

**February 13, 2018
Medway Planning and Economic Development Board
155 Village 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
- Gino Carlucci, PGC Associates
- Amy Sutherland, Recording Secretary

Member Di Iulio will file a Mullin's ruling for the February 13, 2018 meeting.

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Lawrence Waste Site Plan Modification, 49 Alder Street – Deadline Extension

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

- 1-29-18 email from Keith Lawrence
- Site Plan modification decision from 6-24-14
- Deadline extension approval decision dated 7-6-16

The applicant is seeking a three year extension for the second building on the premises.

On a motion made by Tom Gay and seconded by Matt Hayes, the Board voted unanimously to extend the deadline for completing the Lawrence Waste Site Plan Modification to 7-22-18.

Medway Green Multifamily Housing Special Permit 176-178 Main Street – Deadline Extensions

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

- Letter dated from developer John Kelly requesting extensions to initiate and complete project.
- Multifamily Housing Special Permit decision dated 3-22-17

**On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted to approve The extension deadline for 176-178 Main Street until December 21, 2019.
(Member Rodenhiser voted no) Vote passes 3 to 1.**

Chairman Rodenhiser explained that there is storage of Route 109 equipment on this site. He doesn't feel this is allowed in this zoning district. He also inquiring about if there are construction easements. This area needs to be cleaned up.

It was suggested that a list of construction easements be gathered and provided to the Board. IT was also suggested that a meeting be set up with the Town Administrator to share the Board's concerns.

Public Hearing - Milway Auto Site Plan, 50 Alder Street:

The public hearing was opened.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to waive the reading of the public hearing notice.

It was announced that the applicant had requested a continuation of the public hearing.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to continue the public hearing to February 27, 2018 at 7:15 pm.

Charles River Village OSRD Bond Release:

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

- Letter from Dave Faist, McClure Engineering dated 2-12-18 certifying Charles River Village has been completed in compliance with the approved CRV plan.
- Revised CRV As-Built Plans dated 1-5-18 by McClure Engineering
- Tetra Tech email/memo sign off dated 1-9-18 on as-built plans.
- Tetra Tech bond estimate (10-5-13) for \$132,417
- Tetra Tech bond reduction estimate (11-5-15) for \$16,755.

The developer, John Claffey, acting through his representatives Paul Yorkis and Attorney Bill Sack, has requested the bond release from the remaining CRV bond. The current balance is \$40,000. This is a Tri-Party agreement with Needham Bank.

There are some concerns from abutters that the trails are not designated or marked. There are also ongoing challenges with the use of the emergency access by delivery trucks. It was meant to be used by emergency vehicles. The Open Space Committee is interested in working to provide several parking spaces to the west of the open space parcel to provide additional access.

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to release the remaining bond as long as all outstanding bills are paid.

PEDB Meeting Minutes:

January 30, 2018:

On a motion made by Matthew Hayes and seconded by Tom Gay, the Board voted unanimously to approve the minutes from the January 30, 2018 meeting as presented.

Other Business Boards/Committees:

Member Hayes provided the following updates:

- The Open Space and Recreation Plan Update Task Force had a meeting on 2/12/18 and discussed mapping and farm land and how to go forward in ranking open space land.
- There is an OSRP Community Forum meeting on Monday, March 12, 2018 at the Thayer House. Town Counsel will be present at a Task Force meeting on February 26th to discuss the idea of a bike trail on the railroad right of way.
- There will be a land management workshop for the OSRP Task Force on Saturday, May 5, 2018 at the Amphitheater to look at land management and how to create a plan.
- At the last Community Preservation Committee meeting, there was discussion about the State's requirement that land purchased with CPA funds be protected with deed restrictions. A group is starting to research the idea of establishing a Medway Land Trust and/or working with existing land trusts in the area.

Correspondence:

Note - Chairman Rodenhiser excused himself from table.

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

- Email dated 2-8-18 from John Shea at Needham Bank: regarding the Applegate Subdivision.

Construction Reports: (See Attached)

- Exelon Expansion - Monthly Construction Report 1-31-18.

Public Hearing - Town Line Estate Definitive Plan

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

- Public Hearing Notice
- Subdivision Application
- Development Impact Report
- Requests for Waivers of Subdivision Rules and Regulations
- Town Line Estates Definitive Plan by L.A.L Engineering and Continental Land Survey dated 12-12-17.
- Tetra Tech review letter dated 2-8-18
- PGC review letter dated 2-6-18
- Review comments from Conservation Agent Bridget Graziano dated 1-24-18.
- Review Comments from Fire Chief Jeff Lynch dated 6-19-17

The Chairman opened the hearing for Town Line Estates Definitive Plan.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to waive the reading of the public hearing notice.

Engineer Jeff Kane explained that this application is from Robert and Lisa Lapinsky. This was prepared by L.A.L Engineering Group. The plan shows the division of the property into two residential lots, one with frontage on Populatic Street with the existing house and the construction of a 240' long, 18' wide permanent private roadway to create legal frontage for the back lot. The property is located in the groundwater protection district. This proposal is for a "by right" use in this zoning district. The plan calls for a one inch strip of land between the new right of way and existing lot to the north at #18 Populatic Street. The applicant is seeking 10 waivers. There is also a no cut buffer area at the rear of Walker Street. There are no sidewalks proposed for the site.

Consultant Steve Bouley from Tetra Tech was present on the telephone. The Board reviewed the Tetra Tech letter. Steve indicated that a reserve strip was proposed, but those are not allowed under the regulations. However, this is needed so that a building on the adjacent property does not lose its non-conforming status. The project proposes to clear less than one acre of land so it does not require a NPDES Construction General Permit and associated SWPPP to be submitted. Consultant Bouley indicated that a Town sewer line exists in Populatic Street and should be connected to if possible instead of installing a septic system.

The applicant indicated that they will do a septic and will have to meet the Board of Health requirements for Title Five. There will be no sewer tie in.

Consultant Carlucci reviewed the application and provided a letter. He indicated that the proposed lots meet the area, frontage and lot shape factor which complies with the zoning bylaw. Does not think landscaping is necessary, there are already trees and landscaping there. It would be more burdensome to disturb something that is already there.

The hearing was open to abutters.

Resident, Steve Freddo, 15 Walker:

Mr. Freddo presented to the Board a letter dated February 13, 2018. (**See Attached**) This had attached signatures of some of the abutters. Mr. Freddo read the letter out loud to the Board.

The following are a list of concerns:

- Interference of rights to privacy
- Potential damage to property value, noise, crime, fire, storm water issues,
- Streets designates scenic roads, the wildlife habitats will be effected.
- Protection of scenic roads (does applicant need to comply for permit)
- Confirm trees greater than 30 inches in diameter
- Approved waivers must be in the public interest

The abutter asked if the proposed subdivision provides the minimum required frontage for both lots required and whether the Board considers the private way as street frontage. The Chairman did indicate that the private way is considered street frontage.

The abutter asked that the abutter mailing be checked to make sure all were notified.

The Board did indicate that there can be a selective cut zone. The Consultant indicated that this project is allowed based on zoning.

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to continue the hearing for Town Line Estates to March 13, 2018 at 7:15 pm.

ANR Plan – 15 Trotter Drive:

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

- ANR Application
- ANR Plan by Colonial Engineering dated 12-27-17
- PGC Review dated 2-7-18

The ANR plan is to split off another acre of the Mele property at the northern end on the east side of Trotter Drive. PGC Associates provided a review letter noting several minor deficiencies. The plan has since been revised (2-7-18) and reviewed and is acceptable for endorsement.

On a motion made by Matt Hayes, and seconded by Bob Tucker, the Board voted unanimously to endorse the ANR Plan for 15 Trotter Drive with a revision date 2/7/18.

Public Hearing - Proposed Zoning Amendments for March 19, 2018 Town Meeting

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

- Public hearing Notice
- Proposed Articles
- Confidential email dated 2-5-18 from Town Counsel
- Confidential email dated 11-20-17 from town counsel.

The Chairman opened the public hearing for proposed Zoning Bylaw Amendments.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to waive the reading of the public hearing notice.

Susy Affleck-Childs recommended that the Board keep this public hearing open until after the community's Recreational Marijuana Ballot Vote on March 6, 2018. If the ballot vote is not approved, the PEDB will need to devise an alternative recommendation to provide at the March 19, 2018 at Town Meeting.

Article A:

Article A is in regards to recreational marijuana with proposed definitions for marijuana retailer and marijuana establishment and amendments to the Table of Uses to indicate where such uses would be allowed/prohibited.

Article B:

This article pertains to registered Marijuana Dispensaries (medical marijuana). This is to amend Section 8.9 of the Zoning Bylaw with the modification of item 5.i. in Paragraph E. General

Requirements. This proposal revises language so that no Registered Marijuana Dispensary shall be located on a lot within 500 linear feet of any lot with a registered marijuana dispensary that sells, dispenses or administers marijuana, products containing marijuana or relates supplies to qualifying patients or personal caregivers.

The members wanted to ask Town Counsel if the recreational marijuana bylaw allows a social/private club to make the premises available for the smoking of recreational marijuana. This was recently done in Worcester.

No one was in attendance for the public hearing.

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to continue the hearing to Tuesday, March 13, 2018 at 7:45 pm.

Discussion of Articles for May 2018 Town Meeting:

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

- Draft of revised Section 8.9 of the Zoning Bylaw converting the title of Registered Marijuana Dispensary (medical) to Registered Medical Marijuana Facilities and Marijuana Establishments.

The Board was advised that Consultant Carlucci worked on a draft of a substantial revision whereby the Town's current zoning regulations for registered (medical) marijuana dispensaries are blended into a new section addressing both medical and recreational marijuana. After reviewing the draft blended section, the Board agreed that it was confusing and asked that Susy and Consultant Carlucci create separate sections, one for medical marijuana and one for recreational marijuana.

Site Plan Rules and Regulations:

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

- Site Plan Review section of the Zoning Bylaw

At the last meeting the members were provided with a draft of proposed revised Site Plan Rules and Regulations. They were asked to review and provide comments and suggestions back to Susy. Tom provided his comments. Rich Di Iulio had previously provided his comments to Susy. It had been suggested it would also be helpful to review the various levels of site plan review and what criteria triggers each level.

The following suggestions were made

- Clarify what triggers site plan.
- Address the impervious areas more specifically relating to new parking spaces or reducing some of the impervious areas.
- Include more specific language about curb cuts.
- Clarify what triggers site plan review for outside storage.
- Include the DPW when looking at triggers for the onsite drainage. (Include language about % on increase over existing)

- Make sure the language is specific about the ability to go from a violation which is brought to administrative review which may then need to be bumped to either a minor or major site plan.
- Include possible language about % of coverage.
- Have the application specify the % of square footage of impervious

The Board would like Susy to continue to work on a draft of possible changes to the site plan section of the zoning bylaw.

FUTURE MEETING:

- Tuesday, February 27, 2018.

ADJOURN:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to adjourn the meeting.

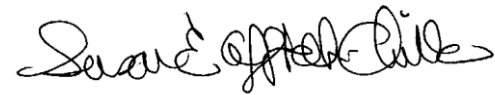
The meeting was adjourned at 10:25 pm.

Prepared by,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



TOWN OF MEDWAY
Planning and 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

REGULAR MEETING NOTICE
Tuesday, February 13, 2018 @ 7:00 p.m.

LOCATION

Sanford Hall @ Medway Town Hall, 155 Village Street

REVISED AGENDA

CALL TO ORDER

CITIZEN COMMENTS

PUBLIC HEARINGS

- 7:05 p.m. Milway Auto Major Site Plan – 50 Alder Street
Applicant – Phil Anza
- 7:40 p.m. Town Line Estate Definitive Subdivision Plan – 22 Populatic Street
Applicant – Robert and Lisa Lapinsky
- 8:30 p.m. Proposed Zoning Bylaw Amendments for March 19, 2018 special town meeting

APPOINTMENTS

- 8:20 p.m. Approval Not Required (ANR) Plan – 15 Trotter Drive for Marguerite Mele

OTHER BUSINESS

1. Lawrence Waste Site Plan Modification (49 Alder Street) – Request to extend Project Initiation and Completion Deadlines
2. Medway Green Multi-Family Housing (176-178 Main Street) – Request to extend Project Initiation and Completion Deadlines
3. Charles River Village – Request for bond release
- 4. Discussion of Zoning Bylaw Amendments for May 2018 Town Meeting**
5. Discussion of Amendments to the *Site Plan Rules and Regulations*
6. Consideration of minutes of the January 30, 2018 PEDB meeting
7. Reports – Staff, Consultants and Committee Liaisons
8. PEDB Members' Comments and Concerns
9. Review Correspondence/Communications

OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD

ADJOURN

*The listed agenda items are those reasonably anticipated by the Chair to be discussed at the meeting.
Public hearings cannot commence before the specified time. Appointment times are approximate and may be adjusted.*

Not all of the listed items may in fact be discussed.

The Board may address and consider other matters not specified to the extent permitted by law.

Telephone: 508-533-3291 Fax: 508-321-4987

planningboard@townofmedway.org

UPCOMING PEDB MEETINGS

Tuesdays, February 27, March 13 & 27, and April 10 & 24, 2018

SPECIAL TOWN MEETING

Monday, March 19, 2018



February 13, 2018
Medway Planning & Economic Development Board
Meeting

**Lawrence Waste Site Plan Modification –
Request for Deadline Extension**

- 1-29-18 email from Keith Lawrence requesting an additional 3 year extension for completion
- Site plan modification decision from 6-24-14 for the additional building
- Deadline extension approval decision dated 7-6-16 to extend the completion deadline 7-22-18

Susan Affleck-Childs

From: Keith Lawrence <keith@lawrencewasteservices.com>
Sent: Monday, January 29, 2018 11:00 AM
To: Susan Affleck-Childs
Cc: Jim
Subject: Request for three year extension for our second building permit

Good Morning Susy,

Thank you again for taking the time to meet together with me earlier this month, to discuss the need to put off the construction of our proposed second building here in town. It was with a heavy heart and disappointment in the higher than expected building costs, that left us not ready to make the commitment to start building in early 2018. After further review, and discussion together with both my father and our growing management team, we would like to formally request a three year extension with the town boards for our approvals of the proposed second building located here at 49 Alder Street.

We are on track to be financially prepared in the next three years to make that second building a reality. As you know, the high pricing of construction caught us off guard. Now that we understand what the costs will be, we won't be surprised again, and we can now properly budget. Once the building is completed we will hire additional full time staff, and the added taxes generated from this additional building will be a benefit for everyone here in Medway. By keeping our permit active and ready to go, we will also be in the position to take advantage of better pricing should we find it. We have been continuing to speak with different builders. We hope to find the right fit where we can build the facility on a reasonable budget and in a timely fashion.

Thank you again for your understanding, and for all of your help with this matter. We have always had a great line of communication together and I truly appreciate that. Thank you for your help in keeping the boards informed of our standing in regards to our second building. We sincerely appreciate their time and efforts. Should they ever like to meet together with me to discuss this matter further, I would be more than happy to attend an upcoming meeting to get a chance to catch up together in person.

Sincerely,

Keith Lawrence
Lawrence Waste Services
49 Alder Street
Medway, MA 02053
Office # 508-270-0597 ext #102
Cell # 508-808-1320

Please visit us @ www.LawrenceWasteServices.com today!





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.
Karyl Spiller Walsh
Richard Di Iulio, Associate Member

June 24, 2014

SITE PLAN MODIFICATION DECISION
Lawrence Waste Services - 49 Alder Street
Approved with Waivers and Conditions

Decision Date: June 24, 2014

Name/Address of Applicant: East Hill Associates Realty
49 Alder Street
Medway, MA 02053

Name/Address of Owner: East Hill Associates Realty
49 Alder Street
Medway, MA 02053

Engineer: Guerriere & Halnon, Inc.
P.O. Box 235
Milford, MA 01757

Site Plan: *Lawrence Waste Services Site Plan for 49 Alder ST,*
Medway, MA,
Prepared by Guerriere & Halnon, Milford, MA.
April 29, 2014, last revised May 28, 2014

Location: 49 Alder Street

Assessors' Reference: Map 3: Parcel 41

Zoning District: Industrial III

I. PROJECT DESCRIPTION - The applicant/property owner proposes to construct a one story, 4,500 sq. ft. steel garage building to support the operation of the existing waste removal business (pick-up and delivery of trash containers/dumpsters). The proposed garage will be constructed on the paved area located behind the existing Lawrence Waste Services building which was constructed in 2012. The new garage building will consist of three bays for dumpster maintenance plus a bathroom and is designed to match the existing structure. The building will have water, electric, gas and sewer connections as shown on the site plan. The roof stormwater runoff will be connected to the existing drain line from the existing building and directed into the existing underground basin. The site is presently serviced by public water and sewer and has gas service from Alder Street. There will be no waste stored on site, only clean waste containers.

The proposed scope of work constitutes a substantial modification to the previously approved site plan for Lawrence Services endorsed on June 26, 2012.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on June 24, 2014, on a motion made by Robert Tucker, seconded by Matthew Hayes, **voted to APPROVE with WAIVERS and CONDITIONS** as specified herein, the application of East Hill Associates Realty of Medway, MA to modify the previously approved site plan for the construction of a 4,500 sq. ft. addition to the Lawrence Waste Services facility at 49 Alder Street. The vote was 5 in favor and 0 opposed.

Planning & Economic Development Board Member	Vote
Thomas Gay	YES
Matthew Hayes	YES
Andy Rodenhiser	YES
Karyl Spiller-Walsh	YES
Robert Tucker	YES

III. PROCEDURAL HISTORY

- A. April 30, 2014 - Site plan Modification application filed with the Medway Planning & Economic Development Board and the Medway Town Clerk
- B. May 6, 2014 – Public hearing notice posted with Town Clerk and posted at the Town of Medway web site
- C. May 9, 2014 – Site plan modification information distributed to Town boards, committees and departments for review and comment.
- D. May 7, 2014 - Public hearing notice mailed to abutters by certified sent mail.
- E. May 12 & 20, 2014 – Public hearing notice advertised in *Milford Daily News*.
- F. May 27, 2014 – Public hearing commenced. The public hearing was continued to June 10 and June 24, 2014 when the hearing was closed.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application for Lawrence Waste Services at 49 Alder Street included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application was filed:
1. *Lawrence Waste Services Site Plan for 49 Alder ST, Medway, MA*, prepared by Guerriere & Halnon, Milford, MA, April 29, 2014.
 2. *Project Description* prepared by Guerriere & Halnon.
 3. Email dated April 25, 2014 from Medway Inspector of Buildings John Emidy confirming that the scope of proposed work at 49 Alder Street constitutes a *substantial modification* to a previously approved site plan project.
- B. During the course of the review, the Applicant and its representatives submitted revised plans and a variety of other materials to the Planning and Economic Development Board as follows:
1. *Lawrence Waste Services Site Plan for 49 Alder ST, Medway, MA*, prepared by Guerriere & Halnon, Milford, MA, April 29, 2014; REVISED May 28, 2014)
 2. *Hydrologic & Hydraulic Report, Lot 3-41, 49 Alder Street in Medway, MA* updated May 5, 2014, prepared by Guerriere and Halnon
 3. Peter Lavoie, Project Engineer, Guerriere & Halnon, the applicant's engineering consultant:
 - a. Response letter dated May 28, 2014 to the May 21, 2014 site plan review letter from Gino Carlucci, PGC Associates
 - b. Response letter dated May 28, 2014 to the May 22, 2014 site plan review letter from Tetra Tech.
 4. *Requests for Waivers from the Site Plan Rules and Regulations*, dated May 28, 2014 prepared by Guerriere & Halnon
 5. Color photographs showing the existing building and site improvements at 49 Alder Street – Received May 27, 2014.
 6. Mass DEP Checklist for Stormwater Report prepared by Michael Dean, P.E., Guerriere and Halnon, dated May 30, 2014
- C. During the course of the review, a variety of other materials were submitted to the Planning and Economic Development Board or entered into the record by the Board:
1. Email communication dated 5/23/2014 from Interim Conservation Agent Bridget Graziano verifying the Conservation Commission's approval on 5/22/2014 of an Order of Conditions for the proposed addition.

V. TESTIMONY - In addition to the site plan application materials as submitted and provided during the course of our review, the Planning and Economic Development Board received written or verbal testimony from:

- Brian Marchetti, P.E., of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated May 22, 2014 and June 4, 2014.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters dated May 21, 2014 and June 4, 2014.
- Peter Lavoie, Guerriere & Halnon - Verbal testimony provided at the public hearings on May 27, 2014.
- Paul Atwood, Guerriere & Halnon – Verbal testimony provided at the public hearing on June 10, 2014.
- Jim and Keith Lawrence, Lawrence Waste Services - Verbal Testimony provided at the public hearings on May 27 and June 10, 2014.

VI. WAIVERS – At its June 24, 2014 meeting, the Planning and Economic Development Board, on a motion made by Robert Tucker, seconded by Matthew Hayes, voted to approve granting waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Planning and Economic Development Board's action and reasons for granting each waiver are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved by a vote of 5 in favor and 0 against.

A. SUBMITTAL REQUIREMENTS/PLAN CONTENTS

1. 204-3 A. 7) – A written *Development Impact Statement* shall be prepared. It shall describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts. The Development Impact Statement shall address traffic, environmental, community and parking impacts.

The waiver is granted. The proposed structure is adjacent to a newly constructed industrial building located within the 495 Business Park. The proposed project is relatively small in relation to other uses within the park. A small portion of the site was disturbed when the main structure was building in 2013 and most of the significant natural resources, including wetlands, riverfront area, Groundwater Protection District and natural habitat, were not disturbed. The plan indicates that the project will comply with stormwater management regulations.

2. 204-5 C. 3) – An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a "mapped" overview of

existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.

***The waiver is granted.** The current project is a new structure adjacent to the existing structure and no additional trees or landscaped features will be removed. The scope of work takes place on an existing paved area. The Planning and Economic Development Board believes that this requirement is not warranted for this modification.*

3. 204-5 D. 7) – A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.

***The waiver is granted.** The current project is a new structure adjacent to the existing structure and no additional trees or landscaped features will be removed or added. The scope of work takes place on an existing paved area. The Planning and Economic Development Board believes that this requirement is not warranted for this modification.*

4. 204-5 D. 9) – *Color Renderings* of the project shall be provided depicting structures, signage and common views of the site from a public way and other views helpful in illustrating the totality of the proposed site improvements.

***The waiver is granted.** The current project is a new structure adjacent to the existing Lawrence Waste Services building. The applicant has provided drawings showing the building to be identical in design, materials and color to the existing structure.*

VII. SPECIFIC CONDITIONS – This approval is subject to the following *Specific Conditions*:

- A. **Plan Revisions** - Prior to endorsement, the site plan set for 49 Alder Street last revised May 28, 2014 shall be further revised as follows and submitted to the Planning and Economic Development Board for review and approval.

1. Cover Sheet
 - a. The plan name shall be changed to Lawrence Waste Services Site Plan Modification

- b. All waivers from the *Site Plan Rules and Regulations* that have been granted as specified herein shall be listed on the cover sheet of the of the site plan presented for endorsement.
 - c. The cover sheet shall prominently display a final plan revision date.
- B. ***Wetlands Protection*** – Prior to plan endorsement, the Applicant is required to provide the Planning and Economic Development Board with a copy of the *Order of Conditions* from the Medway Conservation Commission.
- C. ***Snow Plowing/Trash Removal*** - The Applicant shall be responsible for providing snow plowing and trash pick-up with respect to the subject property. There shall be no outside storage of trash nor shall any dumpster be located on the property to accommodate the trash for the operation of Lawrence Waste Services on the site. Business trash shall be retained inside the building.
- D. ***Construction Inspection***
 - 1. Planning and Economic Development Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this Decision.
 - 2. The applicant shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the approved plan. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Planning and Economic Development Board within 5 days of inspection.
 - 3. In the event the applicant seeks an occupancy permit before all site plan work is satisfactorily completed (see VIII. General Condition F. 2 herein), the Applicant shall establish a construction inspection account with the Medway Planning and Economic Development Board. The Applicant shall pay a construction inspection fee to the Town of Medway in an amount to be determined by the Planning and Economic Development Board. The funds may be used at the Planning and Economic Development Board's discretion to retain professional outside consultants to inspect the site, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion* (see VIII. General Condition G. 2 herein). Depending on the scope of professional outside consultant assistance that the Planning and Economic Development Board may need, the Applicant shall be required to provide supplemental payments to the project's construction inspection account, upon invoice. Any funds remaining in the applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the applicant.

VIII. GENERAL CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within thirty (30) days after the Planning and Economic Development Board has filed its *Decision* with the Town Clerk, the Applicant shall submit a final site plan modification reflecting all Conditions and required revisions, if any, to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. The Applicant shall provide one set of the revised site plan in its final form to the Planning and Economic Development Board for signature/endorsement. All plan sheets shall be bound together in a complete set.
- B. **Fees** - Prior to site plan endorsement by the Planning and Economic Development Board, the Applicant shall pay:
1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering, planning or other consultants; and
 2. any construction inspection fee required by the Planning and Economic Development Board; and
 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, 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 Planning and Economic Development Board to withhold plan endorsement.

- C. **During Construction**
1. The applicant shall take all measures necessary to ensure that no excessive dust leaves the premises during construction.
 2. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that loose gravel/dirt does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway within twenty-four (24) hours of its occurrence.
 3. All erosion and siltation control measures shall be installed and observed by the Planning and Economic Development Board's consulting engineer or the Conservation Agent prior to the start of construction, and maintained in good repair throughout the construction period.
 4. **Construction Time** - Construction work at the site and in the building shall commence no earlier than 7 a.m. and shall cease no later than 7 p.m. No construction shall take place on Sundays or legal holidays.
 5. **Construction Traffic/Parking** - All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways.

D. **Other Town Permits** - The contractor for the applicant or assigns shall obtain, pay and comply with all other required Town permits, including but not limited to a Street Opening/Roadway Access Permit from the Department of Public Services.

E. **Plan Modification**

1. This Site Plan Approval is subject to all subsequent conditions that may be imposed by other Town boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other boards, agencies or commissions shall be resubmitted to the Planning and Economic Development Board for review as site plan modifications pursuant to SECTION V. C. 10 of the *Medway Zoning Bylaw*.
2. Any work that deviates from an approved site plan shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification pursuant to SECTION V. C. 10 of the *Medway Zoning Bylaw* and such approval is provided in writing by the Planning and Economic Development Board.
3. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.

F. **Plan Compliance/Performance Security**

1. The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and any modifications thereto.
2. No occupancy permit shall be granted until the Planning and Economic Development Board has provided a written communication to the Inspector of Buildings that the project, as constructed, conforms to the approved site plan and 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 Planning and Economic Development Board's satisfaction, to cover the costs of all remaining work.
3. The Planning and Economic Development Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
4. The Conditions of Approval are enforceable under Section. V. C. 12 of the *Medway Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

G. **Project Completion**

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. Approved site plans shall be completed by the applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of a final occupancy permit, the Applicant shall secure a **Certificate of Site Plan Completion** from the Planning and Economic Development Board and provide the **Certificate** to the Inspector of Buildings. The **Certificate** serves as the Planning and Economic Development Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The **Certificate** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a **Certificate** of Site Plan Completion, the applicant shall:
 - a) provide the Planning and Economic Development Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Planning and Economic Development Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all 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.

H. **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.

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

IX. **FINDINGS** – The Planning and Economic Development Board must determine whether the proposed project constitutes a suitable development based on conformance with the purposes of Site Plan Review as specified in the *Zoning Bylaw* and with the various site development standards and criteria set forth in the *Site Plan Rules and Regulations*. The

preceding *Special and General Conditions* included in this Decision shall assure that the Planning Board's approval of this site plan is consistent with the *Site Plan Rules and Regulations*, that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered.

The Planning and Economic Development Board, at its meeting on June 24, 2014, on a motion made by Robert Tucker, seconded by Matthew Hayes, voted to approve the following **FINDINGS** regarding the site plan modification for 49 Alder Street. The motion was approved by a vote of 5 in favor and 0 against.

A. ZONING BYLAW – Section V. C - Site Plan Review & Approval

- (1) Are the buildings, uses and site amenities properly located on the development site in relation to the terrain and scale of other buildings in the vicinity and adjacent neighborhoods?

The buildings, uses and site amenities are properly located. They are outside the most sensitive resource areas, and on the higher, flatter portion of the site reducing topographic change, so this criterion is met.

- (2) Are the construction and renovation of buildings and the installation of site amenities thoughtfully designed to reflect or be compatible with Medway's New England architectural style as further detailed in the *Design Guidelines*?

The new building has been designed to match the existing building which had previously been approved by the Design Review Committee. The site amenities are unaffected. Therefore, this criterion is met.

- (3) Are adjacent and neighboring properties protected from nuisance and harmful effects caused by noise, fumes, and the glare of headlights and other light sources generated by uses on the development site?

The applicant has provided a photometric plan documenting that light sources will not spill off the property. Most noise or fumes will continue to be generated inside the building, and will be in compliance with applicable requirements. Therefore, this criterion is met.

- (4) Are significant natural features on a development site (*i.e.* hills, water bodies, wetlands, trees, tree groves, wooded areas, rock outcrops, native plants, wildlife habitats, and other areas of aesthetic and ecological interest) preserved with as minimal site disturbance as possible?

The new building will be constructed on a portion of the existing parking lot which is outside the significant resource areas (including wetlands, riverfront area, Groundwater Protection District, and natural habitat). Therefore, this criterion is met.

- (5) Are off-street loading facilities and methods for unloading vehicles, goods, products materials and equipment incidental to the normal operation of the establishment(s) on the development site conveniently and safely provided while the visual intrusion thereof is appropriately screened from public view?

The primary nature of the business is the temporary storage of containers to be unloaded and loaded at the facility. Therefore, it was designed to maximize this utility. Also, the loading and unloading will occur deep within the site behind the location of the existing building so public view of the visual intrusion is minimized. Therefore, this criterion is met.

- (6) Are facilities for the storage, handling and disposal of sewage, refuse and other solid wastes resulting from the normal operations of the establishment(s) on the development site provided and adequately screened from public view?

The facility is connected to municipal sewer. Adequate provisions have been made for refuse removal through a dumpster screened from public view. Therefore, this criterion is met.

- (7) Are pedestrian ways, access driveways, loading and parking facilities properly designed for the convenience and safety of customers, employees and the general public?

The plan has been reviewed by Town public safety officials as well as the Town's Consulting Engineer and Consulting Planner. The existing access driveways, loading and parking facilities were found to be adequately designed in the original site plan. They are not being changed and remain adequate for the proposed new building. Therefore, this criterion is met.

- (8) Is convenient and safe access for fire-fighting and emergency rescue vehicles provided to and within the development site in relation to adjacent streets?

The existing Knox Box will hold keys for the entire facility. No other issues have been identified. Therefore, this criterion is met.

- (9) Are satisfactory methods for drainage of surface water to and from the development site provided?

The new building is being constructed on the existing parking lot and impervious surface is actually being slightly reduced. The stormwater drainage system has been reviewed by the Town's Consulting Engineer and it remains in compliance with new Massachusetts Department of Environmental Protection stormwater management guidelines. Therefore, the Planning and Economic Development Board finds that this criterion is met.

- (10) Are public ways and private drives properly designed to be constructed to serve the intended use and provide an adequate level of service in relation to the traffic to be generated by the development site?

