:	Major Site Plan Application
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section 204-5.C.3: Existing Landscape Inventory
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The regulation requires a landscape inventory of the existing site.
What aspect of the Regulation do you propose be waived?	The entire requirement
What do you propose instead?	To not prepare and the inventory
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The entire work area is previously developed. There would be no value to a landscape inventory.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$1,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	n/a - the site is already cleared.
What is the impact on the development if this waiver is denied?	Cost implications
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	There is no value to an existing landscape inventory given the existing condition of the site.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	None
Other Information?	No
Waiver Request Prepared By:	Merrikin Engineering, LLP
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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Type of Project/Permit:	Major Site Plan Application
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section 204-5.D.7: Proposed landscape design
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The regulation requires a landscape architect to design the proposed landscape features
What aspect of the Regulation do you propose be waived?	The entire requirement
What do you propose instead?	To prepare a simple landscape design (trees only)
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The Department of Public Health prohibits shrubs and trees in proximity to the building. Perimeter tree plantings are proposed.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$2,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	n/a - there is no value to a landscape architectural design
What is the impact on the development if this waiver is denied?	Cost implications
What are the design alternatives to granting this waiver?	Tree plantings are proposed
Why is granting this waiver in the Town's best interest?	n/a - there is no value to a landscape architectural design
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	None
Other Information?	No
Waiver Request Prepared By:	Merrikin Engineering, LLP
Date:	

Questions?? - Please contact the Medway PED office at 508-533-3291.

PGC ASSOCIATES, INC.

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April 21, 2016

Mr. Andy Rodenhiser, Chairman
Medway Planning Board
155 Village Street
Medway, MA 02053

RE: 2 MARC ROAD MEDICAL MARIJUANA SITE PLAN AND SPECIAL PERMITS

Dear Mr. Rodenhiser:

I have reviewed the proposed site plan, and applications for special permits for a medical marijuana cultivation facility and for development within a Groundwater Protection District. The owner/applicant is Ellen Realty Trust of Millis.

The proposal is to construct a 2-story, 60,000 square foot building for the cultivation of medical marijuana along with associated parking, drainage, lighting, landscape and security measures. The plan was prepared by Merrikin Engineering, LLP of Millis and Keenan+ Kenny Architects, LTD of Falmouth. The plan is dated March 30, 2016. The property is located at 2 Marc Road in the Industrial I zoning district.

I have comments as follows:

ZONING

Use and Dimensions

1. The proposed facility to cultivate, process and package marijuana for medical purposes appears to qualify as a Registered Marijuana Dispensary (RMD) under Section 8.9 of the Zoning Bylaw. However, the use only qualifies if it is a non-profit entity registered with the Massachusetts Department of Public Health (DPH). No information (other than its name) on a non-profit entity or documentation of being registered by DPH has been submitted.
2. The property is located within the Industrial 1 district, which is an eligible location for an RMD.
3. The lot and proposed building meet dimensional requirements including minimum area, lot width, setbacks and lot coverage. The building height is not indicated. It is a 2-story building with flat roof and should meet the maximum height of 40 feet (and a note states it will be less than 40') but it needs to be documented.

Parking

4. The applicant proposes 35 parking spaces and indicates the facility will have about 30 employees. There is no specified parking requirement for this use. Section 7.1 D states that the Building Inspector shall specify the number for uses not specifically listed. I suggest that the

applicant request that the Building Inspector make a determination on this. For comparison purposes, manufacturing and warehouse/distribution facilities each require 1 space per 2 employees plus 1 per 1000 net square feet. In this case, that would be 15 (for 30 employees) plus 60 (for 60,000 square feet) for a total of 75 (actually slightly less when “net square feet” is determined. It should also be noted a potential future building expansion is indicated on the plans but no corresponding additional parking spaces are indicated.

5. Dimensions of parking spaces are not provided (other than for the handicapped spaces).
6. Section 7.1 G states that parking spaces shall be located behind or beside buildings unless no reasonable alternative exists. The parking is located in front of the building. No rationale is provided as why no reasonable alternative is provided.
7. Section 7.1 I states that at least 1 bicycle space shall be provided for every 20 motor vehicle spaces. If the proposed 35 spaces are approved, there should be provision for secure storage of at least 2 bicycles.
8. Section 7.1 J provides the PEDB authority to reduce the required number of spaces up to 30% of the number specified in Table 3 based on specific circumstances and supported by a parking analysis prepared by a registered professional engineer. It is not clear that this would apply to a use not listed in Table 3 and for which a number is determined by the Building Inspector. Since the Building Inspectors that number would be based on his determination of the specific need of a use in a particular location, my understanding of this provision is that the PEDB would not have the authority to reduce that number.

Outdoor Lighting

9. No photometric plan or any information on lighting has been provided.

Signage

10. The plans indicate a location for a freestanding sign at the vehicular entrance to the site but no other details have been provided.