The public way, Alder Street, was specifically designed to accommodate industrial traffic. The private driveway has been reviewed by the Town's Consulting Engineer and found to be adequate. Therefore, this criterion is met.

- (11) Have the effects and impacts of the proposed use of land or structures on vehicular and pedestrian traffic, municipal services and utilities, roadways, parking, drainage, environmental quality, water resources, signage, lighting, and community economics, character, values, amenities and appearance been identified and evaluated?

The roadway, Alder Street, was designed for traffic from industrial uses within the business park. Municipal services are adequate to serve the proposed facility. Parking is adequate for the proposed use. Drainage is in compliance with Massachusetts Department of Environmental Protection stormwater management guidelines. The site was designed to minimize impacts on environmental quality and water resources. Signage is unchanged. Lighting is in compliance with the lighting provisions of the Zoning Bylaw. The building design has been approved by the Design review Committee. The facility will have a positive impact on community economics and is an allowed use within the Industrial III zoning district. Therefore, this criterion is met.

- (12) Have site design modifications been proposed and evaluated to lessen the negative and harmful impacts?

The site plan has been reviewed by Town officials and the Town's Consulting Engineer and Consulting Planner. Modifications were suggested and the applicant has responded to those comments with a revised plan. The revised plan has been reviewed and has addressed each of the comments received. Therefore, this criterion is met.

- (13) Have reasonable conditions, limits, safeguards and mitigation measures been established?

Section VII and VIII (above) of this Site Plan Decision impose specific and general conditions respectively. Therefore, this criterion is met.

B. SITE PLAN RULES AND REGULATIONS – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development Board shall determine the following:

- (14) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?

The internal circulation of the site largely unchanged. The design using an entrance driveway leading to a parking lot and loading and unloading areas have been designed such that traffic safety has been protected. There is no backing onto public ways due to the design, and there is direct access to the site through Route 109 and then through Trotter Drive and Alder Streets (the streets specifically designed to serve the business park). Access through residential areas is discouraged through design as well as regulation. Therefore, this criterion is met.

- (15) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?

The design of the site plan is similar to other facilities within the business park. The building design has also been approved by the Design Review Committee. Therefore, this criterion is met.

- (16) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned.

There is no residentially zoned or used property within sight of the proposed facility. Also, the outside storage areas for containers are located to the rear of the building location and a significant distance from view from the public way. Therefore, this criterion is met.

- (17) Is adequate access to each structure for fire and service equipment provided?

The Police and Fire Chiefs have not raised any issues. Therefore, this criterion is met.

- (18) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

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

The new building will be constructed on the existing parking lot. Therefore, approximately 2/3 of the site will remain undisturbed. Also, the existing building, parking and site facilities are located primarily outside the significant resource areas (including wetlands, riverfront area, Groundwater Protection District, and natural habitat). As conditioned above, this criterion is met.

- (19) Is pedestrian and vehicular safety both on the site and egressing from it maximized?

The plan has been reviewed by Town public safety officials as well as the Town's Consulting Engineer and Consulting Planner. The access driveways, loading and parking facilities were found to be adequately designed in the original site plan and they remain largely unchanged. A sidewalk is located along the entire length of Alder Street on the opposite side of the street (and locating a sidewalk on the same side is not practical). Therefore, this criterion is met.

- (20) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

The design of the site plan is similar to other facilities within the business park. The building design has also been approved by the Design Review Committee. The site utilizes existing vegetation along the frontage of the site. Therefore, this criterion is met.

- (21) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

The applicant has provided a photometric plan documenting that light sources will not spill off the property. It is in compliance with the lighting provisions of the Zoning Bylaw. Therefore, this criterion is met.

- (22) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The construction of the new building will take place entirely on the existing parking lot on already disturbed ground. Approximately 2/3 of the site will continue to remain undisturbed. Also, the building, parking and site facilities are located primarily outside the significant resource areas (including wetlands, riverfront area, Groundwater Protection District, and natural habitat). As conditioned above, this criterion is met.

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

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






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**Medway Planning and Economic Development Board
SITE PLAN MODIFICATION DECISION
Lawrence Waste Services – 49 Alder Street**

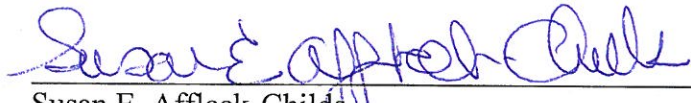
Approved by the Medway Planning & Economic Development Board: June 24, 2014

AYE:

NAY:

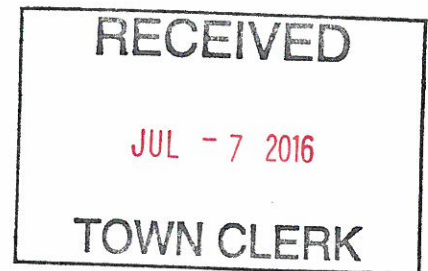






ATTEST:



Susan E. Affleck-Childs
Planning & Economic Development Coordinator

6-24-2014
Date



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

July 6, 2016

MODIFICATION TO DECISION
MODIFIED Lawrence Waste Site Plan - 49 Alder Street
APPROVED

Name/Address of Owner/Applicant: East Hill Associates Realty
49 Alder Street
Medway, MA 02053

Project Location: 49 Alder Street

Assessor's Reference: Map 3: Parcel 41

Zoning District: Industrial I

Purpose: Amend the previously approved Site Plan Decision for 49 Alder Street to extend the deadline for project completion beyond July 22, 2016.

Date of Prior Site Plan Decision: June 24, 2014

This is a decision of the Medway Planning and Economic Development Board (hereinafter “Board”) to modify the previously approved site plan decision dated June 24, 2014 for the MODIFIED SITE PLAN for Lawrence Waste for the property located at 49 Alder Street owned by East Hill Associates Realty of Medway. MA.

The proposed modification to the previously approved Site Plan Decision is sought pursuant to General Condition G. Project Completion which specifies that the work shown on the approved modified site plan shall be completed within two years of the date of plan endorsement. The modified site plan for 49 Alder Street was endorsed by the Board on July 22, 2014, the current deadline for project completion is July 22, 2016.

BACKGROUND - The previous site plan modification decision was approved by the Board on June 24, 2014. The approved scope of work included the construction of a one-story, 4,500 sq. ft. steel garage building to support the operation of the existing waste removal business on the premises. The garage was to be constructed on the paved area located behind the existing Lawrence Waste Services building which was constructed in 2012. The new garage building was to include three bays for dumpster maintenance plus a bathroom and was designed to match the existing structure.

DESCRIPTION OF PROPOSED MODIFICATION - The Petitioner seeks to modify the previously approved MODIFICATION decision by amending Condition G pertaining to the time schedule for project completion. The applicant wishes the Board to extend the deadline for project completion by two years. The applicant was not able to construct the new building within the current timeframe due to the higher than anticipated cost of construction. No changes to the plan itself are proposed.

PROCEEDINGS – The applicant met with the Planning and Economic Development Board during its June 28, 2016 meeting to discuss extending the completion deadline.

DECISION OF THE BOARD - The Medway Planning and Economic Development Board, at a duly posted meeting held on June 28, 2016, on a motion made by Matthew Hayes and seconded by Richard Di Iulio, voted five in favor and none against to extend the deadline for completion of the modified site plan for the construction of a 4,500 sq. ft. building for Lawrence Waste Services on the subject property at 49 Alder Street to July 22, 2018.

All other conditions of approval specified in the MODIFIED Site Plan Decision for 49 Alder Street remain in force.

All documents associated with the previous site plan decisions for 49 Alder Street are hereby acknowledged and made part of the record for this proposed modification.

Planning & Economic Development Board Member

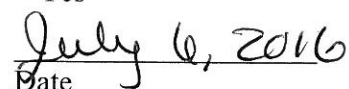
Andy Rodenhiser
Matthew Hayes
Robert K. Tucker
Thomas A. Gay
Richard Di Iulio

VOTE

Yes
Yes
Yes
Yes
Yes

Attest:


Susan E. Affleck-Childs
Planning and Economic Development Coordinator


Date

cc: Keith Lawrence, Lawrence Waste
Jack Mee, Medway Building Commissioner



February 13, 2018

**Medway Planning & Economic Development Board
Meeting**

**Medway Green (176-178 Main ST)
Multifamily Special Permit
Request for Deadline Extension**

- Letter dated 1-31-18 from developer John Kelly requesting extensions to initiate and complete project
- Multifamily Housing Special Permit decision dated 3-22-2017

Plan Modification – Request for Deadline Extension

- 1-29-18 email from Keith Lawrence requesting an additional 3 year extension for completion
- Site plan modification decision from 6-24-14 for the additional building
- Deadline extension approval decision dated 7-6-16 to extend the completion deadline 7-22-18

John Kelly

176 Main St Realty Trust
57 Draper Rd
Dover, MA 02030
(619) 794-4889
johnpkelly86@gmail.com

31st January 2018

Medway Planning & Economic Board

155 Village Street
Medway, MA
02053

Dear Medway Planning & Economic Board Members,

I am writing to you with regards to the special permit and site plan decision which was approved by the board March 21, 2017 for 176/178 Main St, Medway. Due to delays in obtaining construction financing, we were unable to begin work on the Medway Green project before the 2017/2018 winter set in.

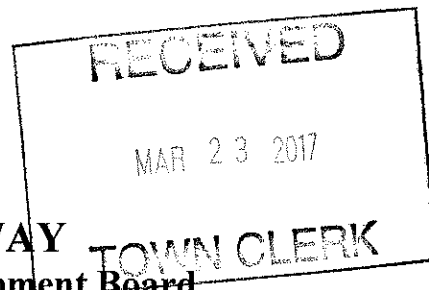
Because of this delay, I am requesting an 6 months extension to the 'substantial use' deadline. Extending the current deadline of Mar 21, 2018 to Sept 21, 2018, giving us ample time to pull permits and begin the project.

With this delay in the start time, I am also requesting a 9 month extension to the 'completion' deadline, extending the current deadline of Mar 21, 2019 to Dec 21, 2019.

Sincerely,

A handwritten signature in black ink, appearing to be 'John Kelly', with a stylized loop at the end.

John Kelly



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

March 21, 2017

MULTIFAMILY HOUSING SPECIAL PERMIT
and SITE PLAN DECISION
176 Medway LLC for Medway Greens – 176-178 Main Street
APPROVED with Waivers and Conditions

Decision Date: March 21, 2017

Name/Address of Applicant: 176 Main Street Realty Trust
57 Draper Road
Dover, MA 02030

Name/Address of Property Owner: 176 Main Street Realty Trust
57 Draper Road
Dover, MA 02030

Engineer: Ronald Tiberi, P.E.
9 Mass Avenue
Natick, MA 01760

Site Plan: *Medway Greens*
Dated December 18, 2016, last revised March 7, 2017

Location: 176-178 Main Street

Assessors' Reference: 47-34 and 47-36

Zoning District: Village Residential
Multifamily Housing Overlay District
Adaptive Use Overlay District

I. PROJECT DESCRIPTION – The applicant proposes to develop an 8 unit, townhouse condominium development on two parcels of land at the northeast corner of Main and Mechanic Streets (176 and 178 Main Street) in the Village Residential zoning district. The .66 acre site (Medway Assessors Map 47, Parcels 34 and 36) consists of one vacant parcel (178 Main Street) and a second parcel (176 Main Street) which has been used primarily for commercial purposes and presently includes an unoccupied, 2,076 sq. ft. building.

The proposed condominium development will include two, 4-unit, 2½ story townhouse buildings, each with a 2,880 sq. ft. footprint. Each townhouse dwelling unit will have three bedrooms. One affordable dwelling unit will be provided. One building with four townhouses will front onto Main Street; the other building with four townhouses will front onto Mechanic Street. Primary access/egress to and from the site will be provided from Main Street with a secondary access from Mechanic Street. A total of 16 off-street parking spaces will be provided. The existing structure at 176 Main Street will be demolished. Stormwater management facilities will be installed on site as will landscaping, an open space area, and sidewalks along the Mechanic Street frontage.

The use requires a multifamily housing special permit pursuant Section 5.6.4 of the *Zoning Bylaw* with site plan review and approval pursuant to Section 3.5.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on March 21, 2017, on a motion made by Robert Tucker and seconded by Richard Di Iulio, *voted to GRANT with CONDITIONS a multifamily housing special permit and to APPROVE with WAIVERS and CONDITIONS as specified herein, a site plan for the construction of an eight unit, townhouse condominium development on the property at 176 and 178 Main Street as shown on the plan titled Medway Greens, dated December 18, 2016, last revised March 8, 2017 to be further revised as specified herein before endorsement and recording.*

The motion was approved unanimously by a vote of five in favor and zero opposed.

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

III. PROCEDURAL HISTORY

- A. December 15, 2016 – Special permit and site plan applications and associated materials filed with the Medway Planning & Economic Development Board and the Medway Town Clerk
- B. December 20, 2016 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. December 21, 2016 – Site plan information distributed to Town boards, committees and departments for review and comment.

- D. December 28, 2016 - Public hearing notice mailed to abutters by certified sent mail.
- E. December 27, 2016 and January 2, 2017 - Public hearing notice advertised in *Milford Daily News*.
- F. January 10, 2017 - Public hearing commenced. The public hearing was continued to February 28, March 14 and March 21, 2017 when the hearing was closed and a decision rendered.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The special permit application for the proposed Medway Greens condominium development included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application was filed:
 - 1. Multifamily Housing Special Permit application dated December 15, 2016 with Project Description and certified abutters' list.
 - 2. *Medway Greens Site Plan*, dated December 18, 2016 prepared by Ronald Tiberi, P.E., Natick MA.
 - 3. *Drainage Report for Medway Greens, 176 Main Street*, undated, compiled by Ron Tiberi, P.E. of Natick, MA with Borderland Engineering of Randolph, MA
 - 4. *Medway Green Building Elevations and Floor Plans* dated July 2, 2016, revised October 17, 2016 by SFG Studios of Somerville, MA.
 - 5. *Landscape Plan* dated December 15, 2016 by Hammer & Walsh Design, Inc. of Boston, MA.
- B. During the course of the review, revised plans and a variety of other materials were submitted to the Board by the applicant and its representatives:
 - 1. *Medway Greens Site Plan*, revised January 23, 2017 prepared by Ronald Tiberi, P.E., Natick MA.
 - 2. *Medway Greens Site Plan*, revised March 8, 2017 prepared by Ronald Tiberi, P.E., Natick MA.
 - 3. *Landscape Plan* updated February 1, 2017 by Hammer & Walsh Design, Inc. of Boston, MA.
 - 4. *Landscape Plan* updated March 6, 2017 by Hammer & Walsh Design, Inc. of Boston, MA.
 - 5. *Medway Green Town Home Renderings* dated December 20, 2016 by SFG Studios of Somerville, MA and KWH Design of Boston, MA.
 - 6. *Drainage Report for Medway Greens, 176 Main Street*, updated January 31, 2017 compiled by Ron Tiberi, P.E. of Natick, MA with Borderland Engineering, Randolph, MA.
 - 7. *Drainage Report for Medway Greens, 176 Main Street*, updated March 1, 2017 compiled by Ron Tiberi, P.E. of Natick, MA with Borderland Engineering of Randolph, MA.
 - 8. Purchase and Sale Agreement dated May 9, 2016 between property owner/seller Joshua Grant and applicant/buyer 176 Main Street LLC.
 - 9. Documentation of establishment of 176 Main Street LLC

10. Requests for Waivers of the *Medway Site Plan Rules and Regulations*, prepared by Ron Tiberi, dated February 28, 2017 and March 7, 2017.
11. Letter from Attorney David Lebwith dated January 30, 2017 re: whether there is an easement across the subject property to the benefit of the owner of 174A Main Street.
12. Letter from Ron Tiberi, P.E. dated March 8, 2017 regarding the amount of open space on the site.
13. Letter from Ron Tiberi, P.E. dated March 8, 2017 in response to review letters from Tetra Tech, PGC Associates and the Design Review Committee.
14. Letter from John Kelly, owner of 176-178 Main Street and Paul Chelman, owner of 174A Main Street

C. Other Documentation

1. Mullins Rule Certification dated March 21, 2017 for Andy Rodenhiser for the February 28, 2017 public hearing.
2. Design Review Committee comment memorandum dated February 28, 2017
3. Review memorandum dated February 21, 2017 from Fire Chief Jeff Lynch
4. Email plan review comments from Medway DPS Director David D'Amico dated March 16, 2017.
5. Comment letter dated March 13, 2017 from Medway Police Sergeant Jeff Watson.
6. Email communication dated March 17, 2017 from Medway DPS Director David D'Amico regarding the Town's capacity to handle additional sewer/water demands and the type of materials to be used for curbing and sidewalk installation on the east side of Mechanic Street.

V. TESTIMONY - In addition to the site plan application materials as submitted and provided during the course of our review, the Planning and Economic Development Board heard and received verbal or written testimony from:

- Sean Reardon, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated January 9, 2017, February 23, 2017 and March 14, 2017 and commentary provided throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters dated January 5, 2017 and February 21, 2017 and commentary provided throughout the public hearing process.
- Ronald Tiberi, P.E. engineer for the applicant
- John Kelly, applicant
- Letter and documentation provided on February 24, 2017 by Paul Chelman, owner of 174A Main Street
- Martha Whyte, 5 Mechanic Street
- Steve Wettengel, 182 Main Street
- Mackenzie Leahy, Community and Economic Development office Administrative Assistant
- Steven Houde, 184 Main Street
- Vladimir Atryzek, 179 Main Street
- Ivan Szilassy, 181 Main Street

VI. FINDINGS

The Planning and Economic Development Board, at its meeting on March 21, 2017, on a motion made by Matthew Hayes and seconded by Robert Tucker, voted to approve the following **FINDINGS** regarding the site plan and special permit application for Medway Green at 176-178 Main Street. The motion was approved unanimously by a vote of five in favor and zero opposed.

MULTIFAMILY HOUSING SPECIAL PERMIT - The Board makes the following findings in relation to this application's compliance with Section 5.6.4 Multifamily Housing of the *Medway Zoning Bylaw*.

- 1) The subject properties, located at 176-178 Main Street, are located within the Multifamily Housing Overlay District. The site has more than 50' of frontage on Main Street and complies with the *Zoning Bylaw* requirement for a minimum of 50 feet of frontage on an existing street located within the Multifamily Housing Overlay District.
- 2) Main Street and Mechanic Street have sufficient capacity to accommodate the additional traffic flow to be generated by eight additional housing units in the subject development.
- 3) Combined, the two parcels comprise .6 acres (26,136 sq. ft.) which meets the required minimum area of 22,500 sq. ft.
- 4) As authorized by Section 5.6.4. C. 1. of the *Zoning Bylaw*, the Board hereby adjusts the front setback from the standard minimum of 20' in the Village Residential district to 15' on Main and Mechanic Streets. This adjustment will result in a more favorable design for the development, allow for the property placement of the buildings on the site, and is in keeping with the closeness of the adjacent buildings to Main Street.
- 5) The proposed height of 33' for the Main Street building and 31' for the Mechanic Street building complies with the maximum allowed height of 40'.
- 6) The maximum density for multifamily housing projects is 12 units/acre before any density bonus. With its size of .6 acres, the site is eligible for 7.2 dwelling units. The development does not include rehabilitation of a 75 year old building nor are 25% of the units to be affordable, so it does not qualify for any of the density bonuses offered in Section 5.6.4. However, the Affordable Housing requirements of Section 8.6 of the *Zoning Bylaw* also apply to this development. Section 8.6 requires 10% of the housing units to be affordable and provides for a market rate unit density bonus equal to half of the number of affordable units with all fractions rounded up. In this project, the 10% requirement results in the need for .7 affordable unit which in turn, allows for a .35 market rate unit bonus. Section 8.6 provides that all fractions are rounded up. The result is a requirement for 1 affordable housing unit and a density bonus of 1 market rate units so a total of 8 units is allowed.
- 7) 24% percent of the site (6,380 sq. ft.) is open space or yard area which meets the minimum required amount of 15%.

- 8) With 16 parking spaces shown, the project meets the requirements for 1.5 off-street parking spaces per unit plus .5 off-street parking spaces for visitor parking for every 2 dwelling units.
- 9) Town water and sewer service is presently available in both Main Street and Mechanic Street adjacent to the subject property and the Medway DPS Director has verified that the systems have the capacity to accommodate the development's eight townhouse dwelling units.
- 10) The Multifamily Housing section of the *Zoning Bylaw* (Section 5.6.4) was first adopted by the Town in 2015 to encourage the provision of a diversity of housing types, to promote pedestrian oriented development, and to increase the number of affordable housing units in Medway. This development will include eight townhouse style dwelling units which are not common in Medway, thus providing a greater variety and type of housing stock. One affordable housing unit will be provided. The location is within easy walking distance to the Medway Mill complex and Choate Park.
- 11) The 2009 Medway Master Plan encourages the provision of a diversity of housing options for households of all incomes and backgrounds. The amendment of the *Zoning Bylaw* in 2015 to add Section 5.6.4 Multifamily Housing under which this development is proposed is a direct response to the Master Plan housing goal #4 to provide needed changes to the *Zoning Bylaw*. The 2016 Medway Housing Production plan promotes the use of *Zoning Bylaw* provisions for the development of multifamily housing in appropriate locations. Medway Greens is an outstanding example of a modest scale multifamily housing development being constructed on an infill lot.
- 12) The proposed location for Medway Greens is within the Village Residential District and the multifamily use is allowed by special permit under Section 5.6.4 of the *Zoning Bylaw*. The site is nearby other multifamily buildings/developments (4 condominiums at 3 Mechanic Street and 12 apartments at 14 and 16 Mechanic Street). The Board finds that this development is appropriately located, is not detrimental to the neighborhood and does not significantly alter the character of the zoning district.

SITE PLAN RULES AND REGULATIONS FINDINGS – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Site Plan Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development Board shall determine the following:

- 13) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?
The circulation has been designed to provide access points on both Main and Mechanic Streets, so no minor streets are impacted. The parking spaces are all internal to the site so no backing onto a public way is required. The Fire Chief and the Town's Consulting Engineer have reviewed the plans and have determined that the internal circulation is adequate.

- 14) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?

The design of the site and buildings have been reviewed by the Design Review Committee and are in line with the Town's Design Review Guidelines. The setbacks of the buildings are comparable to others in the area and the materials and scale are appropriate for the site.

- 15) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned.

The proposed buildings are located close to both Main and Mechanic Streets with a landscaped area at the corner and a landscaped area on the east side of the Main Street entrance. Therefore, the parking areas, stormwater management area and dumpster are located on the interior of the site and are mostly screened from the public way and the residential uses across the streets. The property to the east is a commercial site which will share an access driveway on Mechanic Street.

- 16) Is adequate access to each structure for fire and service equipment provided?

Each structure on the site is easily accessed from either Main Street or Mechanic Street or from the interior of the site which can be accessed from either Main or Mechanic Street. The Fire Chief has reviewed the plans and determined that there is adequate access for fire and emergency service equipment.

- 17) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

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

The site will require a minimum of cuts and fills. The few existing trees on the site will be removed but many more trees will be planted as part of the landscape plan. The existing building on the site will be removed but it is not particularly visually prominent. There are no existing stone walls but new stone walls will be constructed along Main Street as part of the project. The visibility of the building site from existing streets will be prominent due to the small size of the site and the location of the buildings close to the streets. Review by the Town's Consulting Engineer has determined that the impacts on waterways and environmental resource areas will be minimized in accordance with local and state regulations. As conditioned, soil erosion and pollution will be minimized. While noise is a product of any construction project, its impact will be minimized with limits on the hours of construction activity. (See General Condition D).

- 18) Is pedestrian and vehicular safety both on the site and egressing from it maximized?

The site has been designed with entrances on both Mechanic and Main Streets. The Mechanic Street entrance is 20' wide, which meets the minimum required by the Fire Chief, while the Main Street entrance is 22' wide. Both have adequate sight distances. There will be a sidewalk on the Main Street side as part of the Route 109 reconstruction and the applicant will construct a sidewalk along the Mechanic Street frontage. The plans have been reviewed for pedestrian and vehicular safety by the Fire Chief and the Town's Consulting Engineer and found to be adequate.

- 19) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

While the site has no natural or historic visually prominent features within it, its location is visually prominent at the corner of Main and Mechanic Streets. The site plan takes maximum advantage of this feature location by locating and integrating the two sets of 4 townhouses, designed in accordance with the Town's Design Guidelines, along each of the streets with a landscaped area that functions as a pocket park on the corner.

- 20) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

The lighting plan has been adjusted from the original to ensure that there is no glare outside the property boundaries.

- 21) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The limit of work will encompass the entire site. Given the size and location of the site, this is reasonable. The primary environmental concern is stormwater runoff, and the site meets state and local stormwater management regulations as determined by the Town's Consulting engineer. The buildings will be serviced by Town water and sewer. Any other environmental impacts will be less than would be expected from 8 single family houses on individual lots.

ADAPTIVE USE OVERLAY DISTRICT SITE STANDARDS – Section 5.6.4.B.1 of the *Zoning Bylaw* requires that multifamily housing developments that are located within the boundaries of Medway's Adaptive Use Overlay District (AUOD) also meet the Adaptive Use Site Development Standards which are articulated in Section 504-4 of the *AUOD Rules and Regulations*. The properties located at 176-178 Main Street are located within the AUOD. The Board makes the following findings in relation to this application's compliance with the AUOD Site Development Standards.

- 22) Standard (504-4 B) provides that an existing building must be restored or renovated to maintain, restore or enhance its architectural integrity. *Construction of a new building on the premises is permitted provided that it is designed to be compatible with other building(s) on the lot and maintain the overall residential character of the Adaptive Use Overlay District. The existing building on the site is*

a commercial building and is not suited for renovation to residential use. It is proposed for demolition. Instead, 8 townhouse dwelling units are planned. The Design Review Committee has reviewed the proposal and has determined that the architecture complies with the Town's Design Review Guidelines. The applicant has requested a waiver from this standard. The PEDB finds that the proposed Medway Greens development will be a significant enhancement to this long-standing vacant property and that it is in the long-term best interest of the Town to have this site redeveloped.

- 23) Standard 504-4 C specifies that parking be located to the side or rear of the building and that the parking be screened from the public way. *All parking for Medway Greens is located behind the two buildings and is well screened from Main and Mechanic Streets. There are landscaped areas at the two southern corners of the site to provide screening.*
- 24) Standard 504-C indicates that parking areas shall include provisions for current or future shared and/or linked parking with adjacent properties when such linking can be accomplished without significant degradation of the character of the neighborhood. *Paul Chelman, the adjacent property owner at 174A Main Street, and the applicant have reached an agreement to continue the long-standing practice of allowing the tenant and customers of 174A Main Street to use the existing unpaved road on 176-178 Main Street and the future driveway at all times.*
- 25) Standard 504-D specifies that lighting shall be of residential scale, architecturally compatible with the building, and shall be designed to ensure that no glare is produced on abutting properties or the public way. *The proposed lighting is appropriate for the residential use. The selection of lighting fixtures and light levels has been revised so as to not produce glare on abutting properties or the public way.*
- 26) Standard 504-E prohibits new curb cuts and expansion of existing curb unless the PEDB finds that such changes are necessary to ensure safe access. *The existing curb cuts on Main and Mechanic Street are being used but reduced in width so this complies with this standard.*
- 27) Standard 504-F provides that significant pedestrian and bicycle access (including bicycle parking) shall be provided. *There is an existing sidewalk on Main Street and the applicant will be installing a sidewalk along its Mechanic Street frontage so both pedestrians and cyclists will be able to access the site. However, there is no provision for the installation of bicycle racks on the premises. The applicant has requested a waiver from this standard. As this development is 100% residential, there is no need to provide for bicycle parking for customers as would be the case with a commercial development. Storage of personal bicycles for residents can be accomplished in the garage parking available for each unit.*
- 28) Standard 504-G specifies that a landscape plan is provided to maintain or enhance the residential character of the property and to provide screening for parking, loading and refuse storage facilities. *A landscaping plan is included in the plan set and will be revised to enhance the landscape treatment at the*

southeast corner of the property. Landscaping is also provided around the fenced dumpster area.

- 29) Standard 504-I provides that at least two off-street parking spaces shall be provided for every residential unit in a building with one (1) or more residences. *The Medway Greens plan shows a total of 16 on-site parking spaces (8 garage spaces and 8 exterior spaces).*

VII. WAIVERS – At its March 21, 2017 meeting, the Planning and Economic Development Board, on a motion made by Matthew Hayes and seconded by Thomas Gay, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002, and the Adaptive Use Overlay District Rules and Regulations*. The Planning and Economic Development Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved unanimously by a vote of five in favor and zero opposed.

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

- 1) **Section 204-5 C. 3. Existing Landscape Inventory** - An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a "mapped" overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.

The applicant has requested a waiver from this requirement and proposes that the Board consider the Existing Conditions Sheet in the site plan set as sufficient. There are minimal landscape features on the site and the majority of the trees will be removed as part of the site's development. There is no added value in preparing an inventory of the existing landscape given the site's existing conditions. Therefore, the Board APPROVES this waiver request.

SITE PLAN DEVELOPMENT STANDARDS

- 2) **Section 205-3. B. Internal Site Driveways, 6.** – The perimeter of the driveway shall be bounded with vertical granite curb or similar type of edge treatment.

The applicant has requested a waiver from this requirement and proposes the use the existing concrete curb cut at the Main Street entrance. They also propose to not install any curbing along the edges of the parking area at the interior of the site. This will reduce the need for grading and will promote better drainage patterns. The Board concurs with this assessment and APPROVES this waiver request.

- 3) **Section 205-3. C. Traffic Flow, 1.** The slope of the paved entrance way shall not exceed 2% for the first 25' measured from the front property line.

The applicant has requested a waiver from this requirement as it applies to the curb cut on Mechanic Street. The slope will be 10% to match the existing site conditions. That driveway will be used as an entrance only, thus eliminating the use of its steeper slope for site egress. This condition was not noted as a problem

by the Board's consulting engineer. Therefore, the Board APPROVES this waiver.

- 4) **Section 205-6 Parking. I.** – Travel lanes in the parking area shall be a minimum of 24' wide.

The Applicant has requested a waiver from the 24' travel lane dimension for the parking area and proposes a 20' lane in its place. This reduction will reduce impervious surface areas and stormwater runoff, be more in keeping with the character of the small site, and reduce the likelihood of motorists using the parking area as a cut-through or for turnarounds. Lesser pavement also results in more green space. The Fire Chief has reviewed the site plan and determined that the width of the travel lanes is sufficient for emergency vehicles and apparatus pursuant to the Massachusetts Fire code. Therefore, the Board APPROVES this waiver.

- 5) **Section 205-9 Trees and Landscaping. C. Parking Areas** – Internal landscaped planted divisions (islands and peninsulas) shall be constructed within all parking lots to provide shading and buffering. At least one deciduous tree of a minimum two and one-half inches caliper in diameter shall be provided for every six parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement.

The applicant has requested a waiver from this landscaping regulation for the parking area. The site is small and the outdoor surface parking area is comprised of only 8 spaces. Adding internal landscaped islands will result in the loss of needed parking. Instead, a substantial landscaping plan has been provided which includes landscaping along the eastern perimeter of the site, a stormwater rain garden adjacent to the northern edge of the parking area, and a sizeable landscaped area at the southeast corner of the site. Therefore, the Board APPROVES this waiver.

ADAPTIVE USE DISTRICT SITE DEVELOPMENT STANDARDS

- 6) **Section 504-4 F.** - Significant pedestrian and bicycle access (including bicycle parking) shall be provided.

The applicant has requested a waiver from the bicycle parking portion of this regulation. Secure bicycle parking will be available in the lower level entry area and garage of each dwelling unit for residents. Bicycle parking for customers is not needed as the development is 100% residential. Therefore, the Board APPROVES this waiver.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board's approval of this site plan complies with the *Medway Zoning Bylaw*, Section 5.6.4, is consistent with *Site Plan Rules and Regulations*, that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered

SPECIFIC CONDITIONS OF APPROVAL

- A. Notwithstanding any future amendment of the Medway *Zoning Bylaw*, G.L. c.40A, or any other legislative act:
1. The maximum number of dwelling units to be constructed under this special permit shall be eight.
 2. The tract(s) of land on which this ARCPUD is to be located shall not be altered or used except:
 - a) as granted by this special permit;
 - b) substantially as shown on the plan entitled Medway Greens Site Plan last revised March 7, 2017 to be modified as referenced herein; and
 - c) in accordance with subsequent approved plans or amendments to this special permit.
 3. The tracts of land and buildings comprising Medway Greens shall not be used, sold, transferred or leased except in conformity with this special permit and shall not be further divided.
- B. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the site plan set for Medway Greens dated December 18, 2016, last revised March 7, 2017, prepared by Ron Tiberi, PE. including a landscaping plan by Hammer & Walsh Design Inc. and building elevations by SFG Studios, shall be further revised to reflect all Conditions and required revisions, including those as follows, and shall be submitted to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). Upon approval, the Applicant shall provide a Mylar of the revised Plan set in its final form to the Board for its signature/endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.
- C. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the March 7, 2017 site plan set shall be revised as follows:
1. Include the list of APPROVED Requests for Waivers
 2. Revise the zoning compliance table to reflect that the property is located in the Village Residential district. Add a second table to indicate how the development complies with the Multifamily Housing Density and Special Regulations.
 3. Remove the list of abutters.
 4. Change reference to Agricultural Residential II zoning district to Village Residential district.
 5. Remove reference to Adaptive Use Overlay District.
- D. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the March 7, 2017 Site Plan set.
1. Change reference to Agricultural Residential II zoning district to Village Residential district.
 2. Remove reference to Adaptive Use Overlay District.

3. Sheet L-1.1 Landscape Plan shall be revised to include design specifications for the concrete dumpster pad as follows: Pad shall consist of 6" minimum, 3,500 psi concrete with wire mesh on a 12' compacted stone base.
 4. Add a note to Sheet L-1.1 Landscape Plan and Sheet L-2 Lighting Plan to indicate that aftermarket light shields will be added to selected luminaires to reduce light spillage levels to comply with the *Medway Zoning Bylaw*.
 5. Add notes to Sheets A-2.0 and A-2.1 Elevations to specify that the following colors shall be used for the HardiPlank lap siding on each set of 4 dwelling units: CountryLane Red, Evening Blue, Arctic White, and Aged Pewter.
 6. Revise the cover sheet of the architectural drawings by SFG Studios and Sheet A-2.1 to show shutters on all four of the second floor windows on the street facing façade for both buildings.
 7. Revise Sheet 5 Site Utilities to include the plan changes specified in the email communication from Medway DPS Director Dave D'Amico dated 3-16-17.
 8. All relevant sheets shall be revised to indicate that the curbing along the property's frontage on Mechanic Street shall be granite and the sidewalk shall be constructed of cement concrete to match the materials being used on Main Street for the Route 109 reconstruction project. Notes shall be added to the plan wherever appropriate to indicate that the granite curbing and concrete sidewalk shall be installed using the same means and methods as the Route 109 work in order to provide a seamless appearance for where the project work and the Route 109 work meet.
 9. The layout shall be modified to reposition parking lot light fixture LP1 near the northwestern entrance to the site and the concrete pad for the dumpster to ensure fire truck access to the premises is achievable without damage to the property.
- E. ***Open Space/Yard Area*** - At least 15% of the site shall be retained as open space and/or yard area in perpetuity. This area shall be unpaved but may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area shall not be built upon but may include a play area.
- F. ***Sidewalk Construction*** – The planned construction of the sidewalk along the east side of Mechanic Street shall be completed to the Town's satisfaction before the occupancy permit is issued for the first condominium unit.
- G. ***Easement*** - The existing conditions sheet of the plan set shows an apparent trespass of a small portion of the area proposed for a sidewalk on the east side of Mechanic Street onto the Applicant's property. By January 15, 2018, the Applicant shall provide an easement deed and drawing to the Town of Medway for an approximately 200 sq. ft. area by January 15, 2018 for review and approval of Town Counsel and subsequent acceptance by Town Meeting.
- H. The Declaration of Trust for the Medway Greens Condominium shall include the following language: *"The construction and operation of the condominium is authorized by a Multifamily Housing Special Permit and Site Plan Approval granted by the Medway Planning and Economic Development Board on March*

21, 2017, a copy of which is available for inspection at the Town Clerk's office and which is recorded at the Norfolk County Registry of Deeds.

I. **Affordable Housing**

1. In accordance with the Medway Zoning Bylaw, Section 8.6 Affordable Housing, one dwelling unit within Medway Greens shall be an Affordable Housing Unit that will comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the MA Department of Housing and Community Development (DHCD).
2. Within the later of 120 days after the Board endorses the Plan of Record or 30 days after approval of the LIP application by the Medway Board of Selectmen and any other local authority required, if any, the Applicant shall apply to DHCD's Local Initiative Program (LIP) for inclusion of the proposed one Affordable Housing Unit on the Subsidized Housing Inventory and thereafter shall diligently pursue DHCD approval of the LIP Application. Prior to submitting the LIP Application to DHCD, the applicant shall meet with the Medway Board of Selectmen for purposes of securing its support for the LIP Application and with the Medway Affordable Housing Committee and Trust regarding the marketing plan, the location of the affordable housing unit within the development, local preference guidelines, and to secure their support for the LIP Application.
3. The Affordable Housing Unit shall each be subject to a perpetual affordable housing deed rider, in a form acceptable to DHCD, to be recorded at the Norfolk County Registry of Deeds with the deed for the affordable housing unit as required by LIP. The Affordable Housing Unit shall be sold and resold in accordance with the provisions of the affordable housing deed rider.
4. The Affordable Housing Unit is to be located within the development as required by DHCD for approval of the project's LIP application. The applicant has proposed the condominium at 176 Main – Unit 2 as the location for the Affordable Housing Unit. Upon direction by DHCD or request of the Applicant (*without effect to the Subsidized Housing Inventory eligibility*), the Planning and Economic Development Board shall permit a change in the location of the Affordable Housing Unit.
5. The applicant has selected SEB, LLC of Brighton, MA as the Lottery Agent for the initial sale of the Affordable Housing Unit. Any such Lottery Agent must meet the DHCD's experience requirements so that the Affordable Housing Unit may be counted on the Subsidized Housing Inventory.
6. DHCD shall oversee the initial sale of the Affordable Housing Unit pursuant to the LIP program.
7. The Board hereby names the Town of Medway Affordable Housing Trust if approved by DHCD as an additional Monitoring Agent for the sale and resale of the Affordable Housing Unit.

8. Affordable Housing Regulatory Agreement – If and to the extent that DHCD approves the Affordable Housing Unit pursuant to 760 CMR 56.04(7) and 56.05 (10)(b), the Applicant shall prepare or cause to be prepared an Affordable Housing Regulatory Agreement as required by DHCD for execution and recording at the Norfolk County Registry of Deeds. To the extent approved by DHCD, the Affordable Housing Unit shall be subject to the Regulatory Agreement and shall be sold and resold in accordance with its provisions.
9. The Medway Greens Condominium Master Deed and all legal documents related to the Affordable Housing Unit shall include language to specify:
 - a) the unit number of the designated Affordable Housing Unit;
 - b) that the Affordable Housing Unit shall be sold to income eligible persons or households that income restrictions;
 - c) that the local preference criteria for the sale and re-sale of the Affordable Housing Unit shall be in accordance with the Massachusetts Department of Housing and Community Local Initiative Program or other applicable state housing program
 - d) that the Affordable Housing Unit is eligible for inclusion in the Subsidized Housing Inventory; and
 - e) the Affordable Housing Unit is subject to a use restriction.
- J. **Water Conservation** – The development is relying on the Town’s public water system and the Town is being held to its Water Management Act Permit with the Mass Department of Environmental Protection. The Applicant shall incorporate the following water conservation measures for construction of the development: well water for landscape irrigation, rain-gauge controlled irrigation systems, low flow household fixtures, and conservation rated appliances.
- K. **Addresses** – As determined by the Medway Assessor’s office, the addresses for the condominium units on Main Street shall be 176 Main Street, unit 1, unit 2, unit 3 and unit 4 going from east to west. The addresses for the condominium units facing Mechanic Street shall be 2 Mechanic Street, unit 1, unit 2, unit 3 and unit 4 going from south to north.
- L. **Development Signage** – Any future development signage for this project shall comply with the sign regulations of the Medway *Zoning Bylaw*.
- M. **Drainage/Stormwater Management**
 1. Until transferred to the Medway Greens Condominium Trust, the Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Planning and Economic Development Board.
 2. The stormwater drainage system, water and sewer systems shall be maintained by the applicant and its successors and assigns and shall not be dedicated to the Town. It is the intent of the Planning and Economic

Development Board and the applicant that these systems not be accepted by Town Meeting.

3. The applicant shall maintain the stormwater management system in accordance with the operation and maintenance plan included with the stormwater/drainage report submitted with the application, as revised
4. In the event a management company is engaged by the condominium association, the stormwater maintenance and operation plan shall be incorporated by reference in the management contract.
5. In the event that the Applicant, its successors, or agent fails to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

GENERAL CONDITIONS OF APPROVAL

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

- B. **Other Permits** – This permit does not relieve the applicant from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the applicant or assigns shall obtain, pay and comply with all other required Town permits.

C. **Recording of Plans and Documents**

1. The Plan of Record associated with this special permit is: Medway Greens, last revised March 7, 2017 to be further revised as specified herein, prepared by Ron Tiberi, P.E. of Natick, MA
2. No construction shall begin on the site and no building permit shall be

issued before the following documents/plans are recorded at the Norfolk County Registry of Deeds:

- a) This special permit decision
- b) The Plan of Record endorsed by the Planning and Economic Development Board
- c) Restrictive Covenant with the Town of Medway (FORM G – *Medway Subdivision Rules and Regulations*).

3. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the issuance of an occupancy permit for any building on the site.

- a) Medway Greens Condominium Master Deed
- b) Declaration of Trust of Medway Greens Condominium Trust

4. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds.

- a) If and to the extent approved by DHCD, an affordable housing deed rider in compliance with the requirements of the Massachusetts Department of Housing and Community Development's Local Initiative Program.
- b) Executed Affordable Housing Regulatory Agreement with DHCD, if and to the extent approved by DHCD.

5. Within thirty days of recording, the Applicant or his assign shall provide the Planning and Economic Development 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. ***Restrictions on Construction Activities*** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. ***Construction Time*** - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Inspector of Buildings.
2. The applicant shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
3. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or

abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.

4. The Applicant is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
5. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Planning and Economic Development Board's consulting engineer and maintained in good repair throughout the construction period.
6. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
7. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Medway General Bylaws* and the *Medway Zoning Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b). as may be amended.

E. ***Landscape Maintenance***

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

F. ***Snow Storage and Removal***

1. On-site snow storage shall not encroach upon nor prohibit the use of any parking spaces required by the *Zoning Bylaw*.
2. Accumulated snow which exceeds the capacity of the designated snow storage areas on-site shall be removed from the premises within 24 hours after the conclusion of the storm event.

- G. ***Right to Enter Property*** – Duly authorized agent(s) of the Town of Medway shall have the right to enter upon the common areas of the condominium to ensure continued compliance with the terms and conditions of this special permit.
- H. ***Construction Oversight***
1. Construction Account
 - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the applicant shall establish a construction account with the Planning and Economic Development Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*).
 - b) Prior to plan endorsement, the Applicant shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Applicant shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the applicant.
 2. Planning and Economic Development Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this Decision.
 3. The Department of Public Services will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit.
 4. The applicant shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Planning and Economic Development Board within 5 days of inspection.

I. ***Plan Modification***

1. This Site Plan Approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Planning and Economic Development Board for review as site plan modifications.
2. Any work that deviates from an approved site plan shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Planning and Economic Development Board.
3. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.

J. ***Plan Compliance***

1. The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and any modifications thereto.
2. The Planning and Economic Development Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
3. The Conditions of Approval are enforceable under Section 3.1. F. of the *Medway Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

K. ***Performance Security***

1. No occupancy permit shall be granted until the Planning and Economic Development Board has provided a written communication to the Inspector of Buildings/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Planning and Economic Development Board's satisfaction, to cover the cost of all remaining work.
2. The applicant shall propose a form of performance security which shall be of a source and in a form acceptable to the Planning and Economic Development Board, the Treasurer/Collector and Town Counsel. The Board 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 Planning and Economic Development 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 and all mitigation measures as specified in the Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
 4. The security amount shall be approved by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the developer fails to adequately perform such and the cost for the 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.

L. ***Project Completion***

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. The approved site plan shall be completed by the applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of the occupancy permit for the eighth dwelling unit, the Applicant shall secure a ***Certificate of Site Plan Completion*** from the Planning and Economic Development Board and provide the ***Certificate*** to the Inspector of Buildings. The ***Certificate*** serves as the Planning and Economic Development Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site

improvements. The **Certificate** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a **Certificate** of Site Plan Completion, the applicant shall:

- a) provide the Planning and Economic Development Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict compliance with the approved and endorsed site plan, and any modifications thereto; and
- b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Planning and Economic Development Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.

M. **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.

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

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

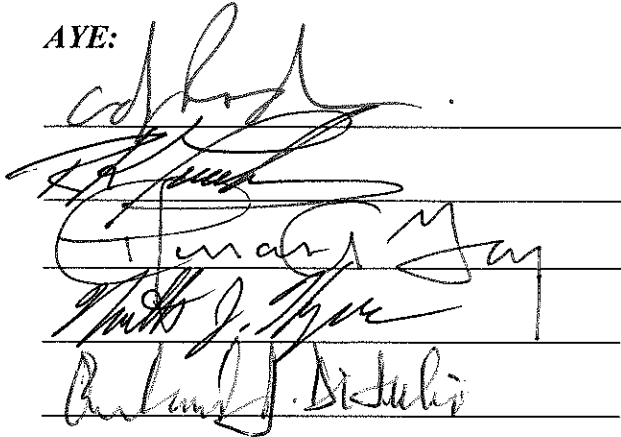
After the appeal period has expired, the applicant must obtain a certified notice from the Town Clerk that no appeals have been made and provide such certification to the Planning and Economic Development Board before plan endorsement.

###

**Medway Planning and Economic Development Board
SITE PLAN and SPECIAL PERMIT DECISION
Medway Greens – 176 & 178 Main Street**

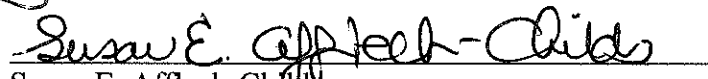
Approved by the Medway Planning & Economic Development Board: March 21, 2017

AYE:



NAY:

ATTEST:


Susan E. Affleck-Childs
Planning & Economic Development Coordinator

March 21, 2017
Date

COPIES TO: Michael Boynton, Town Administrator
David D'Amico, Department of Public Services
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Inspector of Buildings and Zoning Enforcement Officer
Stephanie Mercandetti, Director of Community and Economic Development
Joanne Russo, Treasurer/Collector
Jeff Watson, Police Department
John Kelly
Ron Tiberi, P.E.
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates



February 13, 2018
Medway Planning & Economic Development Board
Meeting

Charles River Village OSRD Bond
Release

The developer, John Claffey, acting through his representatives Paul Yorkis and attorney Bill Sack, has requested the bond release the remaining CRV bond. The balance is \$40,000. This is a tri-party agreement with Needham Bank.

- Letter from David Faist, McClure Engineering dated 2-12-18 certifying that CRV has been completed in compliance with the approved CRV plan. Also signed by John Claffey.
- Revised CRV As-Built Plans dated 1-5-18 by McClure Engineering
- Tetra Tech email memo/sign off dated 1-9-18 on as-built plans
- Tetra Tech Bond estimate (10-5-13) for \$132,417
- Tetra Tech bond reduction estimate (11-5-15) for \$16,755. NOTE – Board voted a reduction to \$40,000

February 12, 2018

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

**RE: Certificate of Completion & Compliance - Final OSRD As-Built Plans
"Charles River Village" Open Space Residential Development (OSRD) Definitive Plan**

Dear Susy,


McClure Engineering, Inc. (McClure) is providing this letter on behalf of our Client, Charles River Village, LLC, to certify completion of the work as shown on the original plans entitled "Charles River Village OSRD Definitive Plan in Medway Massachusetts", date November 20, 2012, revise dates February 15, 2013 and May 30, 2013 prepared by Faist Engineering, Inc.

This letter certifies all facets of the subdivision work including roadway and all infrastructure was constructed and completed in strict compliance with the approved and endorsed "Charles River Village Condominium OSRD Definitive Plan" and the Subdivision Rules and Regulations with the exception of the approved waivers outlined in Section XII. Waivers to Subdivision Rules and Regulations of the Original Certificate of Action, dated May 14, 2013.

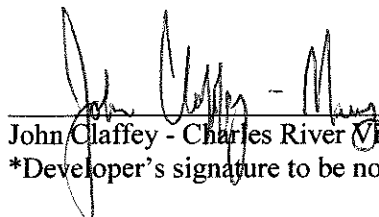
On January 11, 2018, McClure hand delivered the final As-Built Plan & Profiles for "Neelon Lane" Sheet 1 of 3, "Charles View Lane" Sheet 2 of 3, and "Cherokee Lane" Sheet 3 of 3, revise date January 5, 2018 documenting final project as-built conditions for your records.

Please contact me with any questions or if you need more information at (508) 248-2005.

Sincerely,



David T. Faist, P.E.
Vice President – McClure Engineering, Inc.



John Claffey - Charles River Village, LLC (Developer)

*Developer's signature to be notarized (See Attachment)

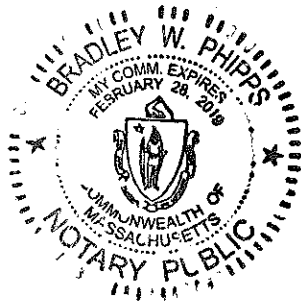
cc: Mr. John Claffey, Clafco Builders, P.O. Box 1, Medway, MA 02053
Mr. Paul Yorkis, Patriot Real Estate, 159 Main Street, Medway, MA 02053

Commonwealth of Massachusetts

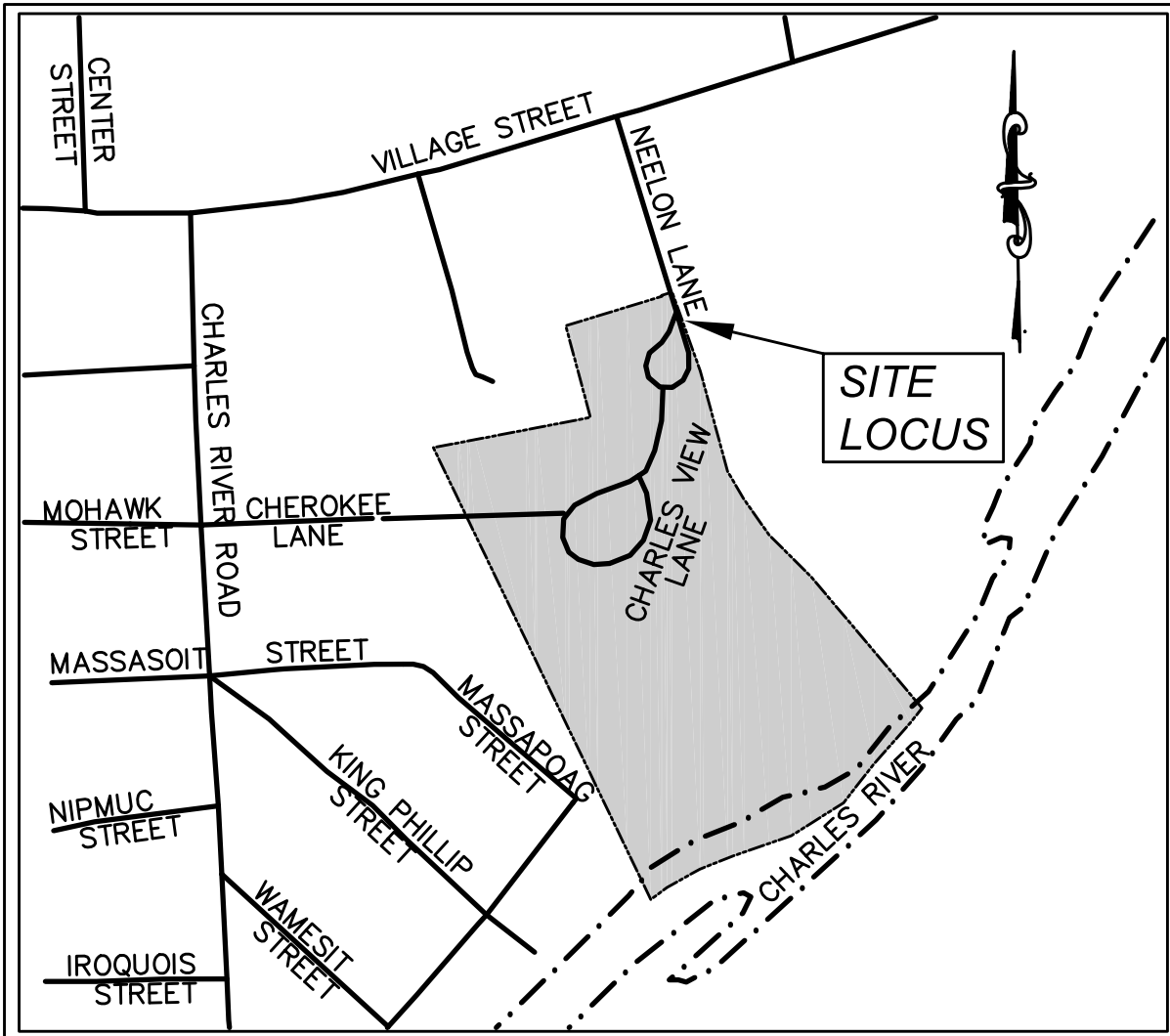
County of Norfolk

February 13, 2018

On this 13th day of February, 2018, before me, the undersigned notary public, personally appeared John Claffey - Charles River Village, LLC (Developer), proved to me through satisfactory evidence of identification, which were known to me personally, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.



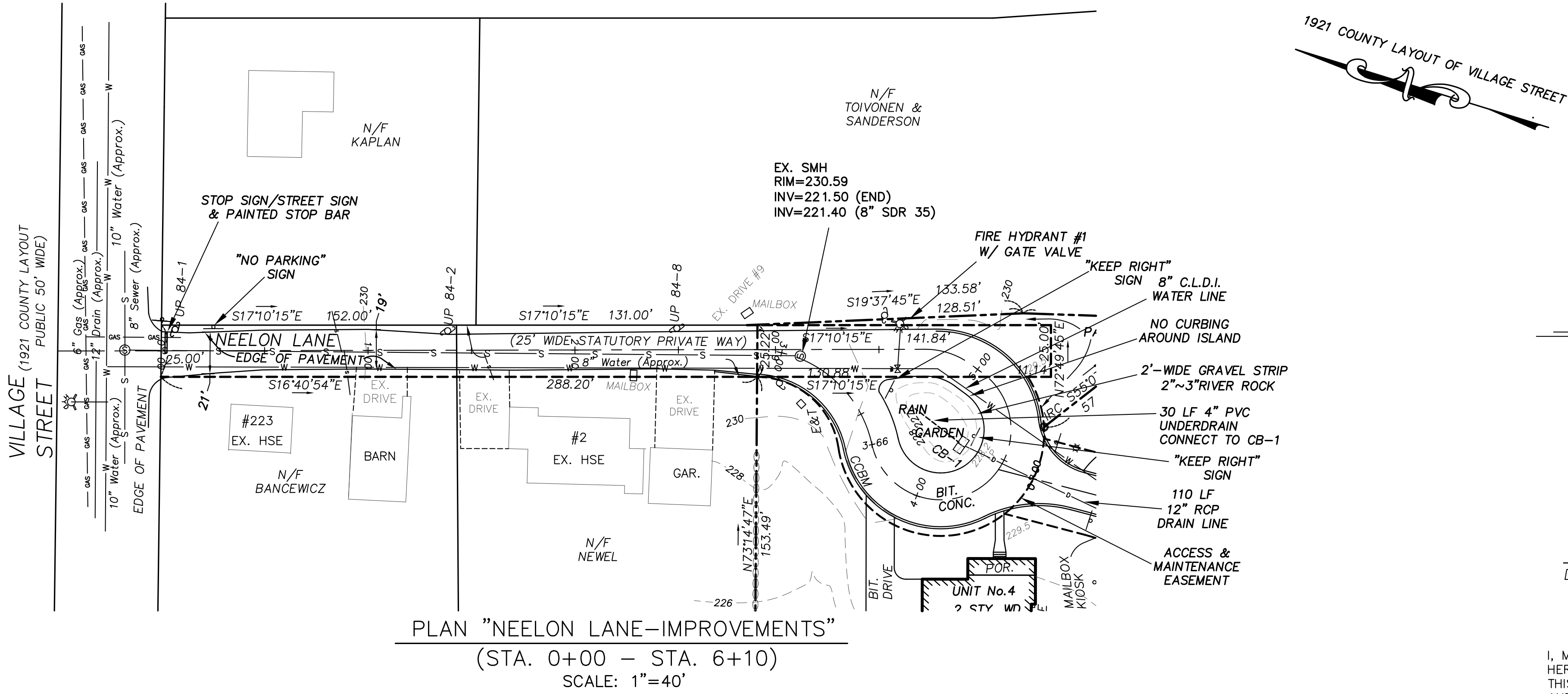
Notary Public:
My Commission Expires:



LOCUS PLAN
1" = 300'

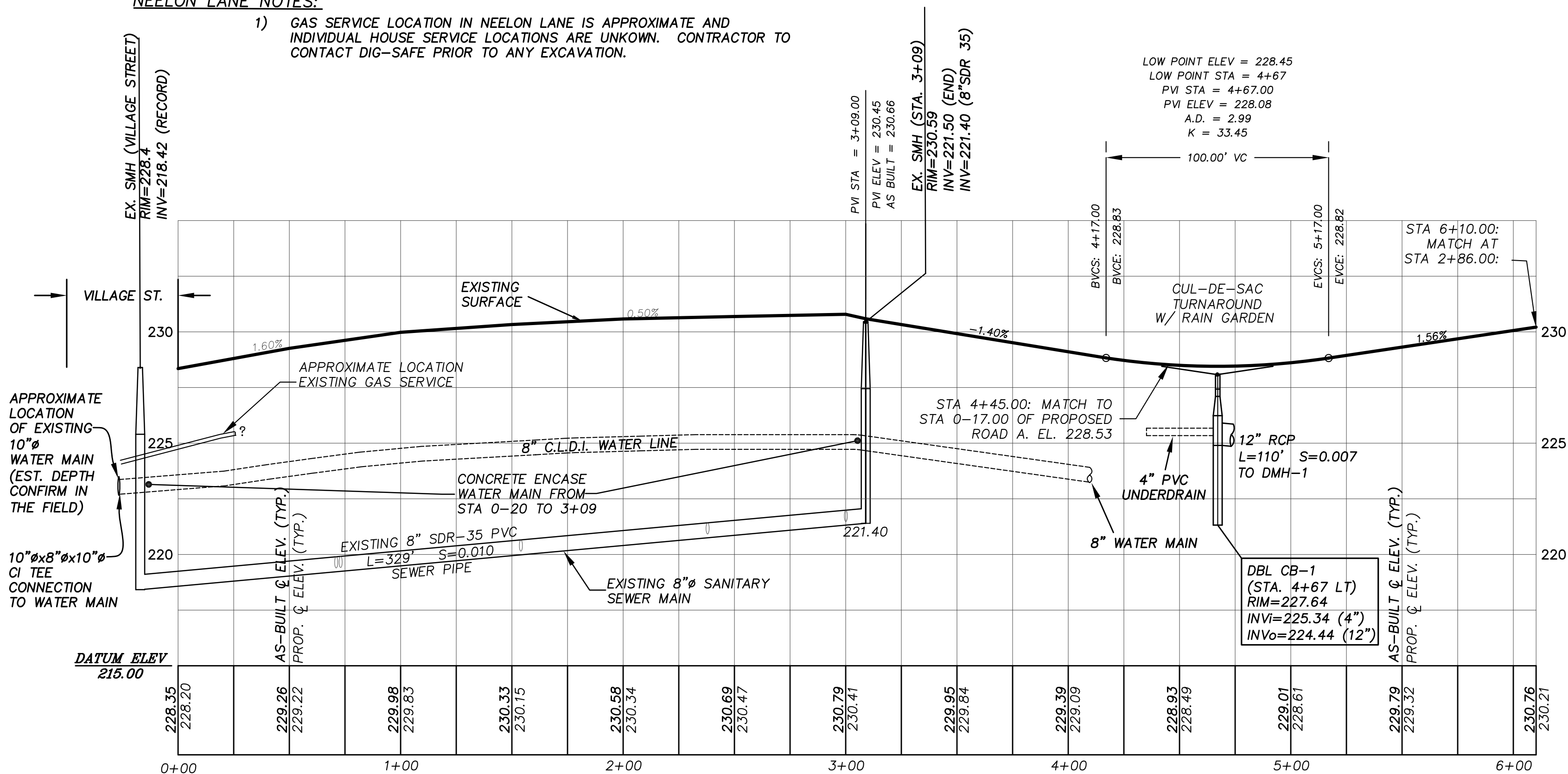
LEGEND

- N/F NOW OR FORMERLY
CB DH CONCRETE BOUND WITH DRILL HOLE
FND. FOUND
EXIST. EXISTING
PROP. PROPOSED
INV. INVERT
R.C.P. REINFORCED CONCRETE PIPE
APPROX. APPROXIMATE
HYDRANT
WATER GATE VALVE
WATER SHUTOFF
SEWER MANHOLE
DRAIN MANHOLE
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FLARED END SECTION
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CONC. CONCRETE
FF FINISH FLOOR ELEV.
GF GARAGE FLOOR ELEV.
BF BASEMENT FLOOR ELEV.
V.G.C. VERTICAL GRANITE CURB
CB STORMWATER CATCH BASIN
ELECTRIC, TELEPHONE & CABLE
CAPE COD BERM
OVERHEAD WIRES
LIGHT POST
IRON ROD WITH CAP
ELECTRIC METER
GAS METER
AIR CONDITIONER UNIT



NEELON LANE NOTES:

- 1) GAS SERVICE LOCATION IN NEELON LANE IS APPROXIMATE AND INDIVIDUAL HOUSE SERVICE LOCATIONS ARE UNKNOWN. CONTRACTOR TO CONTACT DIG-SAFE PRIOR TO ANY EXCAVATION.