Registered Marijuana Dispensary

11. As proposed, the dispensary would be in a standalone building with no doctor’s offices or other uses.
12. The facility is proposed to operate 12 hours per day. The hours are not specified, but it could comply with zoning by operating between 8:00 AM and 8:00 PM.
13. The facility does not appear to be located within 500 feet of any of the uses listed in Section 8.9 E. 5. The uses within 500 feet should be documented by the applicant.
14. No drive-through service is proposed (and no public service of any kind is proposed).

15. Section 8.9 F specifies required signage as well as prohibited signage. It is not clear that the required signage (i.e. notice that a registration card issued by DPH is required) is applicable to a cultivation-only facility that does not sell directly to the public. It is also not clear whether the prohibitions comply with the Reed v. Gilbert U.S. Supreme Court decision.
16. Section 8.9 G requires the contact information for management staff and key holders. This has not yet been provided.
17. Section 8.9 H prohibits the creation of nuisances to abutters. The application states that the facility will be constructed and operated in strict compliance with DPH regulations.
18. The proposed facility complies with the openness of premises requirements of Section 8.9 I since it is not open to the public and all operations are within the restricted building.
19. Section 8.9 K. 4 requires the name and address of each owner of the "facility." The owner of the property and proposed building have been provided, but not the owners of the RMD facility. Copies of required licenses and permits issued by the Commonwealth have not been provided. Individual names of owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities are required to be part of the special permit application.
20. Proposed security measures including lighting, fencing, gates and alarms have not been identified.
21. A copy of the policies/procedures for the transfer, acquisition, or sale of medical marijuana between approved RMD's have not been provided.

Groundwater Protection District

22. New construction is a permitted use, subject to restrictions, within the Groundwater Protection District.
23. Storage of hazardous materials is prohibited unless in a free standing container within a building. The applicant has provided a list of hazardous materials that will be used in the facility and states that all storage and use will be contained within the building. Any accidental spillage will also be contained within the building and any that enters the sewer system will be treated prior to being discharged to the municipal sewer system.
24. Similarly, commercial fertilizers will be used but all storage and use will be contained within the building.
25. Handling toxic or hazardous materials greater than normal household use is prohibited unless a special permit is granted based on assurances that specific measures will be implemented to prevent contamination of groundwater. Since all use of hazardous materials is contained within the building and the risk of spillage during deliveries is low, the facility should qualify for a special permit. Provision within the stormwater management system should be made to prevent any accidental outdoor spillage from reaching groundwater.

26. Water control devices are prohibited unless they can be shown to prevent adverse impacts on groundwater. The stormwater management plans are being reviewed by the Town's Consulting Engineer to ensure that no adverse impacts will result.
27. Rendering impervious more than 15% or 2500 square feet is subject to a special permit and requires a system for groundwater recharge that does not degrade groundwater quality. Again, the stormwater management system is being reviewed by the Town's Consulting Engineer to ensure compliance with this requirement.
28. Section 5.6 F requires consultation with the Board of Health, Conservation Commission, Water and Sewer Commission, and Department of Public Services to ensure that no adverse impacts on the quality or quantity of water available within the Groundwater Protection District, and that substantial disturbance of the soils, topography, drainage, vegetation and other characteristics. The site is currently cleared and used for storing and processing earth materials and has no current drainage system. Subject to review by the Town's Consulting Engineer, the proposed development should reduce impacts on those features.

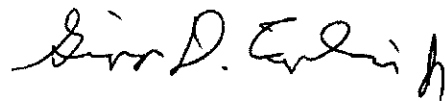
Site Plan Rules and Regulations

29. Three waivers are requested to not require a traffic study, a landscape inventory and a landscape architect to design the landscape plan. All three are reasonable. The facility is not open to the public, is located within an existing industrial park and will not generate a significant amount of traffic. The site is largely cleared and devoid of vegetation, and DPH regulations limit the types of plantings that are allowed in the vicinity of an RMD.
30. Section 204-3 A. 6 requires a cost estimate of all improvements as part of the Project Description. This was not provided.
31. Section 204-5 B.1 requires a Site Context sheet indicating features within 2000 feet of the perimeter of the site. This was not provided.
32. Section 204-5 D requires color renderings showing the totality of the site. The proposed sign is not shown and the rendering indicates a landscaped island with a tree while the plans show only painted islands in the parking lot.
33. Section 204-5 also requires a signage plan. As noted above, only a sign location is shown with no other details.
34. Section 204-5 D also requires a lighting plan. No information on lighting has been provided.
35. Section 205-2 provides design standards. The Design Review Committee will review the design features. In general, the design does not adhere to the new Design Review Guidelines, but it is also not out of line with other buildings within the industrial park.
36. Section 205-6 H requires vertical granite curbing around the perimeter of parking lots. Cape Cod berm is proposed and no waiver is requested.

37. Section 205-9 provides standards for trees and landscaping. DPH regulations restrict the amount of landscaping permitted. Parking lots are required to have 1 tree per 6 spaces. In this instance, 6 trees are required. Seven trees are provided around the perimeter of the access drives and parking lot, but only 2 provide shade to parking spaces as required.

If there are any questions about these comments, please call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gino D. Carlucci, Jr.", with a stylized flourish at the end.

Gino D. Carlucci, Jr.