TOWN OF MEDWAY PLANNING BOARD

DATE - AS-BUILT PLAN APPROVAL

I, MARYJANE WHITE, CLERK OF THE TOWN OF MEDWAY, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

TOWN CLERK DATE

- 1.) "I HEREBY CERTIFY THAT THIS PLAN SHOWS THE ACTUAL AS-BUILT LOCATIONS, PROFILES AND ELEVATIONS OF THE ROADWAYS, DRAINAGE FACILITIES AND UTILITIES, BASED UPON A FIELD SURVEY PERFORMED ON FEBRUARY 10, 2016 & SEPTEMBER 28, 2017"
- 2.) "I CERTIFY THAT THIS PLAN IS PREPARED IN CONFORMANCE WITH THE "RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

DANIEL A. O'DRISCOLL, PLS DATE

PREPARED FOR: CHARLES RIVER VILLAGE, LLC
ASSESSORS REFERENCE: MAP 1 PARCEL 1/6A
DEED REFERENCE: NORFOLK COUNTY REGISTRY OF DEEDS
BOOK 24204 PAGE 257
PLAN REFERENCES: PLAN BOOK 561 PAGE No. 40

AS BUILT NOTES:

- 1) ORIGINAL PLANS ENTITLED "CHARLES RIVER VILLAGE GRADING & DRAINAGE PLAN OSRD DEFINITIVE PLAN IN MEDWAY, MASSACHUSETTS" DATE NOVEMBER 20, 2012, REVISE DATE FEBRUARY 15, 2013, MAY 30, 2013 PREPARED BY FAIST ENGINEERING, INC.
- 2) ORIGINAL CERTIFICATE OF ACTION DATE: MAY 14, 2013
ORIGINAL PLAN ENDORSEMENT DATE: JUNE 11, 2013
- 3) AS-BUILT ROADWAY & HOUSE LOCATIONS BASED ON PLANS ENTITLED "CHARLES RIVER CONDOMINIUM SITE PLAN PHASE X IN MEDWAY, MASSACHUSETTS" DATE FEBRUARY 10, 2016 PREPARED BY O'DRISCOLL LAND SURVEYING CO.
- 4) ALL ELEVATIONS REFER TO NAVD 1988.
- 5) UNDERGROUND ELECTRIC/CABLE/TELEPHONE UTILITY LINES/CONDUIT LOCATIONS ARE APPROXIMATE AND BASED ON AS-BUILT UTILITY BOX LOCATIONS AND LIMITED PAVEMENT MARKINGS AT THE TIME OF THE SURVEY. (SEE DIG-SAFE NOTE).
- 6) ALL CATCH BASINS EQUIPPED WITH DEEP SUMPS W/ HOODS.

DIG-SAFE NOTE (1-888-344-7233):

1. CONTRACTOR REQUIRED TO NOTIFY "DIG SAFE" 72 HOURS PRIOR TO ANY ON-SITE EXCAVATION OR CONSTRUCTION AT 1-888-344-7233. CONTRACTOR SHALL ALSO NOTIFY LOCAL WATER AND SEWER DEPARTMENTS TO MARK OUT THEIR UTILITIES.

GAS UTILITY NOTE:

2. UNDERGROUND GAS UTILITY PIPING IS PRESENT ON-SITE. ONLY VISIBLE GAS GATES WERE LOCATED AT THE TIME OF THE AS-BUILT SURVEY AS SHOWN ON THE PLAN. CONTRACTOR MUST CONTACT DIG-SAFE AS NOTED ABOVE AND NATURAL GAS UTILITY TO LOCATE UNDERGROUND GAS PIPING PRIOR TO ANY ON-SITE EXCAVATION OR CONSTRUCTION.

REVISIONS			
REV	DATE	DESCRIPTION	MADE BY
1	1/5/18	TETRA TECH COMMENTS	MM

O'DRISCOLL LAND SURVEYING Co.
LAND SURVEYING GPS MAPPING LAND CONSULTING
46 COTTAGE STREET MEDWAY, MASSACHUSETTS 02053
PHONE: (508) 533-3314

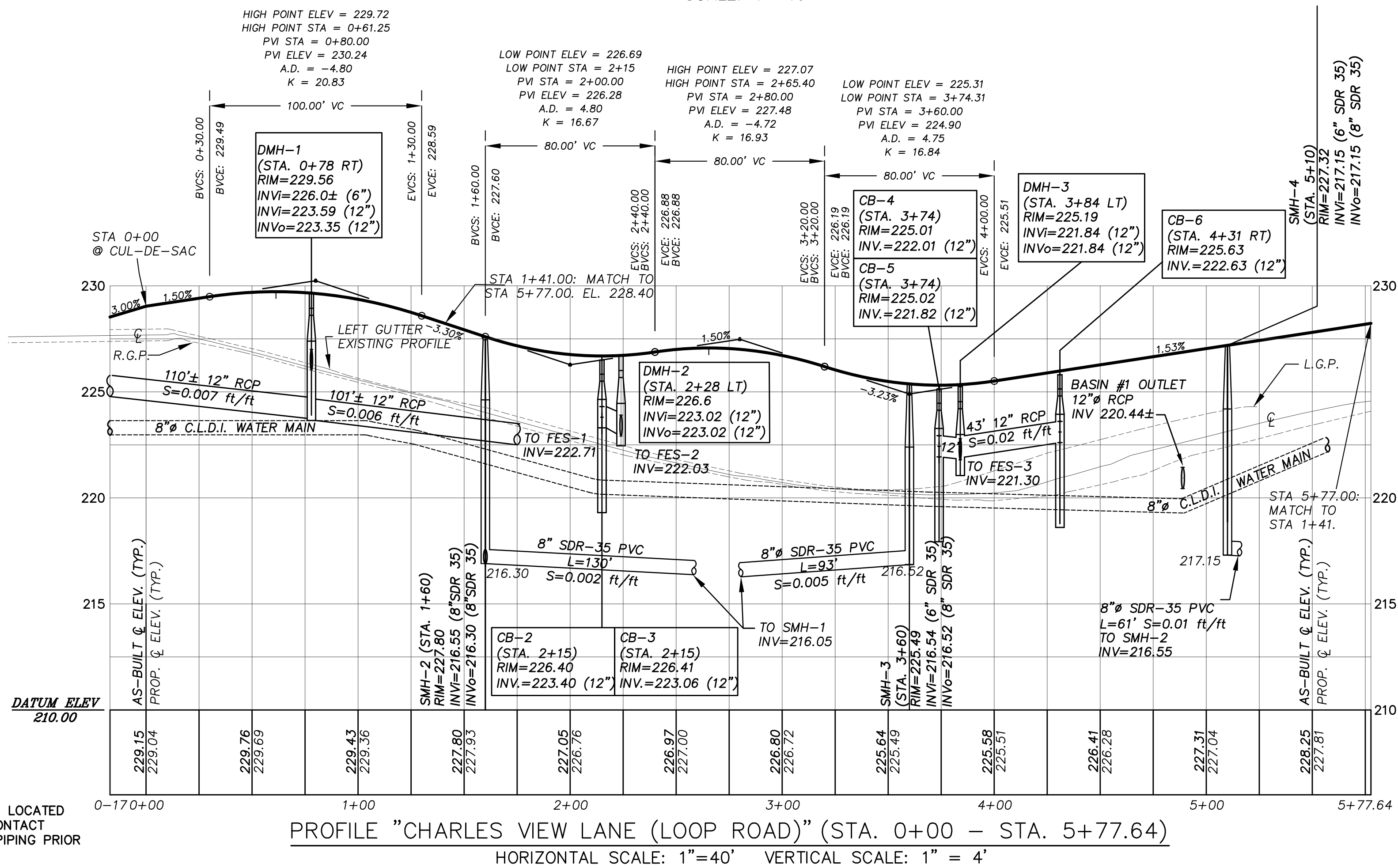
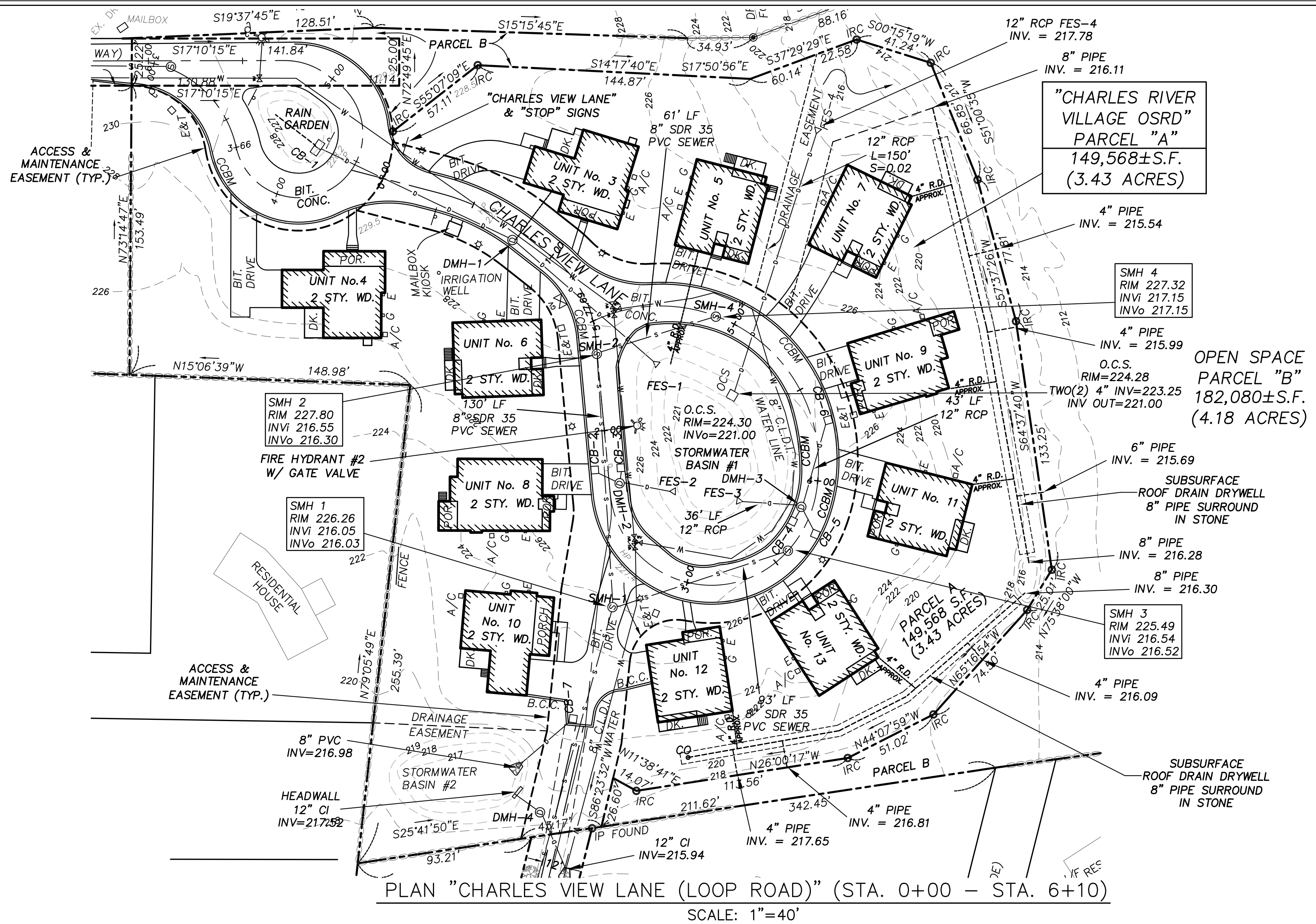
McCLURE
ENGINEERING, INC
119 Worcester Road
Charlton, MA 01507
Tel: (508) 248-2005
Fax (508) 248-4887
Email: dfaist@mcclureengineers.com

AS-BUILT PLAN & PROFILE
NEELON LANE
CHARLES RIVER VILLAGE OSRD
MEDWAY, MA, 02053
PREPARED FOR
CHARLES RIVER VILLAGE, LLC
P.O. BOX 1
MEDWAY, MA, 02053

DRAWN BY:	MM
DATE:	10/16/17
CHK BY:	DTF
SCALE:	1"=40'
PROJ. NO.	177-1371-G

AS-BUILT
PLAN & PROFILE

- LEGEND**
- N/F NOW OR FORMERLY
CB DH CONCRETE BOUND WITH DRILL HOLE
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- 6) ALL CATCH BASINS EQUIPPED WITH DEEP SUMPS W/ HOODS.
- 7) OSRD RIGHT-OF-WAY: CHARLES VIEW LANE
BUILDING ROOF AREA = 20,618±S.F.
BITUMINOUS DRIVEWAYS AND WALKS = 25,030±S.F.
TOTAL IMPERVIOUS = 45,648±S.F. (1.05±AC)

REVISIONS		DESCRIPTION	MADE BY	DATE
REV	DATE	DESCRIPTION	MADE BY	DATE
1	1/5/18	TETRA TECH COMMENTS	MM	DTF

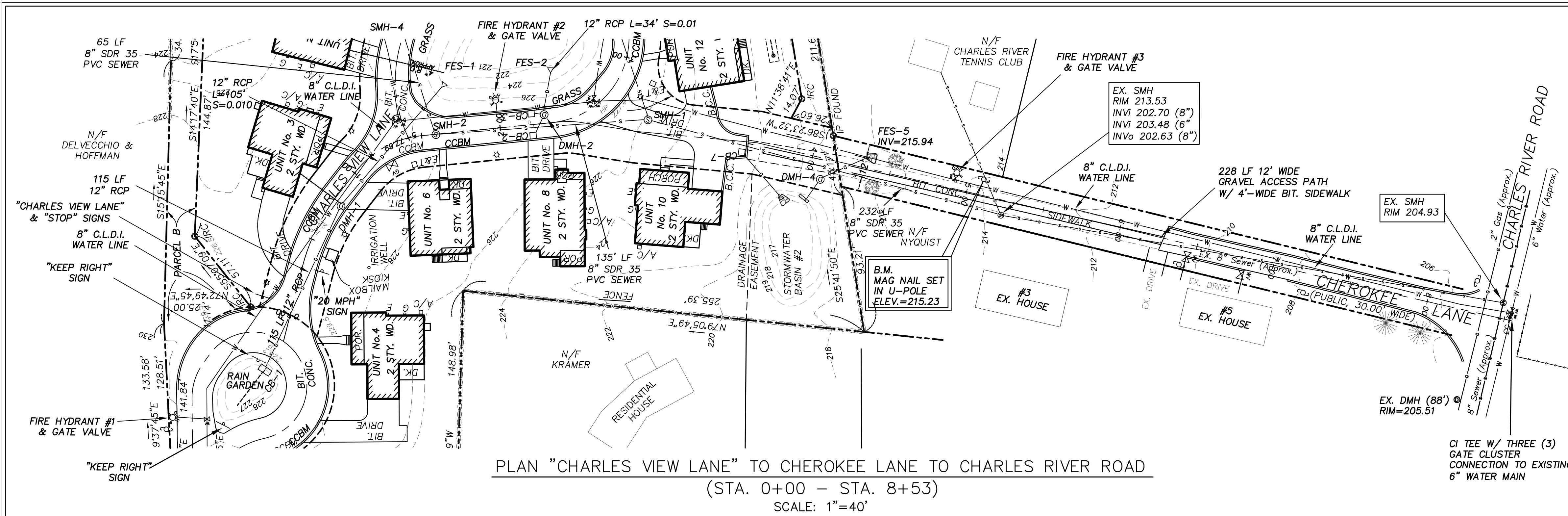
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PHONE: (508) 533-3314

McCLURE
ENGINEERING, INC
119 Worcester Road
Charlton, MA 01507
Tel: (508) 248-2005
Fax: (508) 248-4887
Email: dfaist@mcclureengineering.com

AS-BUILT PLAN & PROFILE
CHARLES RIVER VILLAGE OSRD
MAY 14, 2013
PREPARED FOR
CHARLES RIVER VILLAGE, LLC
P.O. BOX 1
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**AS-BUILT
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A/C AIR CONDITIONER UNIT

RESERVED FOR REGISTRY USE

1921 COUNTY LAYOUT OF VILLAGE STREET

TOWN OF MEDWAY PLANNING BOARD

DATE — AS-BUILT PLAN APPROVAL

I, MARYJANE WHITE, CLERK OF THE TOWN OF MEDWAY, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

TOWN CLERK _____ DATE _____

1.) "I HEREBY CERTIFY THAT THIS PLAN SHOWS THE ACTUAL AS-BUILT LOCATIONS, PROFILES AND ELEVATIONS OF THE ROADWAYS, DRAINAGE FACILITIES AND UTILITIES, BASED UPON A FIELD SURVEY PERFORMED ON FEBRUARY 10, 2016 & SEPTEMBER 28, 2017"

2.) "I CERTIFY THAT THIS PLAN IS PREPARED IN CONFORMANCE WITH THE "RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

DANIEL A. O'DRISCOLL, PLS _____ DATE _____

PREPARED FOR: CHARLES RIVER VILLAGE, LLC
ASSESSORS REFERENCE: MAP 1 PARCEL 1/6A
DEED REFERENCE: NORFOLK COUNTY REGISTRY OF DEEDS BOOK 24204 PAGE 257
PLAN REFERENCES: PLAN BOOK 561 PAGE No. 40

AS BUILT NOTES:

1) ORIGINAL PLANS ENTITLED "CHARLES RIVER VILLAGE GRADING & DRAINAGE PLAN OSRD DEFINITIVE PLAN IN MEDWAY, MASSACHUSETTS" DATE NOVEMBER 20, 2012, REVISE DATE FEBRUARY 15, 2013, MAY 30, 2013 PREPARED BY FAIST ENGINEERING, INC.

2) ORIGINAL CERTIFICATE OF ACTION DATE: MAY 14, 2013
ORIGINAL PLAN ENDORSEMENT DATE: JUNE 11, 2013

3) AS-BUILT ROADWAY & HOUSE LOCATIONS BASED ON PLANS ENTITLED "CHARLES RIVER CONDOMINIUM SITE PLAN PHASE X IN MEDWAY, MASSACHUSETTS" DATE FEBRUARY 10, 2016 PREPARED BY O'DRISCOLL LAND SURVEYING CO.

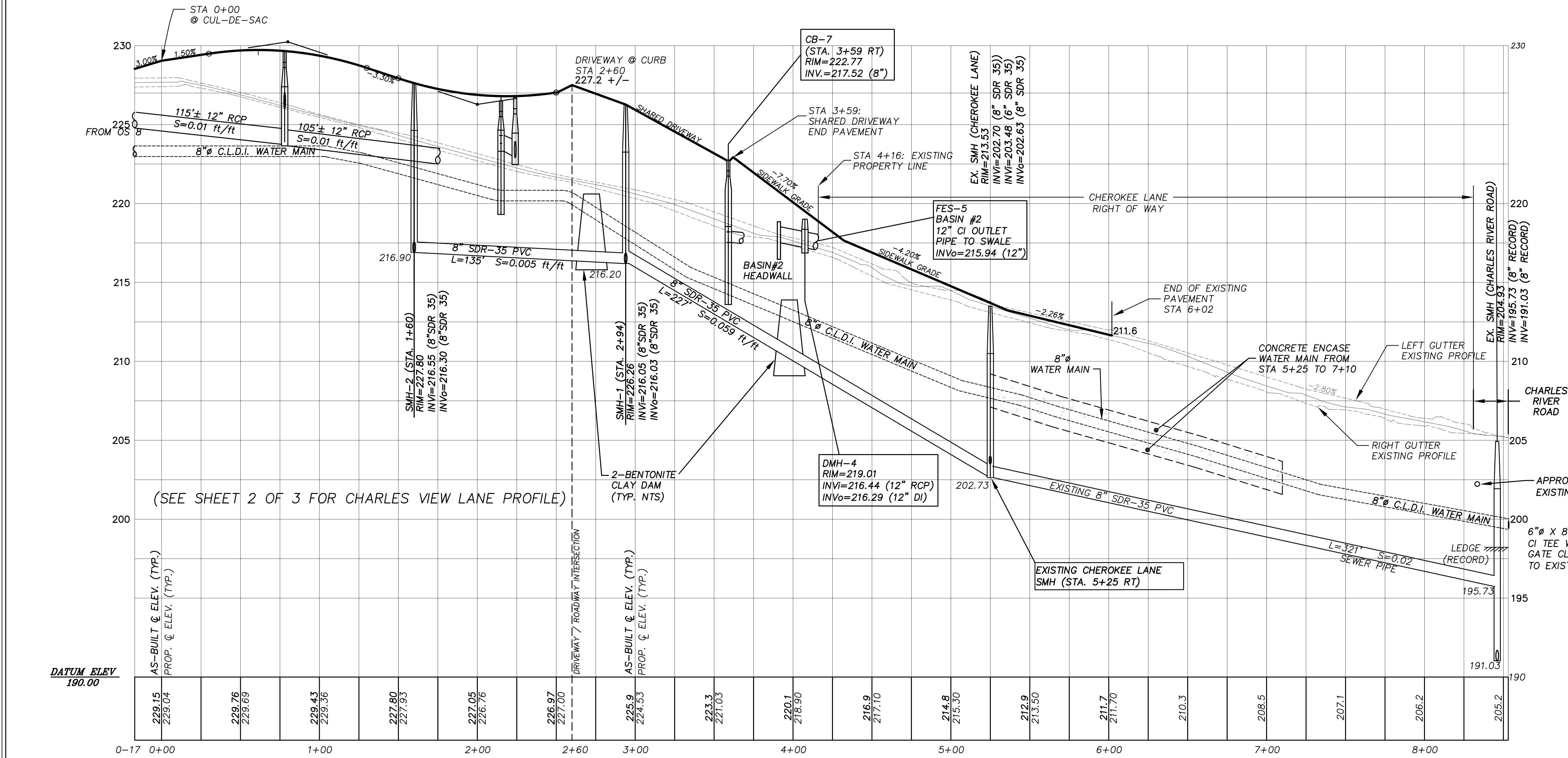
4) ALL ELEVATIONS REFER TO NAVD 1988.

5) UNDERGROUND ELECTRIC/CABLE/TELEPHONE UTILITY LINES/CONDUIT LOCATIONS ARE APPROXIMATE AND BASED ON AS-BUILT UTILITY BOX LOCATIONS AND LIMITED PAVEMENT MARKINGS AT THE TIME OF THE SURVEY. (SEE DIG-SAFE NOTE).

6) ALL CATCH BASINS EQUIPPED WITH DEEP SUMPS W/ HOODS.

McCLURE ENGINEERING, INC
119 Worcester Road
Charlton, MA 01507
Tel: (508) 248-2005
Fax (508) 248-4887
Email: dfaist@mcclureengineers.com

AS-BUILT PLAN & PROFILE
CHARLES VIEW LANE & CHEROKEE LANE
CHARLES RIVER VILLAGE OSRD
MEDWAY, MA, 02053
PREPARED FOR
CHARLES RIVER VILLAGE, LLC
P.O. BOX 1
MEDWAY, MA, 02053



DIG-SAFE NOTE (1-888-344-7233):

1. CONTRACTOR REQUIRED TO NOTIFY "DIG SAFE" 72 HOURS PRIOR TO ANY ON-SITE EXCAVATION OR CONSTRUCTION AT 1-888-344-7233. CONTRACTOR SHALL ALSO NOTIFY LOCAL WATER AND SEWER DEPARTMENTS TO MARK OUT THEIR UTILITIES.

GAS UTILITY NOTE:

2. UNDERGROUND GAS UTILITY PIPING IS PRESENT ON-SITE. ONLY VISIBLE GAS GATES WERE LOCATED AT THE TIME OF THE AS-BUILT SURVEY AS SHOWN ON THE PLAN. CONTRACTOR MUST CONTACT DIG-SAFE AS NOTED ABOVE AND NATURAL GAS UTILITY TO LOCATE UNDERGROUND GAS PIPING PRIOR TO ANY ON-SITE EXCAVATION OR CONSTRUCTION.

PROFILE "CHARLES VIEW LANE" TO CHEROKEE LANE TO CHARLES RIVER ROAD
(STA. 0+00 - STA. 8+53)
HORIZONTAL SCALE: 1"=40'
VERTICAL SCALE: 1" = 4'

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Tuesday, January 09, 2018 3:22 PM
To: David Faist; Susan Affleck-Childs
Cc: Dan O'Driscoll (odlandsurvey@gmail.com); Lisa Westwell
Subject: RE: Charles River Village OSRD - As-Built Drawings

Dave/Susy,

All of our comments have been addressed. Please provide stamped versions for the record, thanks.

Steve

From: David Faist [mailto:dfaist@mcclureengineers.com]
Sent: Friday, January 05, 2018 1:13 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>; Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: Dan O'Driscoll (odlandsurvey@gmail.com) <odlandsurvey@gmail.com>; Lisa Westwell <lwestwell@mcclureengineers.com>
Subject: RE: Charles River Village OSRD - As-Built Drawings

Susy & Steve,

Attached are the plan revisions to the "Charles River Village OSRD" As-built plans along with our comment/response letter summarizing the revisions.

Please review and let me know if you need me to drop or mail full size stamped prints of these plans also.

Thank you.

Dave

David Faist, PE
Vice President
McClure Engineering, Inc.
119 Worcester Road
Charlton, MA 01507
T: 508.248.2005 x 20
F: 508.248.4887
E: dfaist@mcclureengineers.com

McCLURE
ENGINEERING, INC

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Wednesday, December 06, 2017 11:21 AM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: David Faist <dfaist@mcclureengineers.com>
Subject: RE: Charles River Village OSRD - As-Built Drawings

Thanks very much.

Dave, I presume you will make those changes and resubmit. Please do so to both Steve and me. I will be out of the office from December 14th – January 1st.

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: Bouley, Steven [<mailto:Steven.Bouley@tetrattech.com>]
Sent: Wednesday, December 06, 2017 11:14 AM
To: Susan Affleck-Childs
Cc: David Faist
Subject: RE: Charles River Village OSRD - As-Built Drawings

Hi Susy,

I have the following comments on the attached plans per Section 6.6.3 of the Subdivision Rules and Regulations:

1. Neelon Lane Plan (Sheet 1)
 - a. As-Built plan requires Stamp by Professional Land Surveyor. I'm assuming this will occur once they receive final blessing on the plan's contents. (6.7.3)
 - b. Rim elevation incorrect for existing SMH in Village Street. (6.7.4.h)
 - c. Contours not shown along Neelon Lane. (6.7.4.m)
 - d. 4" underdrain connection not shown for CB-1. (6.7.4.n)
2. Charles Plan (Sheet 2)
 - a. As-Built plan requires Stamp by Professional Land Surveyor. I'm assuming this will occur once they receive final blessing on the plan's contents. (6.7.3)
 - b. Inverts for roof drain drywell outlets should be shown. (6.7.4.h)
 - c. Contours not shown throughout the site. (6.7.4.m)
3. Charles-Cherokee Plan (Sheet 3)

- a. As-Built plan requires Stamp by Professional Land Surveyor. I'm assuming this will occur once they receive final blessing on the plan's contents. (6.7.3)
- b. Contours not shown throughout the site. (6.7.4.m)

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

Steve

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Thursday, November 30, 2017 11:25 AM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Subject: FW: Charles River Village OSRD - As-Built Drawings

Hi,

I have been very remiss in not sending this to you. Thanks for your earlier email today.

NOTE - We only have \$575 left in the CO account for Charles River Village. Can you do this review for that amount??

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

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From: David Faist [<mailto:dfaist@mcclureengineers.com>]
Sent: Monday, October 16, 2017 4:23 PM
To: Susan Affleck-Childs
Cc: Lisa Westwell
Subject: Charles River Village OSRD - As-Built Drawings

Hi Susy,

Attached are the As-Built Drawings for Charles River Village OSRD Project.

Please let me know how many stamped copies you will need dropped off at your office and if there is any additional paperwork you need.

Thank you.

Dave

David Faist, PE
Vice President
McClure Engineering, Inc.
119 Worcester Road
Charlton, MA 01507
T: 508.248.2005 x 20
F: 508.248.4887
E: dfaist@mcclureengineers.com

McCLURE
ENGINEERING, INC



Bond Value Estimate
Charles River Village
Open Space Residential Development
Medway, Massachusetts
October 5, 2013

One Grant Street
Framingham, MA 01701
Tel 508.903.2000 Fax 508.903.2001

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
HMA Top Course - 1 1/2" Depth (Roadway)	160	TON	\$125.25	\$20,040
HMA Berm	1,050	LF	\$6.00	\$6,300
Rip-Rap	5	CY	\$82.50	\$413
Loam	140	CY	\$30.00	\$4,200
Seeding	1,675	SY	\$1.56	\$2,613
Water Gate Adjustments	13	EA	\$150.00	\$1,950
Drain Structure Adjustments	7	EA	\$300.00	\$2,100
Sanitary Structure Adjustments	4	EA	\$300.00	\$1,200
8" HDPE Pipe (Roof Runoff Recharge Trench)	445	LF	\$20.00	\$8,900
Additional Signs	0	EA	\$100.00	\$0
Light Poles	7	EA	\$2,000.00	\$14,000
Trees	51	EA	\$250.00	\$12,750
Other Landscaping	1	LS	\$5,000.00	\$5,000
Private Utilities	1	LS	\$5,000.00	\$5,000
Lighting	1	LS	\$1,500.00	\$1,500
Pavement Markings	1	LS	\$300.00	\$300
6' White Vinyl Fence	96	LF	\$34.00	\$3,264
Cherokee Lane Improvements	1	LS	\$3,000.00	\$3,000
2 year Snow Plowing	578	LF/YR	\$2.50	\$2,890
2 year Road Maintenance	578	LF/YR	\$2.00	\$2,312
2 year Drainage Maintenance	578	LF/YR	\$2.00	\$2,312
As-built Plans	578	LF	\$5.00	\$2,890
Legal Services	1	LS	\$3,000.00	\$3,000
				\$105,934

Subtotal	\$105,934
Contingency (25%)	\$26,483
Recommended Bond Value	\$132,417

Notes:

1. Unit prices are taken from the latest information provided on the Mass DOT website. They utilize the Mass DOT weighted bid prices (Combined - All Districts) for the time period 10/2012 - 10/2013.
2. Loam and seed includes within basin and 10' along side roadway.



Bond Value Estimate
Charles River Village
Open Space Residential Development
Medway, Massachusetts
 October 5, 2013 (revised November 5, 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
HMA Top Course - 1 1/2" Depth (Roadway)	160	TON	\$125.25	\$20,040
HMA Berm	1,050	LF	\$6.00	\$6,300
Rip-Rap	5	CY	\$82.50	\$413
Loam	140	CY	\$30.00	\$4,200
Seeding	1,675	SY	\$1.56	\$2,613
Water Gate Adjustments	13	EA	\$150.00	\$1,950
Drain Structure Adjustments	7	EA	\$300.00	\$2,100
Sanitary Structure Adjustments	4	EA	\$300.00	\$1,200
8" HDPE Pipe (Roof Runoff Recharge Trench)	445	LF	\$20.00	\$8,900
Additional Signs	0	EA	\$100.00	\$0
Light Poles	7	EA	\$2,000.00	\$14,000
Trees	51	EA	\$250.00	\$12,750
Other Landscaping	1	LS	\$5,000.00	\$5,000
Private Utilities	1	LS	\$5,000.00	\$5,000
Lighting	1	LS	\$1,500.00	\$1,500
Pavement Markings	1	LS	\$300.00	\$300
6' White Vinyl Fence	96	LF	\$34.00	\$3,264
Cherokee Lane Improvements	1	LS	\$3,000.00	\$3,000
2 year Snow Plowing	578	LF/YR	\$2.50	\$2,890
2 year Road Maintenance	578	LF/YR	\$2.00	\$2,312
2 year Drainage Maintenance	578	LF/YR	\$2.00	\$2,312
As-built Plans	578	LF	\$5.00	\$2,890
Legal Services	1	LS	\$3,000.00	\$3,000
Subtotal				\$13,404
Contingency (25%)				\$3,351
Recommended Bond Value				\$16,755

Notes:

1. Items in gray have been completed to date. Subtotal reflects total of all other items.



February 13, 2018
Medway Planning & Economic Development Board
Meeting

Correspondence

- Email dated 2-8-18 from John Shea at Needham Bank re: Applegate Subdivision

Susan Affleck-Childs

From: John T. Shea <jshea@NeedhamBank.com>
Sent: Thursday, February 08, 2018 2:37 PM
To: Susan Affleck-Childs
Subject: RE: Applegate Subdivision

Susy,

Sorry for the delay in response. Yes, Bill Rodenhiser is the GC that the Bank is utilizing to review the Applegate roadway situation and advise us. Bill will bring in others as needed and I do believe he's asked for some assistance from the other two folks you list below. However, these other resources are at Bill's discretion and he may rely on and utilize those folks or others as he sees fit. Please respond to and work with Bill as needed for this situation.

Regarding the updated inspection report, yes, please re-engage Tetra Tech to update the punch list and provide preliminary pricing for any items remaining. Again, please keep Bill Rodenhiser informed as you go and he will make sure the Bank is updated as needed. Obviously, Mr. Costello must always be kept abreast of all activities and results given that he is the developer and responsible party.

If you have any questions or need any clarifications please let me know at your convenience.

Best regards,

John T. Shea | FVP Managed Assets Group Leader | P: 781-474-5862 | F: 781-474-5957

Needham Bank | 1063 Great Plain Avenue, Needham, MA 02492

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Friday, February 02, 2018 12:56 PM
To: John T. Shea
Subject: Applegate Subdivision

External Email: The e-mail below is from an external source and did not originate from Needham Bank.

Hi John,

I am writing to follow-up on our telephone conversation of yesterday regarding the Applegate Subdivision in Medway. You stated that contractor William Rodenhiser, attorney Peter Barbieri, and civil engineer Rick Grady are all involved with Needham Bank to work toward the completion of the subdivision.

You indicated it would be helpful to the Bank and your consultants to have an updated inspection report, punch list, and bond estimate for the work remaining at Applegate. The Planning and Economic Development Board will direct Tetra Tech, the Town's engineering consultant, to carry out that work. Tetra Tech has been involved in conducting the ongoing infrastructure inspections throughout the subdivision's construction. The funds for that cost will be paid from the Applegate Construction Services Account which presently has a balance of around \$7,200.

If the above is your understanding, kindly send me a confirmatory email. Upon receipt, we will authorize Tetra Tech to undertake the above noted work which we will share with both Mr. Costello and you.

Best regards,

Susy Affleck-Childs

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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

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February 13, 2018
Medway Planning & Economic Development Board
Meeting

Construction Reports

- Exelon Expansion – Monthly Construction Report (1-31-18)

Susan Affleck-Childs

From: Rodgers, Mark J:(BSC) <Mark.Rodgers@exeloncorp.com>
Sent: Wednesday, January 31, 2018 4:36 PM
To: Rodgers, Mark J:(BSC)
Subject: Monthly Construction Update; Exelon Generation Medway Peaker Project

Exelon Generation Medway Peaker Project: Monthly Construction Update, 1/29/18

Recent construction and site activities have included:

- Foundation framing and pouring for turbines, acoustic walls, transformers, and water tanks are in progress in the central portion of the site.
- A new crane has been mobilized to the center of the site to move heavy equipment.
- Steel framing for Administrative Building is complete and siding and roofing are now in progress.
- Installation of fire protection water piping and wastewater piping are in progress around the perimeter of the site, as well as various utility piping throughout the site interior.
- The expansion of the laydown area in the western portion of the site has been constructed according to the approved plans, and is actively in use in accordance with requirements.
- Electric utility installation is in progress at the Metering & Regulating Station to connect to the adjacent existing transformer.
- Concrete washout station in the central portion of the site is being routinely monitored and maintained as needed.
- Various soil stockpiles are actively stabilized via tarps and seeding where necessary and appear to be frozen.
- Silt fences, straw bales, and straw wattles are being routinely monitored and maintained as needed.
- Silt sacks in the catch basins in Summer Street are being routinely monitored and maintained as needed.
- 24/7 security details remain in place at site entrance.



Aerial view facing north. Steel framing for the Administrative Building is complete. Concrete pouring for the water tank foundation (left of Administrative Building) is in progress.



View facing south. A new crane has been mobilized to move heavy equipment in the central portion of the site. Concrete pours continue for heat exchanger piers, foundations, acoustic walls, transformers, and water tanks.



View facing west. Construction within the 115kv switchyard adjacent to Eversource's substation continues. The copper grounding wire grid has been installed throughout the switchyard.

Construction updates are also posted to our project website: www.medwayenergy.com.

Please note, you are receiving this because you signed up to receive our monthly construction updates. If you wish to no longer receive these emails, please reply and write Unsubscribe in the subject line.

Thank you for your interest in our project. If you ever have any questions, concerns, or complaints, we have a 24x7 hotline you can call: 508-321-7311. We respond to all calls within 24 hours. Alternatively, you can use our online contact form, we also respond to those inquiries within 24 hours, that link is:
<http://www.medwayenergy.com/submit-project-construction-message/>

You can also feel free to reach out directly to me at the contact information below.

Thank you.

Best,

Mark

Mark Rodgers



Manager, Generation Communications – NE Region

617-699-6327

mark.rodgers@exeloncorp.com

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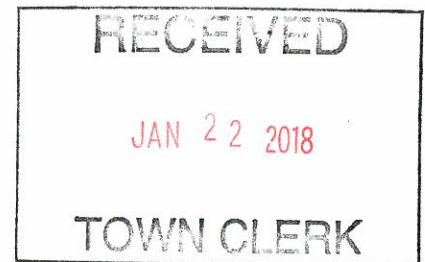


February 13, 2018
Medway Planning & Economic Development Board
Meeting

PUBLIC HEARING

Town Line Estate Definitive Subdivision Plan

- Public Hearing Notice
- Subdivision Application
- Development Impact Report
- Requests for Waivers of Subdivision Rules and Regulations
- Town Line Estate Definitive Plan, by L.A.L. Engineering and Continental Land Survey, dated 12-12-17
- Tetra Tech review letter dated 2-8-18
- PGC review letter dated 2-6-18
- Review comments from Conservation Agent Bridget Graziano, dated 1-24-18
- Review comments from Fire Chief Jeff Lynch dated 6-19-17



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

January 22, 2018

Town Line Estate Definitive Subdivision Plan
22 Populatic Street
NOTICE OF PUBLIC HEARING – February 13, 2018

In accordance with the provisions of Chapter 41, Section 81A – 81GG, Massachusetts General Laws and the Medway Planning Board's *Rules and Regulations for the Review and Approval of Land Subdivisions*, notice is given that the ***Medway Planning and Economic Development Board will conduct a Public Hearing on Tuesday, February 13, 2018 at 7:40 p.m. at Medway Town Hall, 155 Village Street, Medway, MA to consider the application of Robert and Lisa Lapinsky of Worcester, MA for approval of a definitive subdivision plan for Town Line Estate at 22 Populatic Street.***

Owned by Robert, Ronald and Richard Wasnewski of Medway, MA, the 2.92 acre parcel (*Medway Assessors Map 71, Parcel 20*) is located in the Agricultural Residential II zoning district. It is bounded by properties on Populatic and Walker Streets owned by Mendes, Hadden, Freddo, Johnson and Cranshaw.

The *Town Line Estate Permanent Private Way Definitive Subdivision Plan* is dated December 12, 2017 and was prepared by L.A.L. Engineering Group of Millis, MA and Continental Land Surveying, LLC of Franklin, MA. The plan shows the division of the subject property into two residential lots, one with frontage on Populatic Street with the existing house and the construction of an approximately 240' foot long, 18' wide permanent private roadway to create legal frontage for the back lot. The property is located in the Groundwater Protection District. This proposal is for a "by right" use in this zoning district.

The application, proposed subdivision plan, stormwater report, and other supporting documents were filed with the Town on January 3, 2018, and are on file with the Medway Town Clerk and the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours, Monday - Thursday from 7:30 a.m. to 4:30 p.m. and Fridays from 7:30 a.m. to 12:30 p.m. The site plan and application documents will be available for viewing at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/recent-development-applications>.

Interested persons or parties are invited to review the plan, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be forwarded to planningboard@townofmedway.org. All comments will be entered into the record during the public hearing. Questions should be directed to the Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser, Chairman

To be published in the *Milford Daily News*:

Tuesday, January 30, 2018

Monday, February 5, 2018

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, Department of Public Services, Treasurer/Collector.

LAND SUBDIVISION – FORM C

RECEIVED

Application for Approval of a Definitive Subdivision Plan

Planning & Economic Development Board - Town of Medway, MA

JAN 22 2018

INSTRUCTIONS TO APPLICANT/OWNER

TOWN CLERK

This Application is made pursuant to the Medway Subdivision Rules and Regulations. Please complete this entire Application. Submit three signed originals of the Application, one copy of the Definitive Plan, one copy of the Traffic Study (if applicable) and one copy of the Development Impact Report to the Town Clerk who will date stamp all three original Applications. Submit two signed original Applications, one copy of the Definitive Plan and one set of Soil Survey, Percolation and High Groundwater Tests to the Board of Health, which will date stamp the two original Applications. Provide one original Application date stamped by the Town Clerk and Board of Health, eighteen copies of the Definitive Subdivision Plan, all other required documents and the appropriate Definitive Subdivision Plan Filing Fee and advance of the Plan Review Fee to the Medway Planning & Economic Development office.

The Town's Planning and Engineering Consultants will review the Application and Definitive Subdivision Plan. You 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 meetings may result in a delay in reviewing and acting on the application.

December 20, 2017

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

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

DEFINITIVE SUBDIVISION PLAN INFORMATION

Title of Plan: Town Line Estate

Prepared by: Jeffrey Kane/Clifford Carlson, P.E.

Of: L.A.L. Engineering Group

Plan Date: December 12, 2017

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

If filed, the date of filing of the Preliminary Subdivision Plan was: 4/20/17

Date when the Preliminary Subdivision Plan was reviewed by the Board: 5/9/17

The Preliminary Subdivision Plan was:

 discussed

 approved as presented

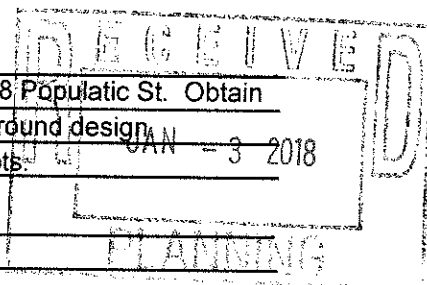
X approved with the following modifications/conditions:

Provide 1' strip of land between new ROW and existing lot at #18 Populatic St. Obtain

FD approval on waivers regarding hydrant, fire alarm, and turnaround design

Investigate providing "No Cut" tree buffer at rear of Walker St Lots

 disapproved for the following reasons: _____



PROPERTY INFORMATION

Location Address: 22 Populatic Street

The land shown on the plan is shown on Medway Assessor's Map 71 Parcel # 020

Total Acreage of Land to be Divided: 2.92 Acres

General Description of Property: Single-Family Home Parcel. Residence is located at the front portion of the parcel, fronting on Populatic St. Parcel consists of lawn/driveway at the front section and woods toward the center and rear of the lot.

Medway Zoning District Classification: Agricultural Residential II (AR-II)

Frontage Requirement: 150' Area Requirement: 22, 500 s.f.

Scenic Road

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

X Yes No If yes, please name: Populatic St

Wetlands

Is any portion of the site within a Wetland Resource Area?

Yes X No

Groundwater Protection

Is any portion of the site within a Groundwater Protection Overlay District?

 X Yes No

Flood Plain/Wetland Protection District

Is any portion of the site within the Flood Plain/Wetland Protection Overlay District?

Yes ☒ No ☐

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

SUBDIVISION INFORMATION

Subdivision Name: Town Line Estate

This is a: X Residential Subdivision Non-Residential Subdivision

The plan shows the division of land into 2 building lots numbered Lot 1 & Lot2 and 1 parcels not intended for building thereon.

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

Populatic Street _____ as frontage for lot(s) _____ Lot 1

_____ as frontage for lot(s) _____

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

Bunny Lane _____ as frontage for lot(s) Lot 2

_____ as frontage for lot(s) _____

Total Length of Proposed New Roadway(s): 260'

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

☐ Public ☒ Permanent Private Way

Proposed Utilities:

☒ water ☐ well
☐ sewer ☒ septic

APPLICANT INFORMATION

Applicant's Name: Robert & Lisa Lapinsky

Applicant's Address: 62 Allston Ave.
Worcester, Ma 01604

Name of Primary Contact: Robert Lapinsky

Telephone: (508) 533-7450

FAX: _____

Email address: RLapinsky@gmail.com

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

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner Name: Robert, Ronald & Richard Wasnewski

Address: 22 Populatic St.
Medway, Ma 02053

Primary Contact: Richard Wasnewski

Telephone: (508) 543-7450

FAX: _____

Email: jedbos954@gmail.com

CONSULTANT INFORMATION

ENGINEER: L.A.L. Engineering Group

Address: 730 Main St- Suite 1F
Millis, Ma 02054

Primary Contact: Jeffrey Kane

Telephone: (781) 248-1133

Fax: _____

Email: Jeff.Kane1@verizon.net

SURVEYOR: Continetal Land Survey, LLC

Address: 105 Beaver St
Franklin, Ma 02038

Primary Contact: Christopher C. Charlton

Telephone: (508) 528-2528

Fax: _____

Email: survey@clsurveyma.com

OFFICIAL REPRESENTATIVE INFORMATIONName: L.A.L. Engineering GroupAddress: 730 Main St. - Suite 1F
Millis, Ma 02054Primary Contact: Jeffrey KaneTelephone: (781) 248-1133

Fax: _____

Email: Jeff.kane1@verizon.net**SIGNATURES**

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

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

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

Richard K. Wassenaar
Signature of Property Owner

12/13/17
Date

[Signature]
Signature of Applicant (if other than Property Owner)

12/13/17
Date

Jeffrey Kane L.A.L. Engineering
Signature of Agent/Official Representative

12/14/17
Date

DEFINITIVE SUBDIVISION PLAN FEES

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

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

Fee Schedule Approved - 11-9-06

FOR PED OFFICE USE ONLY:

Date Form C and Definitive Subdivision Plan Recvd by Medway PED office: 1-3-2018

Definitive Subdivision Plan Filing Fee Paid:

Amount: \$3,500- Check # 1148

Advance on Plan Review Fee Paid:

Amount: 2,500 Check # 1149

Date Form C & Definitive Subdivision Plan
Received by Town Clerk

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

DEFINITIVE SUBDIVISION PLAN SUBMITTAL DOCUMENTS CHECKLIST

Town Clerk

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

Board of Health

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

Planning & Economic Development Board

- _____ One (1) signed Original Definitive Plan Application – Form C
(*Date Stamped by Town Clerk & Board of Health*)
- _____ Eight (8) full size Copies of Definitive Subdivision Plan prepared in accordance with Section 5.6 and 5.7 of the *Subdivision Rules and Regulations*
- _____ PDF version of Definitive Subdivision Plan (*please email or provide a disk*)
- _____ Designer's Certificate – Form D
- _____ Certified Abutters List – Form E
- _____ Development Impact Report - Form F
- _____ Request for Waivers of *Subdivision Rules and Regulations*. Use Form Q.
- _____ Two (2) copies of Stormwater Management Analysis prepared in accordance with Section 5.5.9 of the *Subdivision Rules and Regulations*
- _____ Two (2) copies of the Long Term Operation and Maintenance Plan for drainage and stormwater management facilities.
- _____ Two (2) copies of Soil Survey, Percolation and High Groundwater Tests prepared in accordance with Section 5.5.10 of the *Subdivision Rules and Regulations*
- _____ Two (2) copies of a Traffic Study (*for subdivisions with 20 or more dwelling units*) prepared in accordance with Section 5.5.12 of the *Subdivision Rules and Regulations*
- _____ Sight Distance Computations for all proposed new intersections
- _____ ANRAD Determination from Medway Conservation Commission
- _____ Proof of existing or pending ownership of all land within the proposed subdivision
- _____ Definitive Subdivision Plan Filing Fee (\$2,500 plus \$2.50/linear foot of street centerline proposed) – Payable to Town of Medway
- _____ Advance of Plan Review Fee (\$2,500) – Payable to Town of Medway

LAND SUBDIVISION - FORM F

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

OVERVIEW

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

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

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

12/17/17

Date

1. Name of Proposed Subdivision: Town Line Estate
2. Location: 22 Populatic Street
3. Name of Applicant (s): Robert & Lisa Lapinsky
4. Brief Description of the Proposed Project: Two (2) Lot Residential Subdivision of
an existing 2.92 Ac. Parcel. Project will retain the existing Single-family home and add one (1)
Buildable Lot with private access drive.

-
5. Name of Individual Preparing this DIR Clifford Carlson, P.E.
- Address: 80 Woburn St, Andover, Ma Phone: (978) 390-1163

Professional Credentials: P.E. Reg. # 28343

SITE DESCRIPTION6. Total Site Acreage: 2.92

Approximate Acreage	At Present	After Completion
Meadow/brushland (<i>non-agricultural</i>)		
Forested	2.22	1.09
Agricultural (<i>includes orchards, croplands, pasture</i>)		
Wetlands		
Water Surface Area		
Flood Plain		
Unvegetated (<i>rock, earth or fill</i>)		
Roads, buildings and other impervious surfaces	0.07	0.33
Other (<i>indicate type</i>) Lawn/Yard	0.63	1.50
TOTAL	2.92	2.92

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

Uses	Percentage
Industrial	
Commercial	
Residential	100
Forest	
Agricultural	
Other (specify)	

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

Zoning District	Percentage
Agricultural-Residential II (AR-II)	100

9. Predominant soil type(s) on the site: Hinckley Sandy Loam & Windsor Loamy Sand**Soil Drainage***(Use the U.S. Soil Conservation Service's definition)*

Soil Type	% of Site
Well drained	100
Moderately well drained	
Poorly drained	

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

If yes, specify: _____

11. Approximate percentage of proposed site with slopes between:

Slope	% of Site
0 – 10%	66
10 – 15%	18
Greater than 15%	16

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

Zone(s) 2

Proximity to a public well: 440' feet

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

If yes, specify: _____

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

☐ Yes ☒ No

If yes, specify: _____

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please specify: _____

F-3

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please describe: _____

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

If yes, please describe: _____

CIRCULATION

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

Average weekday traffic	10 Vehicle Trips
Average peak hour volumes – morning	1.35 (Enter & Exit)
Average peak hour volumes - evening	1.70 (Enter & Exit)

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

Please specify: Populatic Street

26. Existing intersection(s) within 1000 feet of any access to the proposed development. Please specify intersection names: Water St. & Populatic St., Populatic St.

& Walker St., Pearl St. & Walker St.

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

No Existing Sidewalk within 1000' of Proposed Slte

28. Location of proposed sidewalks and their connection to existing sidewalks:
No Sidewalks are Proposed for the Slte

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

X Yes No

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

Yes X No

If yes, please describe: The Proposed Lot 2 is bounded on the South side
by an undeveloped parcel associated with a power line easement.

If no, please explain why: _____

UTILITIES AND MUNICIPAL SERVICES

30. What is the total number of dwelling units proposed? 2

31. What is the total number of bedrooms in the proposed subdivision? 7

32. Stormwater Management

A. Describe the nature, location and surface water body receiving current surface water of the site: Existing site has no surface stormwater outlet
and, subsequently, no reciving water of surface water body.

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

The existing stormwater pattern shows the site low point acting as an infiltration basin for all portions of the site and some surrounding areas. The proposed stormwater pattern will mimic/retain this feature. Stormwater from the proposed road will be conveyed through roadside grass swales and maintain the infiltration/groundwater recharge that exists today. The proposed runoff will meet the quality as outlined in the 2008 Ma DEP Stormwater Policy.

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

33. Please estimate the response time of the Fire Department to this site:
(Please consult with the Fire Department): _____ < 4 min

34. Schools

- A. Projected number of new school age children: _____ 2

- B. Distance to nearest elementary school: _____ 5,000'

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

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

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

Measures to Mitigate Impacts

Form F -35-55

35. Maximize stormwater infiltration and groundwater recharge

The sandy nature of the on-site soils promotes the maximization of on-site infiltration. The site has no current discharge of stormwater run-off; all runoff is retained on site and infiltrated at the site low point. By retaining this infiltration area, and allowing no off-site stormwater discharge, stormwater infiltration and, sub sequentially, groundwater recharge will be maximized.

(See Attachment A)

36. Prevent surface and groundwater contamination

There is no discharge to surface waters proposed as part of this project. The project will be designed to meet the water quality requirements of the DEP 2008 Stormwater Policy. Stormwater runoff will be routed through a Best Management Practice (BMP) "treatment train" of Grass swales, check dams and infiltration.

37. Reduce detrimental impacts to water quality

The project will be designed to meet the water quality requirements of the DEP 2008 Stormwater Policy. Stormwater runoff will be routed through a Best Management Practice (BMP) treatment "train" of Grass swales, check dams and infiltration.

38. Maintain slope stability and prevent erosion

Erosion Control barrier will be installed at the toe of slope, adjacent to the on-site infiltration area to ensure infiltration integrity during construction. All disturbed areas will be seeded to prevent erosion and maintain long term stability.

39. Conserve energy

The proposed home associated with Lot 2 will be constructed under both the most current, 8th Edition, of the IBC Building Code, and the Board of Building Regulations and Standards (BBRS) Stretch Code as required by the Medway Building Department. The implementation of both codes will ensure the highest level of energy conservation.

40. Preserve wetlands

The National Wetland Inventory and Ma Department of Environmental Protection (DEP) mapping shows no wetland resource areas/Buffer zones within the project area. On Site review of the Parcel reveals there confirms are no wetland resource areas, no wetland Indicator plants and no hydric soils (project Low Point).

(See Attachment B)

41. Preserve wildlife habitats, outstanding ecological or botanical features

To ensure minimize land disturbance, and subsequent protection of habitats and ecological features, the proposed subdivision utilizes a reduced width roadway, designed to be the minimum design width (18') allowed under Medway Regulations, that is designed to follow the existing site topography and by maximizing the land allotted to the one (1) new lot proposed lot. Under the zoning dimensional regulations for this area (AR-II), 22,500 s.f. lot sizes are allowed; by providing only one (1) new 1.7 Acres (71,880 s.f.) lot, the land disturbances and development density are minimized.

This combination of minimized roadway width and large single-family lot area provides for minimal impacts to the existing land/habitat and, furthermore, the development will prevent the use of the area for any future, more dense, development that would necessitate more land disturbance.

42. Protect scenic views

By combining a low density, one-lot development with a minimal width roadway designed to match the existing land topography, all existing scenic views will be maintained.

43. Retain natural landscape features

The proposed subdivision utilizes a reduced width roadway, designed to be the minimum design width (18') allowed under Medway Regulations, that is designed to follow the existing site topography and by maximizing the land allotted to the one (1) new lot proposed lot. Under the zoning dimensional regulations for this area (AR-II), 22,500 s.f. lot sizes are allowed; by providing only one (1) new 1.7 Acres (71,880 s.f.) lot, the land disturbances and development density are minimized.

This combination of minimized roadway width and large single-family lot area provides for minimal impacts to the existing land/habitat and, furthermore, the development will prevent the use of the area for any future, more dense, development that would necessitate more land disturbance.

44. Design street layouts to facilitate southern orientation of houses

The proposed limited (260') street length provides for a large usable lot size (1.7 Acres) which, in turn, allows for the proposed home to be situated with a southern orientation.

45. Use curvilinear street patterns

The proposed roadway has a curvilinear design.

46. Promote pedestrian and bicycle access and safety

Pedestrian and bicycle access will be minimal due to only one (1) new lot being located on the proposed roadway and the roadway being a dead end private road. The roadway does meet the design requirements of Section 5.2.5 of the Mass DOT Design manual for Shared Accommodation roadways where *"the traffic volumes and vehicle speeds will be low enough, now and in the future, so that all pedestrians can comfortably use the street"*.

The roadway width (18') can safely allow the passage of vehicles and pedestrians based on the anticipated traffic volume of 10 weekday trips (per ITE Trip Generation Manual) for the one (1) residential lot.

47. Reduce the number of mature trees to be removed

By utilizing the narrowest allowable roadway (18') with no sidewalks, incorporating an existing roadside swale, and associated on site infiltrating "valley" drainage area, along with utilizing a "Hammerhead" turn around as opposed to a paved cul-de-sac, mature tree removal will be kept to a minimum.

48. Provide green belt/buffer areas

Unutilized areas within the proposed Right-of-Way will be left in a natural state; street trees will be added to provide additional greenery to areas between street line and residential lots. The proposed lot size far exceeds the minimum allowed lot size and will result in retaining a significant portion of on lot trees between abutting lots.

49. Preserve historically important structures and features on the site

N/A.

No historic structures or features located on site.

50. Retain natural valley flood storage areas

The current owners of the property have mentioned the site was used for gravel mining previous to its transformation to residential in 1961. The National Resource and Conservation Service (NRCS) mapping confirms the presence to "Excessively Drained" Windsor and Hinckley type soils. The site contains a "valley" type feature located to the rear of the existing house and adjacent to the proposed roadway. This "valley" low point serves as an infiltration area and will be retained and utilized under the proposed design.

51. Minimize the extent of waterways altered or relocated

N/A.

No waterways exist on site.

52. Reduce the volume of cut and fill

The proposed roadway is designed to mirror the existing on site slopes to ensure a natural integration into the landscape and minimization of cut and fills.

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

Man-made elements will be limited to horizontal roadway features such as Bituminous Concrete roadway, water gate valves and electric handholes. These elements do not present a visual prominence. There will be no man-made vertical (prominent) visual elements beyond the street sign.

54. Minimize municipal maintenance frequency and costs

The roadway is proposed to be a Permanent Private Way. All Maintenance costs will be the responsibility of the owner of Lot 2.

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

Though the project will not reduce the number of driveway openings onto Populatic St., the project proposes only one (1) new egress. St. The length of Populatic St from Walker St to the Franklin Town Line is approximately 1700'. Along that length there are only 13 existing driveway opening on to the roadway. The addition of one (1) additional opening onto Populatic St., which will service only one home, will not change the low density driveway egress character of this roadway.

Attachment A
Soils Data

Hydrologic Soil Group—Norfolk and Suffolk Counties, Massachusetts (22 Populatic St)



Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Norfolk and Suffolk Counties, Massachusetts (MA616)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
245C	Hinckley loamy sand, 8 to 15 percent slopes	A	1.7	61.9%
255B	Windsor loamy sand, 3 to 8 percent slopes	A	1.1	38.1%
Totals for Area of Interest			2.8	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

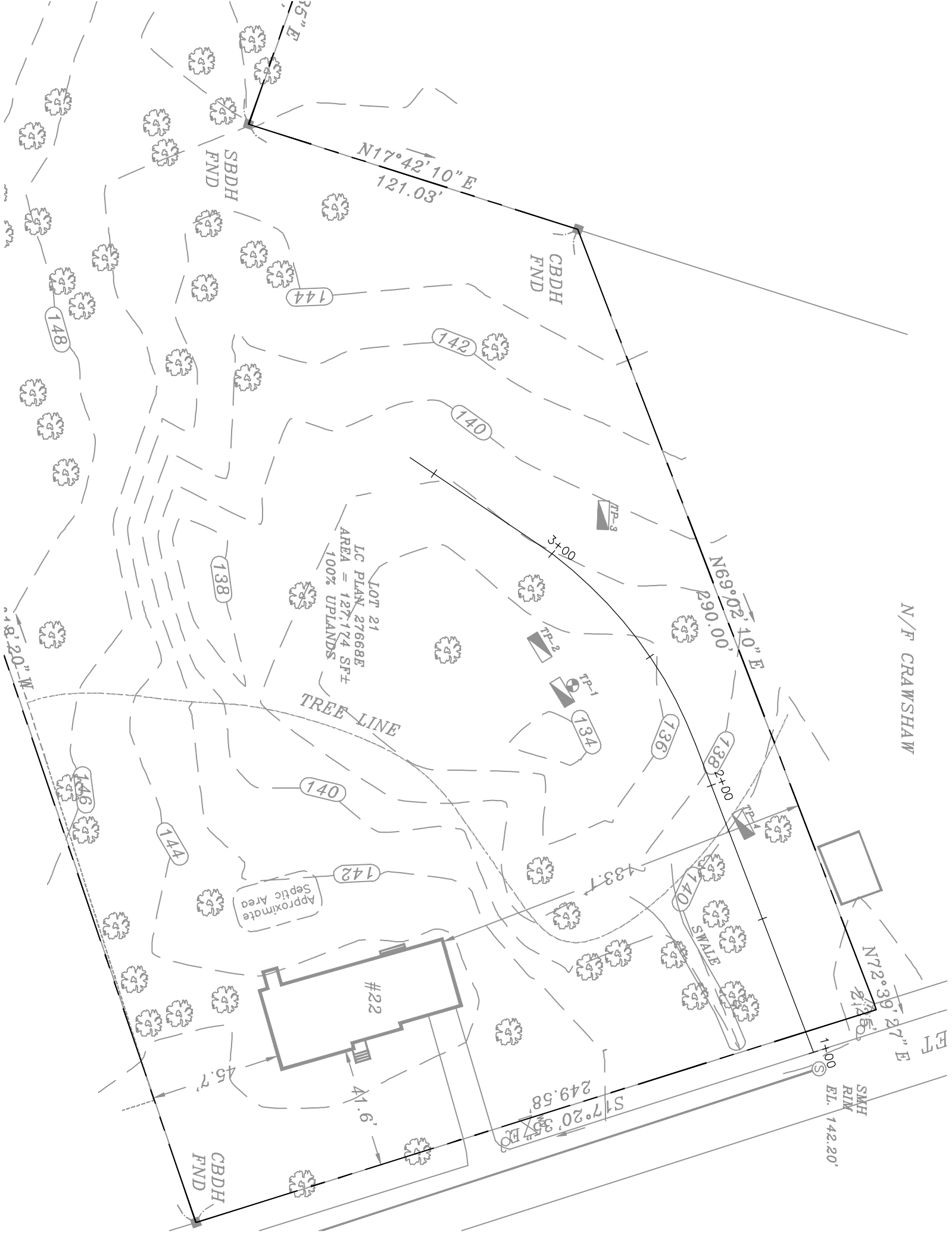
Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.





Commonwealth of Massachusetts
City/Town of

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

A. Facility Information

Owner Name
WASNEWSKI

Street Address
22 POPULAT ST

City
MEDWAY

State
MA

Map/Lot #
02053

Zip Code

B. Site Information

- (Check one) ☒ New Construction ☐ Upgrade ☐ Repair
- Soil Survey Available? ☐ Yes ☐ No
If yes: Source RAPID PERC Soil Map Unit
Soil Limitations DRUMUN
- Geologic/Parent Material OUTWASH
Surficial Geological Report Available? ☒ Yes ☐ No
Landform NRC3 Publication Scale 1:2500 Map Unit HAD
- Flood Rate Insurance Map
Above the 500-year flood boundary? ☒ Yes ☐ No
If Yes, continue to #5. Within the 100-year flood boundary? ☐ Yes ☒ No
- Within a velocity zone? ☐ Yes ☒ No
- Within a Mapped Wetland Area? ☐ Yes ☒ No
- Current Water Resource Conditions (USGS):
MassGIS Wetland Data Layer:
Range: ☐ Above Normal ☒ Normal ☐ Below Normal
- Other references reviewed: _____



Commonwealth of Massachusetts

City/Town of

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (minimum of two holes required at every proposed primary and reserve disposal area)

Deep Observation Hole Number: 1 Date: 6/19/17 Time: 8:30 AM Weather: Clear 80°

1. Location

Ground Elevation at Surface of Hole: 134.5' feet Latitude/Longitude: /

Description of Location: SITE LOW POINT - PROPOSED INFILTRATION

2. Land Use

WOODLAND

(e.g., woodland, agricultural field, vacant lot, etc.)

NONE

Surface Stones (e.g., cobbles, stones, boulders, etc.)

TS

2

Slope (%)

Vegetation

Open Water Body

feet

80'±

feet

Drainage Way

feet

Wetlands

Other

feet

500'±

feet

Position on Landscape (SU, SH, BS, FS, TS)

4. Parent Material:

OUTWASH

Drinking Water Well

feet

Unsuitable Materials Present:

☐ Yes

☒ No

If Yes:

☐ Disturbed Soil

☐ Fill Material

☐ Impervious Layer(s)

☐ Weathered/Fractured Rock

☐ Bedrock

5. Groundwater Observed:

☐ Yes

☒ No

If yes:

Depth Weeping from Pit

Depth Standing Water in Hole

Estimated Depth to High Groundwater:

31"

121.9'

elevation

inches



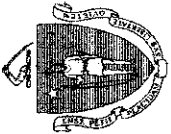
Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (continued)

Deep Observation Hole Number: 1

Depth (In.)	Soil Horizon/ Layer	Soil Matrix: Color- Moist (Munsell)	Redoximorphic Features			Soil Texture (USDA)	Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
			Depth	Color	Percent		Gravel	Cobbles & Stones			
0-11	Ap	10YR 2/2				LOAMY SAND			GRANULAR		
11-17	Bw	10YR 6/2				SAND			MASSIVE	FRAGILE	
17-78	C	2.5Y 8/2	31	2.5Y 6/6	6	FINE SAND			MASSIVE	LOOSE	

Additional Notes:



Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (minimum of two holes required at every proposed primary and reserve disposal area)

Deep Observation Hole Number: 2 Date: 6/19/17 Time: 8:50 AM Weather: CLEAR

1. Location

Ground Elevation at Surface of Hole: 1350 ± feet Latitude/Longitude: /

Description of Location: SITE LOW POINT - PROPOSED INFILTRATION

2. Land Use

WOODLAND
(e.g., woodland, agricultural field, vacant lot, etc.)

DRUM
Surface Stones (e.g., cobbles, stones, boulders, etc.)

NO
Slope (%)

Vegetation

Distances from: Open Water Body

80 feet

Property Line

80 feet

Landform

Drainage Way

Wetlands

Other

Position on Landscape (SU, SH, BS, FS, TS)

500 ± feet

500 ± feet

4. Parent Material:

Unsuitable Materials Present: ☐ Yes ☒ No

If Yes:

☐ Disturbed Soil

☐ Fill Material

☐ Impervious Layer(s)

☐ Weathered/Fractured Rock

☐ Bedrock

5. Groundwater Observed:

☐ Yes

☒ No

If yes:

Estimated Depth to High Groundwater: 36" inches

Depth Weeping from Pit: 132.0' elevation

Depth Standing Water in Hole



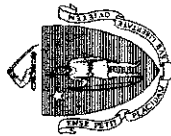
Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (continued)

Deep Observation Hole Number: 2

Depth (In.)	Soil Horizon/ Layer	Soil Matrix: Color- Moist (Munsell)	Redoximorphic Features			Soil Texture (USDA)	Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
			Depth	Color	Percent		Gravel	Cobbles & Stones			
0-10	Ap	10YR 2/2				LOAMY SAND			GRANULAR		
10-16	B _w					SAND			MASSIVE	FRAYED	
16-79	C	2.5Y 8/2	36		6	FINE SAND			MASSIVE	LOOSE	

Additional Notes:



Commonwealth of Massachusetts
City/Town of

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (minimum of two holes required at every proposed primary and reserve disposal area)

Deep Observation Hole Number: 3 Date: 6/19/17 Time: 9:00 AM Weather: CLEAR 80°

1. Location

Ground Elevation at Surface of Hole: 139.5' feet Latitude/Longitude: 1

Description of Location: PROPOSED ROAD

2. Land Use

WOODLAND
(e.g., woodland, agricultural field, vacant lot, etc.)

NONE

Surface Stones (e.g., cobbles, stones, boulders, etc.)

5

Slope (%)

Vegetation

DRUMLIN
Landform

Position on Landscape (SU, SH, BS, FS, TS)

500'

feet

3. Distances from:

Open Water Body

25

feet

Drainage Way

Wetlands

feet

Other

500'

feet

Property Line

25

feet

Drinking Water Well

Other

feet

500'

feet

4. Parent Material:

OUTWASH

Unsuitable Materials Present: ☐ Yes ☒ No

If Yes:

☐ Disturbed Soil

☐ Fill Material

☐ Impervious Layer(s)

☐ Weathered/Fractured Rock

☐ Bedrock

5. Groundwater Observed:

☐ Yes

☒ No

If yes:

Depth Weeping from Pit

Depth Standing Water in Hole

Estimated Depth to High Groundwater:

67

inches

133.9'

elevation



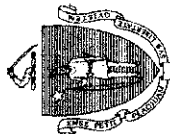
Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (continued)

Deep Observation Hole Number: 3

Depth (in.)	Soil Horizon/ Layer	Soil Matrix: Color- Moist (Munsell)	Redoximorphic Features			Soil Texture (USDA)	Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
			Depth	Color	Percent		Gravel	Cobbles & Stones			
0-15	Ap	10YR 3/4				SANDY LOAM			GRANULAR	FRAGILE	
15-43	Bw	2.5Y 6/4				LOAMY SAND			MASSIVE	LOOSE	
43-77	C	2.5Y 6/2	67	10YR 5/8	10	MED SAND	15	5	MASSIVE	LOOSE	

Additional Notes:



Commonwealth of Massachusetts
City/Town of

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (continued)

Deep Observation Hole Number: 4 Date: 6/19/17 Time: 9:30 AM Weather: Clear-80°

1. Location

Ground Elevation at Surface of Hole: 140.0' feet Latitude/Longitude: /

2. Land Use LAWN Surface Stones (e.g., cobbles, stones, boulders, etc.) NONE Slope (%) 4
(e.g., woodland, agricultural field, vacant lot, etc.)

3. Distances from: Vegetation Landform
Open Water Body Drainage Way Position on Landscape (SU, SH, BS, FS, Wetlands 450± feet
Property Line 30 feet Drinking Water Well Other feet
feet feet

4. Parent Material: OUTWASH Unsuitable Materials Present: ☐ Yes ☒ No

If Yes: ☐ Disturbed Soil ☐ Fill Material ☐ Impervious Layer(s) ☐ Weathered/Fractured Rock ☐ Bedrock

5. Groundwater Observed: ☐ Yes ☒ No If yes: Depth Weeping from Pit <133.5' Depth Standing Water in Hole

Estimated Depth to High Groundwater: > 78" inches elevation



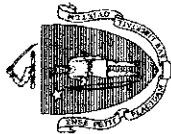
Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

C. On-Site Review (continued)

Deep Observation Hole Number: 4

Depth (in.)	Soil Horizon/ Layer	Soil Matrix: Color- Moist (Munsell)	Redoximorphic Features			Soil Texture (USDA)	Coarse Fragments % by Volume		Soil Structure	Soil Consistence (Moist)	Other
			Depth	Color	Percent		Gravel	Cobbles & Stones			
0-18	Ap	10 YR 3/4				SANDY LOAM					
18-42	Bw	2.5 Y 4/2				LOAMY SAND	15	10	GRANULAR	LOOSE	
42-78	C	10 YR 5/3				MED SAND	20	15	GRANULAR	LOOSE	

Additional Notes:



Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

D. Determination of High Groundwater Elevation

1. Method Used:

- ☐ Depth observed standing water in observation hole
- ☐ Depth weeping from side of observation hole
- ☒ Depth to soil redoximorphic features (mottles)
- ☐ Depth to adjusted seasonal high groundwater (S_h) (USGS methodology)

Obs. Hole #	Obs. Hole #
1	2
inches	inches
31	36
inches	inches
131.9'	132.0'
inches	inches

Index Well Number

Reading Date

$$S_h = S_c - [S_r \times (OW_c - OW_{max}) / OW_r]$$

Obs. Hole #	S_c	S_r	OW_c	OW_{max}	OW_r	S_h
Obs. Hole #	S_c	S_r	OW_c	OW_{max}	OW_r	S_h

E. Depth of Pervious Material

1. Depth of Naturally Occurring Pervious Material

- a. Does at least four feet of naturally occurring pervious material exist in all areas observed throughout the area proposed for the soil absorption system?

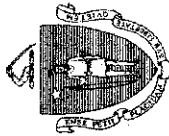
☐ Yes ☐ No

- b. If yes, at what depth was it observed?

Upper boundary: _____ inches
Lower boundary: _____ inches

- c. If no, at what depth was impervious material observed?

Upper boundary: _____ inches
Lower boundary: _____ inches



Commonwealth of Massachusetts
City/Town of

Form 11 - Soil Suitability Assessment for On-Site Sewage Disposal

F. Board of Health Witness

Name of Board of Health Witness

Board of Health

G. Soil Evaluator Certification

I certify that I am currently approved by the Department of Environmental Protection pursuant to 310 CMR 15.017 to conduct soil evaluations and that the above analysis has been performed by me consistent with the required training, expertise and experience described in 310 CMR 15.017. I further certify that the results of my soil evaluation, as indicated in the attached Soil Evaluation Form, are accurate and in accordance with 310 CMR 15.100 through 15.107.

Signature of Soil Evaluator

JEFFREY KANE #13275

Typed or Printed Name of Soil Evaluator / License #

Date

6/19/17

Expiration Date of License

6/30/19

Note: In accordance with 310 CMR 15.018(2) this form must be submitted to the approving authority within 60 days of the date of field testing, and to the designer and the property owner with Percolation Test Form 12.



Commonwealth of Massachusetts
City/Town of
Percolation Test
Form 12

Percolation test results must be submitted with the Soil Suitability Assessment for On-site Sewage Disposal. DEP has provided this form for use by local Boards of Health. Other forms may be used, but the information must be substantially the same as that provided here. Before using this form, check with the local Board of Health to determine the form they use.

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Site Information

Owner Name WASLEWSKI
Street Address or Lot # 22 POPULATIC ST
City/Town MEDWAY State MA Zip Code 02053
Contact Person (if different from Owner) _____ Telephone Number _____

B. Test Results

	Date <u>6/19/17</u>	Time	Date <u>6/19/17</u>	Time
Observation Hole #	<u>1</u>		<u>2</u>	
Depth of Perc	<u>18"</u>		<u>19"</u>	
Start Pre-Soak	<u>9:50 AM</u>		<u>10:15 AM</u>	
End Pre-Soak	<u>10:05 AM</u>		<u>10:30 AM</u>	
Time at 12"	<u>*</u>		<u>*</u>	
Time at 9"				
Time at 6"				
Time (9"-6")				
Rate (Min./Inch)	<u>< 2 min/in</u>		<u>< 2 min/in</u>	
Test Passed:	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Test Failed:	<input type="checkbox"/>		<input type="checkbox"/>	

Test Performed By: JEFF KANE SE#13275

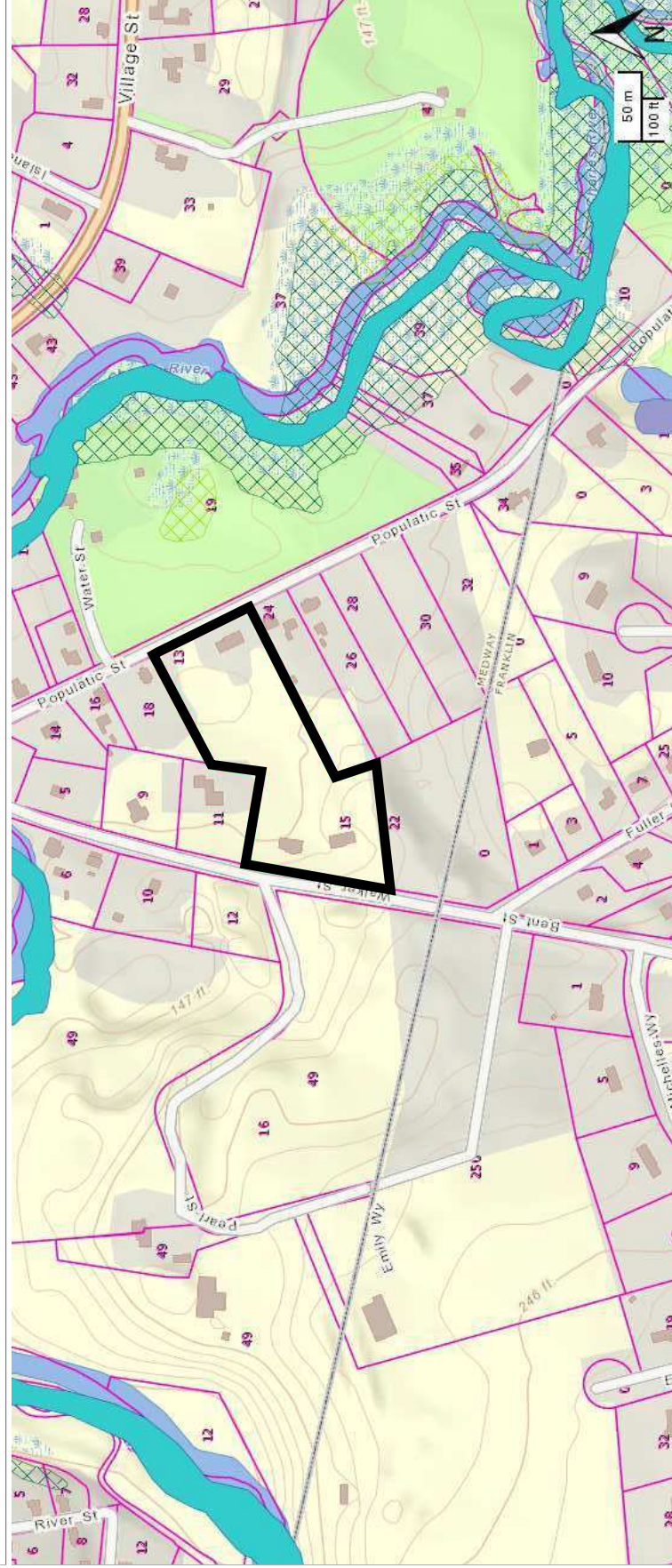
Board of Health Witness _____

Comments:

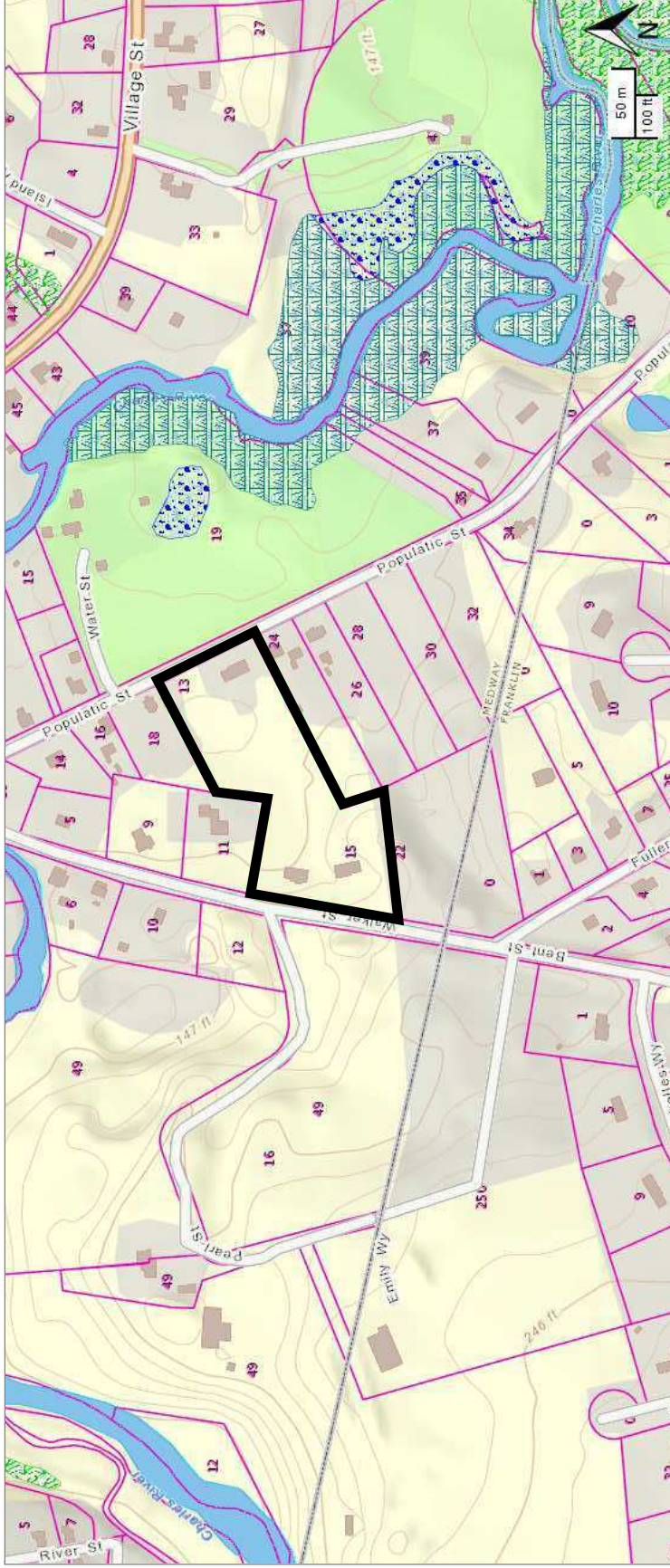
* > 24 GAL ADDED W/I.N 15 MIN

Attachment B
Wetland Data

National Wetland Inventory Wetlands



DEP Wetlands



- DEP Wetlands Detailed With Outlines
- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
- Barrier Beach-Salt Marsh
- Barrier Beach-Shrub Swamp
- Barrier Beach-Wooded Swamp Conifer
- Barrier Beach-Wooded Swamp Decid
- Bog
- Coastal Bank Bluff or Sea Cliff
- Coastal Beach
- Coastal Dune
- Cranberry Bog
- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees
- Tax Parcels for Query

Detailed Features

Tax Parcels

Structures

MassGIS Statewide Basemap
MassGIS Topographic Features Basemap

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

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.21 Streetlights
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	It shall be the responsibility of the developer to install street lighting within the subdivision at the entrance to the subdivision, at all intersections within the subdivision, sharp turns, or other areas where the Traffic Safety Officer deems...
What aspect of the Regulation do you propose be waived?	Request Waiver from required installation of streetlights at intersection of new road and Populatic St.
What do you propose instead?	Allow on Lot lighting per owner preference
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The road is, in essence, a driveway and the anticipated traffic emanating from this new road does not warrant a streetlight. Neither new/existing roadway have sidewalks. A streetlight would create light nuisance to abutters and take away from rural character of both roadways.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$4000
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?	Allow for the retention of the "Rural New England" character of the site by utilizing existing mature trees to function as street trees.
What is the impact on the development if this waiver is denied?	Increase in nuisance light pollution, loss of rural road character creation of 2nd buildable lot to offset cost.
What are the design alternatives to granting this waiver?	Providing a street light at the intersection of new road & Populatic St.
Why is granting this waiver in the Town's best interest?	Allow for the retention of the "Rural New England" character of the roadways, and prevents nuisance light pollution
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0. Privately maintained road.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Owner of the one (1) created lot will provide on site landscape lighting at driveway/road intersection.
What is the estimated value of the proposed mitigation measures?	\$2000.
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	Town line Estate	<div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED MAY 3 2018 PLANNING </div>
Property Location:	22 Populatic Street	
Type of Project/Permit:	Residential Subdivision - Permanent Private Way	
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.19.2 Trees and Slope Stabilization	
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	At least three (3) trees are to be located on each lot at approximately forty foot (40') intervals and shall be planted no more than twenty (20) feet from the right-of-way line.	
What aspect of the Regulation do you propose be waived?	Request Waiver from required installation of street trees.	
What do you propose instead?	Reduce road width to allow maximum # of existing mature trees to remain.	
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Using existing mature trees will allow retention of health woody growth. Planting new growth under the under story of the mature trees would be counter productive to new tree growth.	
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$2400	
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?	Allow for the retention of the "Rural New England" character of the site by utilizing existing mature trees to function as street trees.	
What is the impact on the development if this waiver is denied?	Some existing mature trees would be removed to allow successful placement of new trees.	
What are the design alternatives to granting this waiver?	Providing the required # of street trees.	
Why is granting this waiver in the Town's best interest?	Allow for the retention of the "Rural New England" character of the site by utilizing existing mature trees to function as street trees.	
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0. Privately maintained road.	
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Retaining the maximum # of mature trees as possible and providing "Rural New England" character for new roadway.	
What is the estimated value of the proposed mitigation measures?	\$0.	
Other Information?		
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group	
Date:		
Questions?? - Please contact the Medway PED office at 508-533-3291.		

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.17.1 Fire Prevention and Protection
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	A fire alarm system shall be installed in accordance with the specifications of and located as directed by the Medway Fire Department or a sum of money paid to the Town equal to the cost of installing a fire alarm system within the subdivision,
What aspect of the Regulation do you propose be waived?	Request Waiver from required installation of Fire Alarm system and sum of money
What do you propose instead?	Proposed home (1) will be protected by fire/smoke detectors per building code.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Per meeting with Medway Fire Department, fire alarm system installation is being "Phased out" by the Medway Fire department.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$3000
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?	Eliminating the fire alarm system in the roadway will meet the desired "phasing out" of the system installation as stated by the Medway Fire department.
What is the impact on the development if this waiver is denied?	The applicant will be faced with undue expense of installing a utility service that is being "Phased out" of use.
What are the design alternatives to granting this waiver?	Providing the required fire alarm service & apparatuses in the new roadway.
Why is granting this waiver in the Town's best interest?	Keeps within the frame work of "Phasing out" the roadway fire alarm system.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$500/yr. Based on system maintenance.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	The proposed single-family home will be served by interior fire/smoke/CO detectors per the Building Code.
What is the estimated value of the proposed mitigation measures?	\$3000.
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.10.2 - Curbs and Berms
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Curbing shall be provided the full length of all streets along each side of the roadway. The following curb types are required for the various street categories: Permanent Private Way Hot Mix Asphalt Cape Cod Berm
What aspect of the Regulation do you propose be waived?	Request Waiver from required installation of Hot Mix Asphalt Cape Cod Berm
What do you propose instead?	Provide roadside swale and 1' Gravel Shoulder on each side of roadway.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Eliminating the required berm on both sides of the roadway will allow for the the desirable (Ma DEP) use of roadside swale for conveying roadway runoff.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$4000
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?	Create less impervious area resulting in less runoff and increase on site infiltration that better mimics the existing natural conditions. Eliminating berm will allow for the desirable (Ma DEP) use of roadside swale for conveying roadway runoff and help retain the "Rural New England" character of the road.
What is the impact on the development if this waiver is denied?	Create the need for catch basin and pipe closed drainage system with associated cost increase and w/out beneficial "country" drainage system.
What are the design alternatives to granting this waiver?	Providing the required bituminous concrete berm on both sides of the roadway.
Why is granting this waiver in the Town's best interest?	Provides additional adherence to the DEP 2008 Stormwater Policy by minimizing the creation of new site impervious areas.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Providing 1' gravel shoulder on both sides of the roadway that will provide the required 18' overall roadway width.
What is the estimated value of the proposed mitigation measures?	\$2500.
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.9.7.g - Roadway Construction
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The minimum widths of the roadway pavement shall be as follows: <i>Permanent Private Way</i> Eighteen Feet (18')
What aspect of the Regulation do you propose be waived?	Request Waiver from required roadway width of 18'.
What do you propose instead?	Provide roadway width of 16' with 2' traversable gravel shoulder/side.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Roadway will be a Permanent Private Way" servicing one (1) lot, a 16' paved way will provide sufficient width for the anticipated roadway volume. Reduced impervious surface concurrent with "Low Impact Development" measures. Medway Fire approves of roadway width.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$5000
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?	Create less impervious area resulting in less runoff, increases concurrence with "Low Impact Development" measures and helps retain the "Rural New England" character of the new road.
What is the impact on the development if this waiver is denied?	Increase in impervious area, loss of "Rural New England" character of roadway and increased project costs.
What are the design alternatives to granting this waiver?	Providing the required 18' roadway pavement width.
Why is granting this waiver in the Town's best interest?	Provides additional adherence to the DEP 2008 Stormwater Policy by minimizing the creation of new site impervious areas. Provide "Rural New England" road.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Providing a 2' gravel shoulder on both sides of the roadway that will provide a 20' overall traversable width which is greater than the required width.
What is the estimated value of the proposed mitigation measures?	\$2500.
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.9.5.c - Grade
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	At the intersection of street right-of-way lines, there shall be provided in a residential subdivision a leveling (fixed slope) area of at least one hundred feet (100') with a maximum grade of two percent (2%),
What aspect of the Regulation do you propose be waived?	Request Waiver from required leveling area length of 100'.
What do you propose instead?	Provide a leveling area length of 50'.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Roadway will be a Permanent Private Way" servicing one (1) lot; a 50' leveling area provides sufficient queue length, stopping distance and sight distance for the anticipated roadway volume.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$1500
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?	Less site excavation/fill resulting in less ground disturbance and tree root damage. Preservation of natural resource/vistas. Allows for the use of the existing topography.
What is the impact on the development if this waiver is denied?	Increase site disturbance/grading, tree loss and increased project cost.
What are the design alternatives to granting this waiver?	Providing the required 100' leveling area at the roadway intersection.
Why is granting this waiver in the Town's best interest?	Provides for less site/vegetation disturbance. Retain mature trees along roadway
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Retaining natural features/vistas.
What is the estimated value of the proposed mitigation measures?	\$0.
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.9.1 Street & Roadway
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	An independent drainage system shall be provided to collect and discharge subsurface runoff from the foundation perimeter drains for the houses along the proposed roadway.
What aspect of the Regulation do you propose be waived?	Request Waiver from requirement to construct an independent drainage system for foundation perimeter drains.
What do you propose instead?	Elimination of foundation drain or discharging foundation drain on lot.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	In-situ soils and site grades allow for elimination of perimeter drain or on-lot "daylighting" of drain pipe with associated recharge to groundwater.
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?	Less site excavation resulting in less ground disturbance and tree root damage. Preservation of natural resource/vistas.
What is the impact on the development if this waiver is denied?	Increase site disturbance/grading, tree loss and increased project cost.
What are the design alternatives to granting this waiver?	Eliminating foundation drain or daylighting" foundation drain pipe on lot.
Why is granting this waiver in the Town's best interest?	Provides for less site disturbance and allows for using the existing topography.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0 Privately maintained drainage system.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Retaining natural features/site topography, handling foundation drainage on lot.
What is the estimated value of the proposed mitigation measures?	\$500
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.9.2.d - Alignment
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Property lines at a street intersection shall be rounded or cut back to provide a property line radius of twenty-eight feet (28'), or for a curb radius of not less than forty feet (40'), whichever is more stringent
What aspect of the Regulation do you propose be waived?	Request Waiver from required curb radius of 40'.
What do you propose instead?	Provide a curb radius of 12'.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Roadway will be a Permanent Private Way" servicing one (1) lot, a 12' curb radius will provide sufficient turning width for the anticipated roadway volume.
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?	Less site excavation resulting in less ground disturbance and tree root damage. Preservation of natural resource/vistas.
What is the impact on the development if this waiver is denied?	Increase site disturbance/grading, tree loss, increased project cost.
What are the design alternatives to granting this waiver?	Providing the required 40' curb radius at roadway entrance.
Why is granting this waiver in the Town's best interest?	Provides for less site/vegetation disturbance. Retain mature trees along roadway and help retain "Rural New England" character of roads.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Retaining natural features/vistas.
What is the estimated value of the proposed mitigation measures?	\$0.
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.7.2 P. Stormwater
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Detention and retention basins and underground infiltration systems and any related drainage structures shall be located on separate parcels and shall not be included on individual house/building lots. The limits of detention and retention basins and related structures shall not be closer than thirty feet (30') from its lot/parcel line and any right-of way.
What aspect of the Regulation do you propose be waived?	Request Waiver from drainage structures located on separate parcels and retention basins no closer than thirty feet (30') from lot/parcel line and right-of-way.
What do you propose instead?	Retention basin/swales located within right-of-way and adjacent buildable lot.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Granting of waiver will allow for the retention and use of the existing, naturally occurring infiltration area and site topography.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$3,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Less site excavation resulting in less ground disturbance and tree root damage. Preservation of natural resource/vistas and allow the use of roadside swales and the allowing of stormwater facilities to be integrated into the existing topography.
What is the impact on the development if this waiver is denied?	Increase site disturbance/grading, tree loss and increased project costs.
What are the design alternatives to granting this waiver?	Provide separate Lot for infiltration basin, pipe stormwater to new excavated infiltration area and fill in existing naturally occurring infiltration area.
Why is granting this waiver in the Town's best interest?	Provides for less site disturbance and allows for using the existing topography.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$0 Privately maintained drainage system.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Retaining natural features/site topography.
What is the estimated value of the proposed mitigation measures?	\$2,000
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

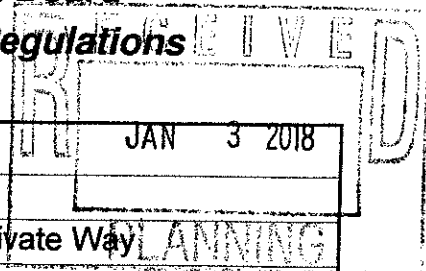
Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.6.2 D Sewer
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Sewer manholes, sewer service laterals and other sanitary sewer components shall be constructed and installed within the subdivision as necessary to provide to all lots therein adequate municipal sewer service.
What aspect of the Regulation do you propose be waived?	Request Waiver from Installation of Sewer Manholes, service laterals and other Sanitary Sewer components.
What do you propose instead?	On Site (Lot 2) Title 5 Compliant Septic System
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Length of sewer lateral required for a single home is cost probative, installation would increase site disturbance and requires second street opening disturbance.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$2,000 + \$1,150 (Fee)= \$3,150
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?	Less site excavation resulting in less ground disturbance and with tree root damage. Preservation of natural resource/vistas.
What is the impact on the development if this waiver is denied?	Increase site disturbance, 2nd street opening disturbance, increased project cost.
What are the design alternatives to granting this waiver?	Require the installation of Sewer Manholes, service laterals and other sanitary sewer components.
Why is granting this waiver in the Town's best interest?	Provides for less site disturbance and eliminates the need for town repair of 2nd street opening trench.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$2000. Trench Patch repair
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Require the construction of an on-site Title 5/Medway BOH compliant septic system.
What is the estimated value of the proposed mitigation measures?	\$10,000
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request



Project Name:	Town line Estate
Property Location:	22 Populatic Street
Type of Project/Permit:	Residential Subdivision - Permanent Private Way
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.6.2 B WATER FACILITIES INSTALLATION
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Water mains, with hydrants, valves and other fittings, shall be constructed and installed within the subdivision as necessary to provide to all lots therein
What aspect of the Regulation do you propose be waived?	Request waiver from the installation of water main, hydrant and valves and other equipment required for water main tie in.
What do you propose instead?	Service connection from Water Main in Populatic St. to one (1) Proposed house
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Hydrant and water main not necessary to service only one (1) new home. Medway Fire Depart concurs with elimination of fire hydrant.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$5,000
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?	Less site excavation resulting in less ground disturbance and with tree root damage. Preservation of natural resource/vistas.
What is the impact on the development if this waiver is denied?	Increase site disturbance, lesser site aesthetics, increased project cost.
What are the design alternatives to granting this waiver?	Require the installation of Fire hydrant, water main and associated fittings.
Why is granting this waiver in the Town's best interest?	Provides for less site disturbance and eliminates the need for town maintenance of hvdrant/water line.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	\$400/Year (Est.) Includes system wide water line maintenance & Hydrant Maintenance/Flushing.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Proposed development will be limited to one (1) additional lot only. No additional measures required as per Medway Fire Department.
What is the estimated value of the proposed mitigation measures?	\$0
Other Information?	
Waiver Request Prepared By:	Jeffrey Kane- L.A.L. Engineering Group
Date:	

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

7/8/2011

”TOWN LINE ESTATE”
 PERMANENT PRIVATE WAY
 DEFINITIVE SUBDIVISION PLAN
 MEDWAY, MASSACHUSETTS

FOR REGISTRY USE ONLY:

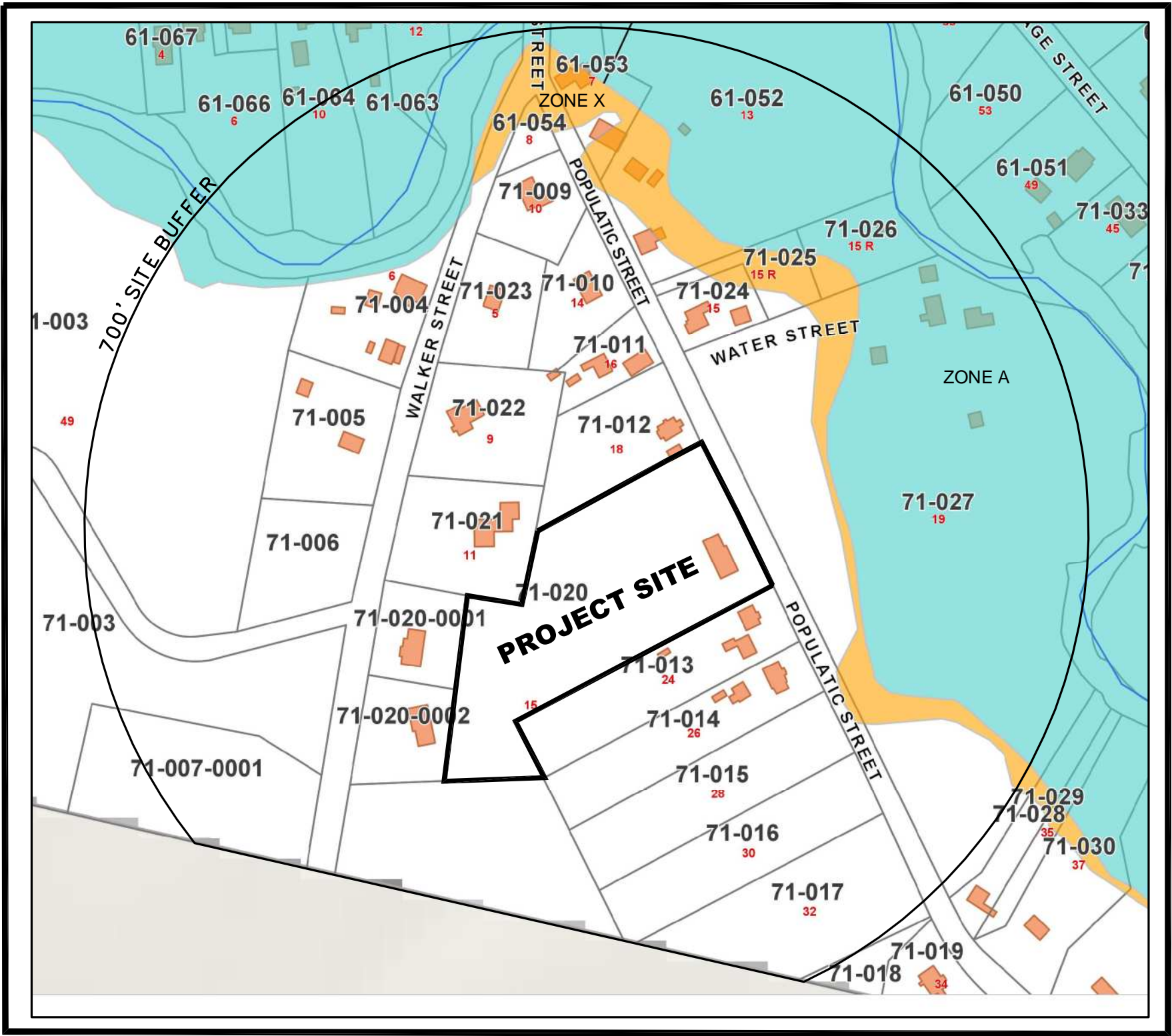
APPROVED BY THE MEDWAY
 PLANNING BOARD.
 DATE :

I CERTIFY THAT 20 DAYS HAVE
 PASSED SINCE PLANNING BOARD
 APPROVAL AND NO APPEAL HAS
 BEEN FILED IN THIS OFFICE.

DATE :

TOWN CLERK OF MEDWAY

SHEET NUMBER	DRAWING TITLE
1	COVER SHEET
2	EXISTING CONDITIONS PLAN
3	LOT DESIGNATION PLAN
4	SITE & UTILITY PLAN
5	GRADING & DRAINAGE PLAN
6	PROFILE
7	INTERSECTION SIGHT DISTANCE PLAN
8	EROSION CONTROL PLAN
9	SITE DETAILS & GENERAL NOTES
10	SITE DETAILS



SITE OVERVIEW

SCALE: 1"=200'±

LOCUS NOTES

SOILS ON SITE:

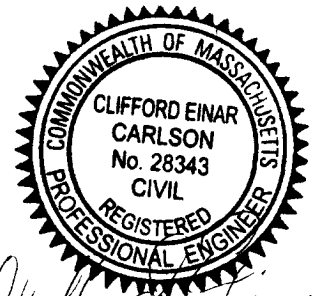
HSG	ID
A	HINCKLEY SANDY LOAM
A	WINDSOR LOAMY SAND

ZONING AR II DISTRICT

- REQUESTED WAIVER LIST**
 (FROM TOWN OF MEDWAY MASSACHUSETTS PLANNING BOARD RULES & REGULATIONS)
- 7.6.2 B. WATER FACILITIES INSTALLATION - REQUEST WAIVER FROM INSTALLATION OF WATER MAIN, HYDRANT AND VALVES AND OTHER EQUIPMENT REQUIRED FOR WATER MAIN TIE IN.
- 7.6.2 D. SEWER - REQUEST WAIVER FROM REQUIREMENT TO PROVIDE ALL LOTS ADEQUATE MUNICIPAL SEWER SERVICE.
- 7.7.2 STORM WATER - REQUEST WAIVER FROM REQUIREMENT THAT DETENTION/RETENTION BASINS AND ANY RELATED DRAINAGE STRUCTURES SHALL BE LOCATED ON SEPARATE PARCELS AND SHALL NOT BE INCLUDED ON INDIVIDUAL HOUSE/BUILDING LOTS.
- 7.7.2 STORM WATER - REQUEST WAIVER FROM REQUIRED 30' SETBACK FROM PROPERTY LINE.
- 7.7.4 D CONSTRUCTION - REQUEST WAIVER FROM REQUIRED INSTALLATION OF AN INDEPENDENT HOUSE FOUNDATION DRAINAGE SYSTEM.
- 7.9.1 STREET AND ROADWAY LOCATION - REQUEST WAIVER FROM REQUIRED 2' RESERVE STRIP OF LAND ALONG ROAD LAYOUT.
- 7.9.2 ALIGNMENT- REQUEST WAIVER FROM REQUIRED CURB RADIUS OF 40' TO 12' AT ROADWAY ENTRANCE.
- 7.9.5 C GRADE- REQUEST WAIVER FROM 100' LEVELING AREA AT THE INTERSECTION OF STREET RIGHT OF WAY LINES.
- 7.9.7 G ROADWAY CONSTRUCTION- REQUEST WAIVER FROM THE REQUIRED 18' MINIMUM WIDTH OF THE ROADWAY PAVEMENT FOR A PERMANENT PRIVATE WAY.
- 7.10.2 CURBS AND BERMS - REQUEST WAIVER FROM REQUIRED HOT MIX ASPHALT CAPE COD BERM.
- 7.17.1 - FIRE PREVENTION - REQUEST WAIVER FROM REQUIRED INSTALLATION OF FIRE ALARM SYSTEM.
- 7.19.2 - TREES & SLOPE STABILIZATION - REQUEST WAIVER FROM REQUIRED INSTALLATION OF STREET TREES.
- 7.21 STREET LIGHTS - REQUEST WAIVER FROM REQUIRED INSTALLATION OF STREET LIGHTS.

OWNER:
 ROBERT, RONALD & RICHARD WASNEWSKI
 22 POPULATIC ST.
 MEDWAY MASSACHUSETTS

PREPARED FOR:
 ROBERT & LISA LAPINSKY (WASNEWSKI)
 62 ALLSTON AVE.
 WORCESTER, MASSACHUSETTS



Clifford Einar Carlson
 12/12/17

- NOTES:
- ELEVATIONS BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1988.
 - THE PARCEL IS OUTSIDE ALL MAPPED FEMA FLOOD PLAINS PER THE FLOOD INSURANCE RATE MAP (FIRM) PANEL No. 25021C0144E FOR THE TOWN OF MEDWAY, MASSACHUSETTS, NORFOLK COUNTY.
 - THE SITE IS NOT LOCATED WITHIN A DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) RESOURCE AREA.
 - THE SITE IS LOCATED WITHIN A ZONE II GROUNDWATER PROTECTION AREA.
 - UTILITY SERVICES;
 TELEPHONE, CABLE AND ELECTRIC - TO BE INSTALLED UNDERGROUND
 SEWER - TO BE CONNECTED TO INDIVIDUAL ON SITE TITLE 5 SEWAGE DISPOSAL SYSTEMS.
 DRAINAGE - TO MEET MA DEP 2008 STORMWATER POLICY & TOWN REGULATIONS.
 WATER - TO BE CONNECTED TO THE TOWN WATER SUPPLY LINE

ASSESSORS REFERENCE

MAP 714, PARCEL 020

ZONING REFERENCE

AR-II



CONTRACTOR TO NOTIFY DIG SAFE
 72 HOURS PRIOR TO ANY EXCAVATION
 TELEPHONE NUMBER 1-888-344-7233
 WWW.DIGSAFE.COM

NO.	DATE	REFERENCE
		REVISIONS
		DATE: DECEMBER 12, 2017

Engineer:

L.A.L. Engineering Group
 DESIGN ~ PERMITTING ~ PEER REVIEW ~ LAYOUT

730 Main St, Suite 1F
 Millis MA 02054
 P: (781) 248-1133 F: (508) 376-8440

Surveyor:

CONTINENTAL LAND SURVEY, LLC
 105 BEAVER STREET, FRANKLIN, MA
 (508) 528 - 2528

SITE LOCATION:

22 POPULATIC STREET
 MEDWAY, MASSACHUSETTS

”TOWN LINE ESTATE”

DEFINITIVE SUBDIVISION PLAN
 COVER SHEET
 MEDWAY, MASSACHUSETTS

SHEET NO.	SCALE	JOB NO.
1	AS NOTED	5332



NOTES:
1.) ELEVATIONS REFER TO NAVD88.
2.) BENCHMARK USED - NORFOLK COUNTY
ENGINEERING DEPARTMENT DISK - MW13

APPROVED BY THE MEDWAY
PLANNING BOARD.
DATE : _____

I CERTIFY THAT 20 DAYS HAVE
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DATE : _____

TOWN CLERK OF MEDWAY

ASSESSORS REFERENCE
MAP 714, PARCEL 020

ZONING REFERENCE
AR-II

LEGEND	
TEL/ELEC. HAND HOLE	HYDRANT
TEST HOLE	STONE CHECK DAM
TELEPHONE HANDHOLE	STONE WALL
ELECTRIC HANDHOLE	DRILL HOLE
WATER SHUTOFF	BOUND
GAS GATE	IRON PIN/PIPE
SOLID WHITE LINE	

NO.	DATE	REFERENCE
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(508) 528 - 2528

SITE LOCATION:
22 POPULATIC STREET
MEDWAY, MASSACHUSETTS
PREPARED FOR:
ROBERT & LISA LAPINSKY
62 ALLSTON AVE.
WORCESTER, MASSACHUSETTS

"TOWN LINE ESTATE"
DEFINITIVE SUBDIVISION PLAN
EXISTING CONDITIONS PLAN
MEDWAY, MASSACHUSETTS

SHEET NO.	SCALE	JOB NO.
2	1"=40'	5332



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MAP 714, PARCEL 020

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AR-II

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	TEST HOLE
	TELEPHONE HANDHOLE
	ELECTRIC HANDHOLE
	WATER SHUTOFF
	GAS GATE
	SOLID WHITE LINE
	HYDRANT
	STONE CHECK DAM
	STONE WALL
	DRILL HOLE
	BOUND
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NO.	DATE	REFERENCE
REVISIONS		
DATE: DECEMBER 12, 2017		

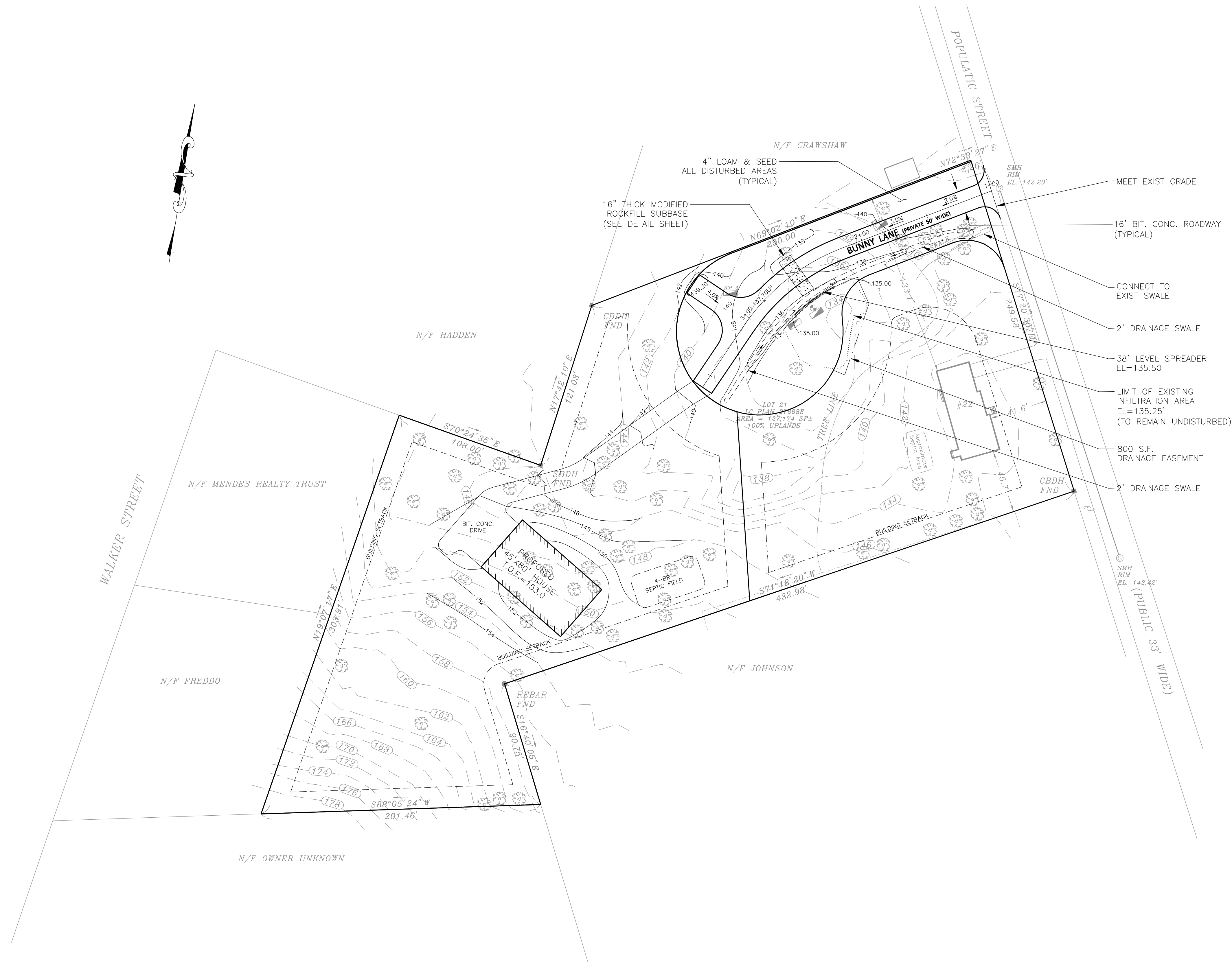
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105 BEAVER STREET, FRANKLIN, MA
(508) 528 - 2528

SITE LOCATION:
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MEDWAY, MASSACHUSETTS
PREPARED FOR:
ROBERT & LISA LAPINSKY
62 ALLSTON AVE.
WORCESTER, MASSACHUSETTS

DEFINITIVE SUBDIVISION PLAN
SITE & UTILITY PLAN
MEDWAY, MASSACHUSETTS

SHEET NO.	SCALE	JOB NO.
4	1"=40'	5332



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TOWN CLERK OF MEDWAY

ASSESSORS REFERENCE
MAP 714, PARCEL 020

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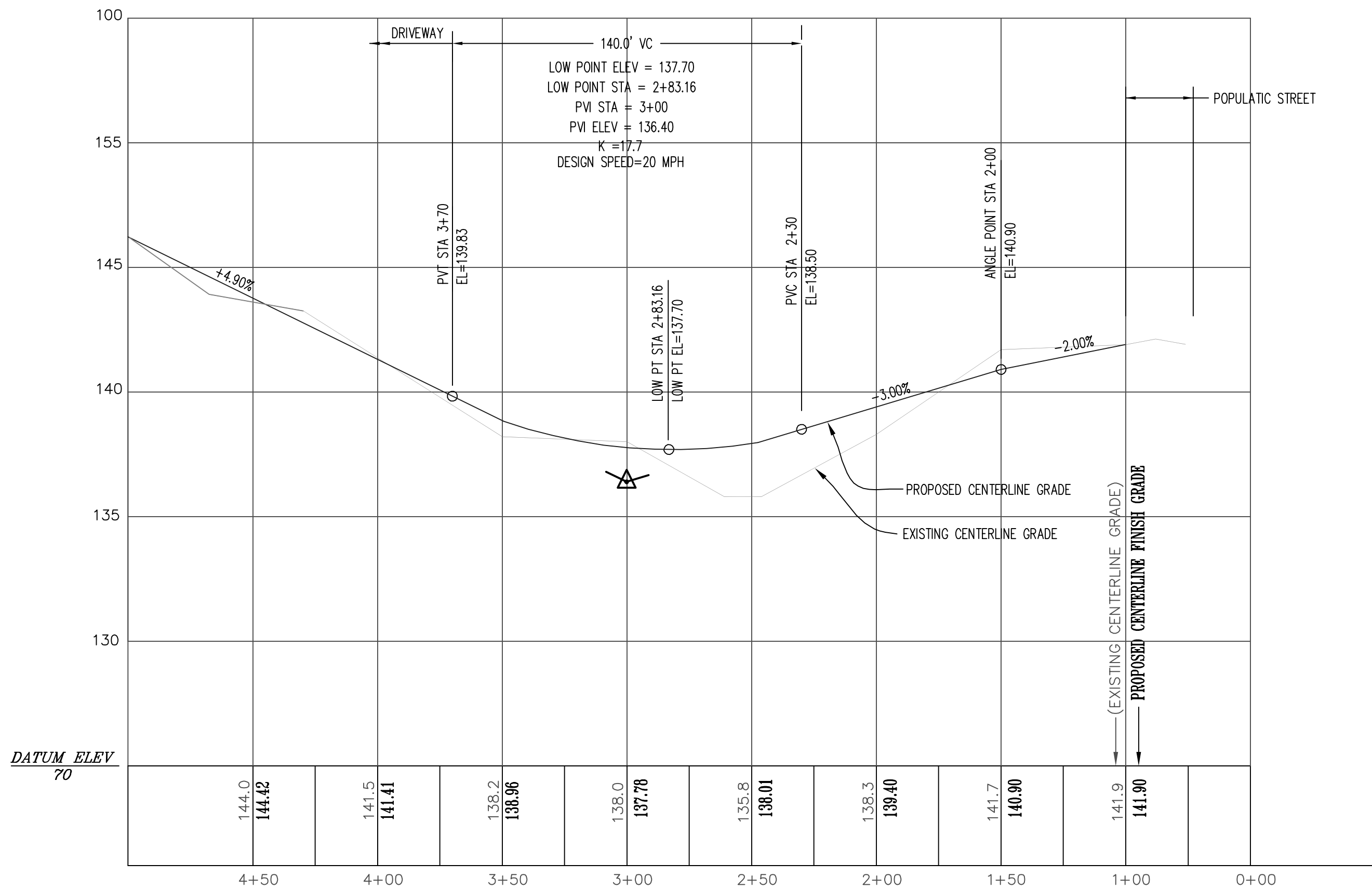
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SITE LOCATION:
22 POPULATIC STREET
MEDWAY, MASSACHUSETTS
PREPARED FOR:
ROBERT & LISA LAPINSKY
62 ALLSTON AVE.
WORCESTER, MASSACHUSETTS

"TOWN LINE ESTATE"
DEFINITIVE SUBDIVISION PLAN
GRADING & DRAINAGE PLAN
MEDWAY, MASSACHUSETTS

SHEET NO.	SCALE	JOB NO.
5	1"=40'	5332



BUNNY LANE PROFILE

SCALE: HORIZONTAL 1"=40'
VERTICAL 1"=4'

APPROVED BY THE MEDWAY
PLANNING BOARD.
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TOWN CLERK OF MEDWAY

"TOWN LINE ESTATE"

DEFINITIVE SUBDIVISION PLAN
PROFILE
MEDWAY, MASSACHUSETTS

SHEET NO.

6

SCALE

AS NOTED

JOB NO.

5332

ASSESSORS REFERENCE

MAP 714, PARCEL 020

ZONING REFERENCE

AR-II

NO.

DATE

REFERENCE

REVISIONS

DATE: DECEMBER 12, 2017

L.A.L. Engineering Group
DESIGN ~ PERMITTING ~ PEER REVIEW ~ LAYOUT

730 Main St, Suite 1F
Millis MA 02054
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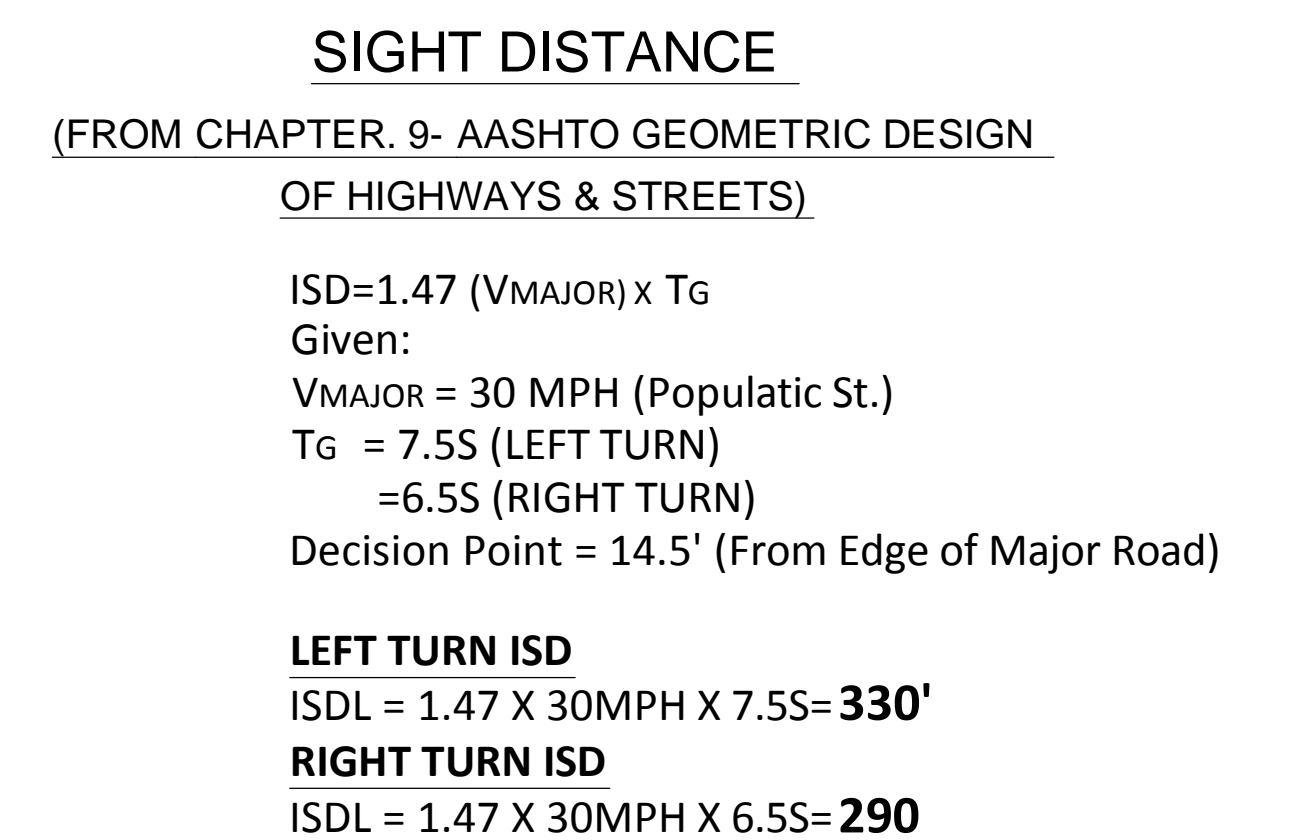
CONTINENTAL LAND SURVEY, LLC
105 BEAVER STREET, FRANKLIN, MA
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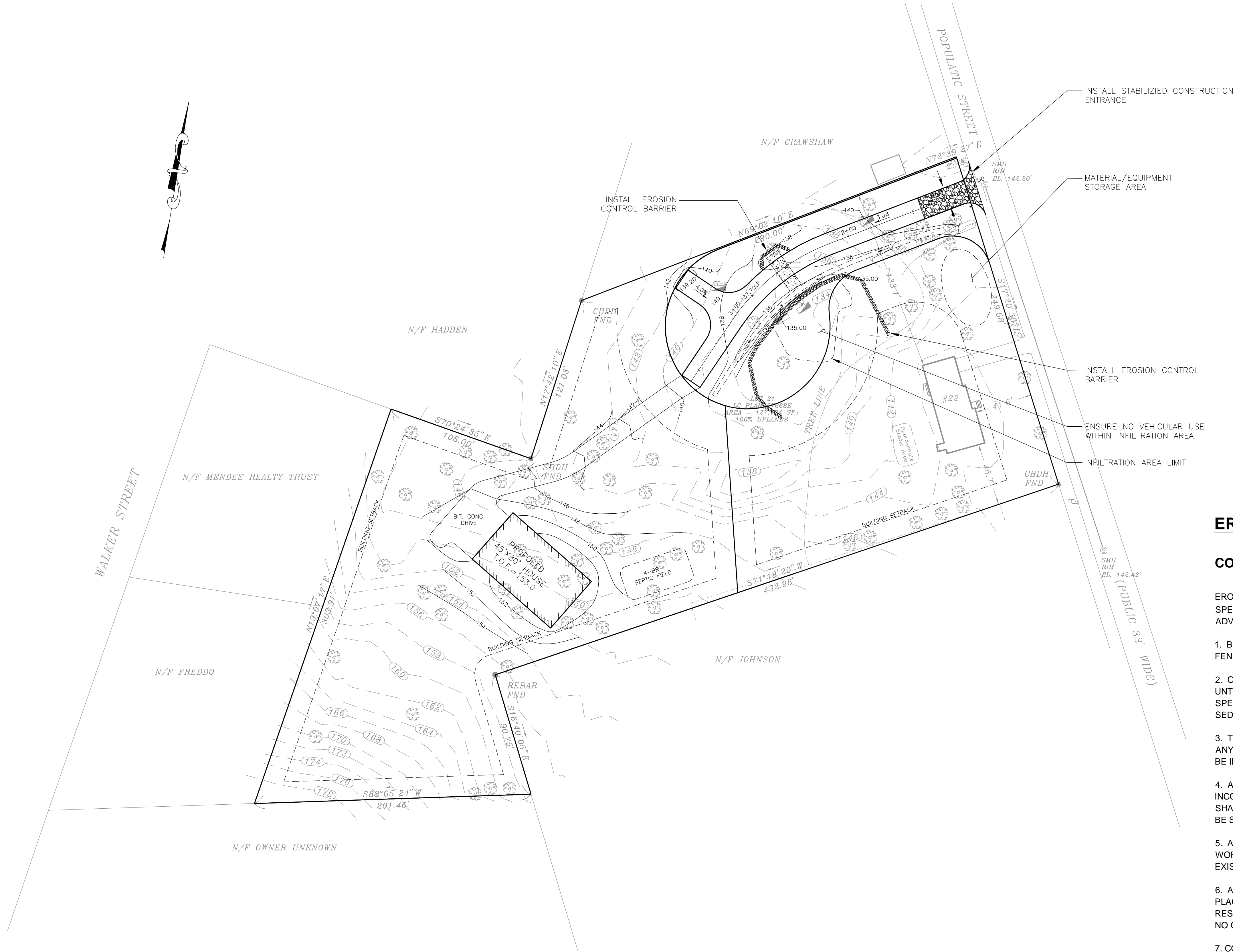
22 POPULATIC STREET
MEDWAY, MASSACHUSETTS

PREPARED FOR:

ROBERT & LISA LAPINSKY
62 ALLSTON AVE.
WORCESTER, MASSACHUSETTS



ASSESSORS REFERENCE		LEGEND				Engineer:		Surveyor:		SITE LOCATION: 22 POPULATIC STREET MEDWAY, MASSACHUSETTS		DEFINITIVE SUBDIVISION PLAN				
MAP 714, PARCEL 020		<div><div>■</div>TEL/ELEC. HAND HOLE</div> <div><div>⊗</div>TEST HOLE</div> <div><div>Ⓣ</div>TELEPHONE HANDHOLE</div> <div><div>Ⓜ</div>ELECTRIC HANDHOLE</div> <div><div>Ⓜ</div>WATER SHUTOFF</div> <div><div>Ⓜ</div>GAS GATE</div> <div><div>—</div>SOLID WHITE LINE</div>		<div><div>⊗</div>HYDRANT</div> <div><div>⊗</div>STONE CHECK DAM</div> <div><div>—</div>STONE WALL</div> <div><div>●</div>DRILL HOLE</div> <div><div>□</div>BOUND</div> <div><div>○</div>IRON PIN/PIPE</div>				L.A.L. Engineering Group		CONTINENTAL LAND SURVEY, LLC		22 POPULATIC STREET MEDWAY, MASSACHUSETTS		SIGHT DISTANCE PLAN		
ZONING REFERENCE				NO. DATE REFERENCE		DESIGN ~ PERMITTING ~ PEER REVIEW ~ LAYOUT		105 BEAVER STREET, FRANKLIN, MA		PREPARED FOR: ROBERT & LISA LAPINSKY 62 ALLSTON AVE. WORCESTER, MASSACHUSETTS		MEDWAY, MASSACHUSETTS				
AR-II				REVISIONS		730 Main St, Suite 1F Millis MA 02054		(508) 528-2528				SHEET NO.				
				DATE: DECEMBER 12, 2017		P: (781) 248-1133 F: (508) 376-8440						7				
												SCALE				
												1"=40'				
												JOB NO.				
												5332				



APPROVED BY THE MEDWAY
PLANNING BOARD.
DATE : _____

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DATE : _____

TOWN CLERK OF MEDWAY

EROSION CONTROL NOTES

CONSTRUCTION SPECIFICATION

EROSION CONTROL MEASURES SHALL CONFORM TO THE FOLLOWING
SPECIFICATIONS TO PREVENT DOWN GRADIENT OR ADJACENT AREAS FROM BEING
ADVERSELY IMPACTED:

1. BARRIERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH HAY BALE AND SILT
FENCE DETAIL SHOWN IN THE CONSTRUCTION STANDARDS.
2. ONCE INSTALLED, THE SEDIMENT BARRIERS SHALL BE MAINTAINED IN PLACE
UNTIL ALL AREAS UP GRADIENT FROM THE BARRIERS HAVE BEEN STABILIZED AS
SPECIFIED HEREIN. UPON COMPLETION AND STABILIZATION OF THE PROJECT, THE
SEDIMENT BARRIERS SHALL BE REMOVED.
3. THE SEDIMENT BARRIERS ARE INTENDED TO ACT AS A LIMIT OF DISTURBANCE.
ANY LAND DOWN GRADIENT FROM THE BARRIER ACCIDENTALLY DISTURBED SHALL
BE IMMEDIATELY REPAIRED AND RESTORED TO ITS ORIGINAL CONDITION.
4. ALL DISTURBED AREAS THAT ARE NOT OTHERWISE DEVELOPED OR
INCORPORATING SPECIAL STABILIZATION MEASURES OR LANDSCAPE PLANTINGS
SHALL BE LOAMED AND SEEDED. NO LESS THAN 4 INCHES OF LOAM TOPSOIL SHALL
BE SPREAD AND THE AREA SHALL BE SEEDED WITH NORTHEAST GRASS MIX.
5. ALL AREAS OUTSIDE THE LIMIT OF WORK SHALL BE UNDISTURBED. DURING SITE
WORK ALL PERSONS AND EQUIPMENT SHALL STAY OUTSIDE THESE AREAS.
EXISTING VEGETATION SHALL BE PRESERVED.
6. ALL SLOPES CAUSED BY EXCAVATION OF EXISTING GROUND CONDITIONS OR FILL
PLACEMENT OVER EXISTING GROUND TO CREATE BERMS OF EARTH MATERIALS OR
RESULT FROM RECONTOURING LAND FOR PROPOSED HOUSE LOCATIONS SHALL BE
NO GREATER THAN 2:1 HORIZONTAL TO VERTICAL.
7. CONTRACTOR SHALL ENSURE ANY/ALL SEDIMENT TRACKED ONTO ADJACENT
ROADWAYS IS SUFFICIENTLY REMOVED PRIOR TO THE END OF THE WORK DAY.
8. A NATIONAL POLLUTANT DISCHARGE ELIMINATION (NPDES) NOTICE OF INTENT
(NOI) IS NOT REQUIRED FOR THIS PROJECT (NO DISCHARGE).

"TOWN LINE ESTATE"

ASSESSORS REFERENCE
MAP 714, PARCEL 020

ZONING REFERENCE
AR-II

LEGEND	
	TEL/ELEC. HAND HOLE
	TEST HOLE
	TELEPHONE HANDHOLE
	ELECTRIC HANDHOLE
	WATER SHUTOFF
	GAS GATE
	SOLID WHITE LINE
	HYDRANT
	STONE CHECK DAM
	STONE WALL
	DRILL HOLE
	BOUND
	IRON PIN/PIPE

NO.	DATE	REFERENCE
REVISIONS		
DATE: DECEMBER 12, 2017		

Engineer:
L.A.L. Engineering Group
DESIGN ~ PERMITTING ~ PEER REVIEW ~ LAYOUT
730 Main St, Suite 1F
Millis MA 02054
P: (781) 248-1133 F: (508) 376-8440

Surveyor:
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105 BEAVER STREET, FRANKLIN, MA
(508) 528 - 2528

SITE LOCATION:
22 POPULATIC STREET
MEDWAY, MASSACHUSETTS
PREPARED FOR:
ROBERT & LISA LAPINSKY
62 ALLSTON AVE.
WORCESTER, MASSACHUSETTS

DEFINITIVE SUBDIVISION PLAN
EROSION CONTROL PLAN
MEDWAY, MASSACHUSETTS

SHEET NO.	SCALE	JOB NO.
8	1"=40'	5332



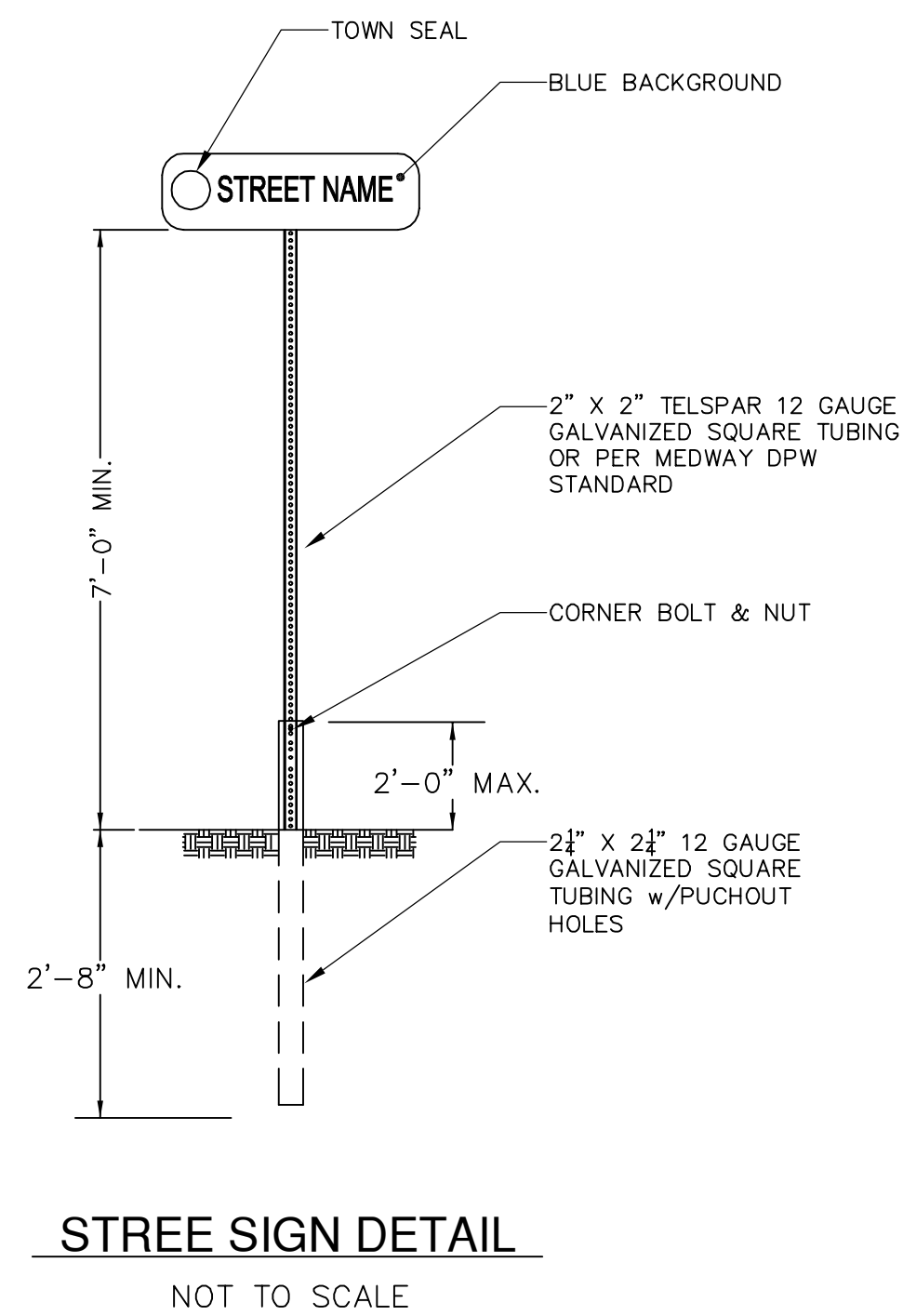
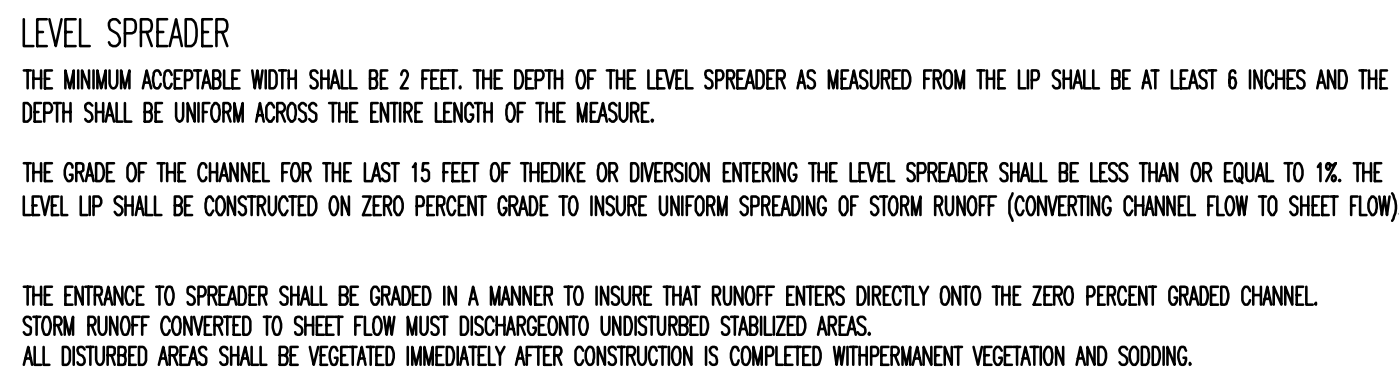
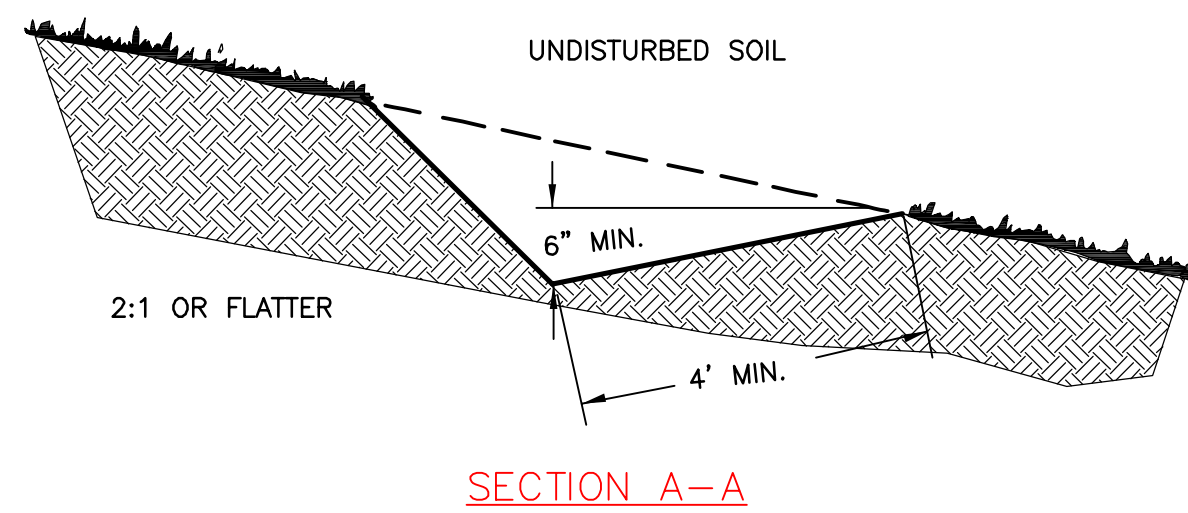
13. THE DESIGNER MUST PREPARE AND SUBMIT AN AS-BUILT PLAN OF THE INSTALLED WORK.

NO.	DATE	REFERENCE
REVISIONS		
DATE: APRIL 18, 2017		

SITE LOCATION:
22 POPULATIC STREET
MEDWAY, MASSACHUSETTS

PREPARED FOR:
ROBERT & LISA LAPINSKY
62 ALLSTON AVE.
WORCESTER, MASSACHUSETTS

SHEET NO.	SCALE	JOB NO.
9	AS NOTED	5332



EXISTING GRADE

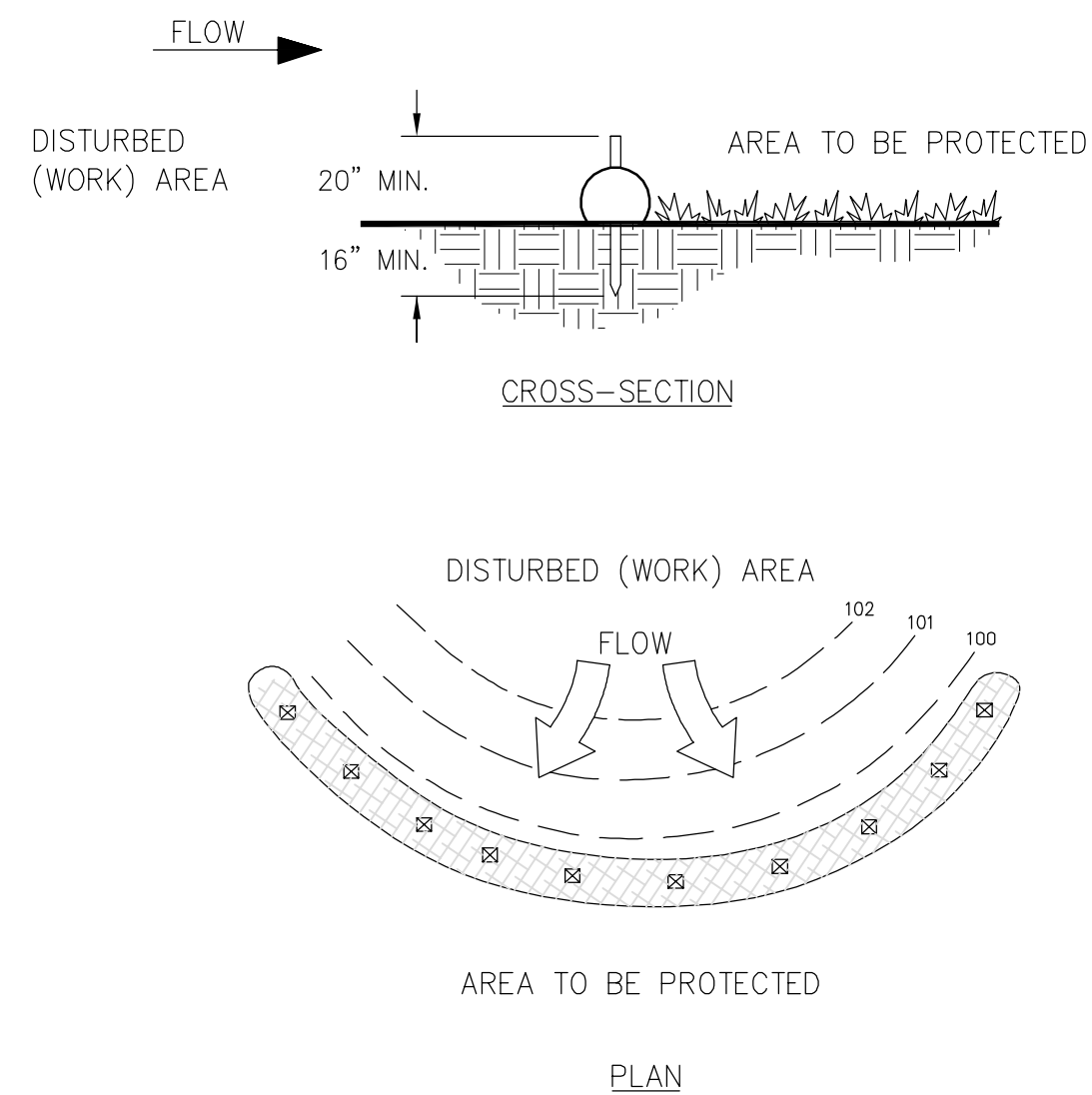
NEW SEED AREA

4" LOAM

ROTOTILLED OR SCARIFIED SOIL

TYPICAL SEEDING DETAIL

NOT TO SCALE



- NOTES:**
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE 1.5"-3.5" STONE.
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 6".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 16'.
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

STABILIZED CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE

[illegible]



February 8, 2018

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

**Re: Town line Estate
Definitive Subdivision Review
22 Populatic Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (Board). The proposed Project is a two lot private subdivision on approximately 2.9 acres in Medway, MA. Proposed Project includes maintaining existing house (22 Populatic Street) and construction of additional house at the rear of the property as well as appurtenant utilities and drain infrastructure.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Town Line Estate, Permanent Private Way, Definitive Subdivision Plan, Medway, Massachusetts", dated December 12, 2017, prepared by L.A.L. Engineering Group (LAL).
- A stormwater management report (Stormwater Report) titled "Drainage Calculations for Town Line Estate, Permanent Private Way at 22 Populatic St., Medway, Massachusetts" dated December, 2017, prepared by LAL.
- A Form F – Development Impact Report dated December 17, 2017, prepared by LAL.
- A Form Q – Request for Waivers from Rules and Regulations prepared by LAL.

The Plans, Stormwater Report and accompanying materials were reviewed for conformance with Chapter 100 of the Town of Medway PEDB Rules and Regulations (Regulations), MA DEP Stormwater Management Standards (Standards), additional applicable town standards and good engineering practice. Review of the project for zoning and wetland related issues was not completed as these reviews are conducted by separate consultants/town agencies.

The following items were found to be inconsistent with current Town of Medway PEDB Definitive Subdivision Review Regulations (Chapter 100). Reference to applicable regulation requirement is given in parentheses following each comment.

- 1) The applicant has not shown bar scales on each plan. (Ch. 100 §5.7.4)
- 2) Each Plan sheet shall include space for date of approval, date of endorsement and notation that the approved plan is subject to a covenant. Reference to the "Planning Board" in the signature block shall be revised to "Planning and Economic Development Board". (Ch. 100 §5.7.18)
- 3) Benchmarks have not been shown on the Plan. A minimum of two are required by the Regulations. (Ch. 100 §5.7.20)
- 4) The applicant has not provided stop sign and painted stop bar and word "STOP" per Medway Department of Public Services (DPS) standards. (Ch. 100 §5.7.27)

- 5) Limit of clearing line should be clearly shown on the Plans. (Ch. 100 §5.7.35)
- 6) Existing lot is majority woodland. The Board strongly encourages retaining as many mature trees as possible to maintain the natural character of the land and surrounding community. (Ch. 100 §7.2)
- 7) The applicant is proposing a 1 ¼" water service connection the existing water main located in Populatic Street. The applicant should contact Medway DPS to confirm if this is permissible or if a main will be required for installation to serve the proposed dwelling on Lot 2. The applicant has requested a waiver from this regulation. The proposed water service installation is consistent with other private subdivisions previously approved by the Board. (Ch. 100 §7.6.2.b)
- 8) Sewer main exists in Populatic Street and should be connected to if possible. The project is located within a Zone II and the Town's groundwater protection district. We recommend the applicant consider extending sewer service to the existing main in Populatic Street. The applicant has requested a waiver from this regulation. (Ch. 100 §7.6.2.d)
- 9) It appears the applicant is proposing a reserve strip along the northern property boundary. Reserve strips are not allowed under the Regulations. We recommend the applicant confirm if the strip is part of Lot 2 and if so reconfiguring Parcel A to be coincident with the existing northern property boundary. The applicant has requested a waiver from this regulation. (Ch. 100 §7.9.1.d)
- 10) A 12-foot radius is proposed on both sides of the proposed subdivision roadway at the intersection of the proposed subdivision roadway and Populatic Street. Regulations require a 40-foot curb radius at street intersections. The applicant has requested a waiver from this regulation. The Board has maintained this regulation in previously approved private subdivisions. (Ch. 100 §7.9.2.d)
- 11) The applicant has not provided the required 100-foot leveling area at the intersection of the proposed subdivision roadway and Populatic Street. The applicant has requested a waiver from this regulation. (Ch. 100 §7.9.5.c)
- 12) A 16-foot roadway paved width with two two-foot gravel shoulders for a total width of 20-feet has been proposed for the Project. Regulations require an 18-foot paved width but fire code requires 20-foot traveled width. The applicant has requested a waiver from this regulation. Medway Fire Chief has approved the proposed roadway cross-section included in the Plans. (Ch. 100 §7.9.7.g)
- 13) The applicant has not proposed vertical granite curbing at the intersection of the proposed subdivision roadway and Populatic Street. The Board has maintained this Regulation in previously approved private subdivisions. (Ch. 100 §7.10.1)
- 14) The applicant has not proposed asphalt berm along the entire length of roadway edge throughout the subdivision. The applicant has requested a waiver from this regulation. This item has been waived in previously approved subdivisions for purposes of proposed stormwater mitigation. (Ch. 100 §7.10.2)
- 15) The applicant has not provided a proposed fire alarm system on the Plans. The applicant has requested a waiver from this regulation. Medway Fire Chief has waived the requirement for master street box but applicant shall maintain smoke and carbon monoxide detectors in the dwelling. Regulation requires funds be deposited to the town equal to cost of installing fire alarm system for use by the Medway Fire Department for Capital Purchases if fire alarm system is not proposed. (Ch. 100 §7.17.1)

- 16) Street trees have not been proposed as part of the Project. The applicant has requested a waiver from this regulation. The Board has maintained this regulation in previously approved private subdivisions. Applicant proposing to utilize existing mature trees as street trees on the Project. We recommend the applicant specifically call-out which trees are to remain on the Plans. (Ch. 100 §7.19.2)
- 17) Street Lighting has not been proposed as part of the Project. The applicant has requested a waiver from this regulation. The Board has approved waivers in the past for removal of formal street lighting but has required smaller scale lighting proposed at driveway entrances. (Ch. 100 §7.21)
- 18) The applicant has not provided a detail for proposed bounds to be set. (Ch. 100 §7.25.2)

The following items were found to not be in conformance with MA DEP Stormwater Management Standards and/or Town Stormwater Regulations.

MA DEP Stormwater Management Standards

- 19) Grass channels require minimum 9-minute residence time in order to provide 50% TSS removal rate. Check dams may be used to slow runoff and provide adequate time for sediment settlement in the swale. (MA DEP Stormwater Handbook, Vol. 2, Ch. 2, Page 75)
- 20) Access to infiltration basins is required for maintenance activities. It appears the Plans are maintaining existing trees/vegetative cover within the ponding area of the existing depression (infiltration basin) limiting access for maintenance. However, we do not anticipate heavy sediment loading of the drainage system due to the residential use and expected traffic volumes from the subdivision and would consider maintaining vegetation in the depression to maintain overall aesthetic value of the property. (MA DEP Stormwater Handbook, Vol. 2, Ch. 2, Page 91)
- 21) The proposed Project appears to disturb greater than one-acre of land which will require a NPDES Construction General Permit and associated Stormwater Pollution Prevention Plan (SWPPP) be submitted. The applicant should clearly show limit of clearing/work on the plans in order to determine area of disturbance at the site. (MA DEP Stormwater Handbook, Standard 8)

PEDB Stormwater Regulations (Ch. 100 §7.7)

- 22) A permanent maintenance easement has not been provided on the Plans for the infiltration basin, level spreader and swales. (Ch. 100 §7.7.2.k)
- 23) Proposed infiltration basin located partially on Lot 1 and Parcel A. Drainage facilities shall be located on separate parcels per the Regulations and be located minimum 30-feet from its lot/parcel line and right-of-way. The applicant has requested a waiver from the Regulation. (Ch. 100 §7.7.2.p)

Town Stormwater Bylaw (Article XXVI)

- 24) We recommend the applicant provide a narrative documenting compliance with "*Article XXVI Stormwater Management and Land Disturbance*" of the Town of Medway General Bylaws.

General Stormwater Comments

- 25) The applicant has used a runoff curve number (CN) for woods-fair in the pre-development condition and woods-good in the post-development condition. Since the woods that are remaining in the post-development condition are not changing the CN value must remain as woods-fair in the Post-development condition.

- 26) We recommend the applicant show the extent of the one-foot freeboard (from 100-year pond elevation) elevation on the Plans.
- 27) We recommend the applicant provide roof runoff infiltration at the proposed house location on Lot 2.

The following is a list of general items that TT recommends the applicant take into consideration prior to the next submission:

- 28) It is anticipated the power company will require proposed conduit to be installed in a duct bank for protection of the utility. Duct bank should be shown on the proposed roadway cross-section once confirmed.
- 29) Areas of snow storage should be shown on the Plans. Snow shall not be placed in proposed stormwater BMP locations.

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

Very truly yours,



Steven M. Bouley, P.E.
Senior Project Engineer



Sean P. Reardon, P.E.
Vice President

P:\21583\143-21583-18004 (TOWN LINE ESTATES)\DOCS\TOWNLINEESTATE-PEDBREV(2018-02-08).DOCX

PGC ASSOCIATES, LLC

1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
gino@pgcassociates.com

February 6, 2018

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

Re: **Town Line Estate Definitive Subdivision Plan**

Dear Mr. Rodenhiser:

I have reviewed the definitive subdivision plan submitted by Robert and Lisa Lapinsky of Worcester for property off Populatic Street. The owners are Robert, Ronald and Richard Wasnewski of Medway. The plan was prepared by L.A.L. Engineering LLP of Millis, and Continental Land Survey LLC of Franklin. It is dated December 12, 2017. The site is within the AR-II district and is within the Groundwater Protection District.

The plan proposes to construct a cul-de-sac about 300 feet long to create a single additional lot of 1.62 acres (Lot 2) while the existing dwelling would remain on a lot of .87 acres (Lot 1). The street right-of-way (Parcel A) is 18,641 square feet.

Due to the limited nature of this subdivision, I have limited my review to items that are relevant to the scale of the proposal. I have comments as follows:

Zoning

1. The proposed lots meet the area, frontage and lot shape factor to comply with the zoning bylaw.

Subdivision Rules and Regulations

2. Section 5.7.6 requires an existing conditions sheet, including locating trees of more than 24" in caliper. The existing conditions sheet has been provided but a waiver is requested to not require the large trees be shown. Also, the erosion controls are shown on the existing conditions plan, which is a bit odd since they do not exist yet. It may not be a problem due to the simplicity of the site.
3. Section 5.7.8 requires streets, ways, lots, lot numbers or other designation be shown. This has been done. However, I suggest that the road be described and listed as a separate parcel. The applicant has stated the intent to reserve the fee interest in the road and describing it as a separate parcel facilitates that process.

4. Section 5.7.12 requires that the ROW and pavement width of streets within 700 feet of the subdivision be provided. The ROW width is shown for Populatic Street but not the pavement width.
5. Section 5.7.23 requires stormwater information including a long-term operations and maintenance plan to be shown on the plans. There does not appear to be an O&M plan included in the Stormwater Report.
6. Section 5.7.27 requires that street and traffic control signs be shown on the plans. A street sign detail is shown on the plans.
7. Section 5.7.32 requires cul-de-sac landscaping. No island is shown but drainage features are shown within the cul-de-sac. In previous similar projects, some landscape screening has been required around detention basins within the right-of-way. A detention basin is not proposed, and existing vegetation may be sufficient, but this should be verified.

General Comments

8. Section 7.9.1 states that neighborhood construction standards are to be used in subdivisions up to 5 lots. A waiver is requested to allow a 16-foot road/driveway with a 2-foot gravel shoulder on each side for a total of 20 feet.

If there are any questions about these comments, please call or e-mail 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.

Susan Affleck-Childs

From: Bridget Graziano
Sent: Wednesday, January 24, 2018 2:26 PM
To: Susan Affleck-Childs; Andy Rodenhiser (Andy@rodenhiser.com)
Subject: 22 Populatic Street - Town Lin Subdivision

Hi!

Our office completed a site visit with Jeff Kane regarding the proposed subdivision at 22 Populatic Street. There were not wetlands resources discovered during the site visit. However, it should be noted that the proposed infiltration system will be installed in the location of an existing drainage swale for the roadway (Populatic), this will be lost in the construction. There were no catch basins within the immediate vicinity to handle this run off.

Just some notes.

Tx.

**Town of Medway
Conservation Commission
Bridget Graziano, Agent
155 Village Street
Medway, MA 02053**

**508.533.3292 (o)
508.918.5986 (c)
bgraziano@townofmedway.org**

A Green Community



44 MILFORD STREET
MEDWAY, MA 02053

TOWN OF MEDWAY

FIRE DEPARTMENT

JEFFREY P. LYNCH
FIRE CHIEF



TEL: (508) 533-3211
FAX: (508) 533-3254

Mr. Jeff Kane
L.A.L. Engineering Group
730 Main St. - Suite 1F
Millis, Ma 02054

Mr. Kane,

June 19, 2017

This letter will serve as confirmation of our meeting on June 7, 2017 regarding 22 Populatic Street with Assistant Chief Michael Fasolino and myself.

In the meeting the Fire Department has agreed to the following;

The present hydrant locations on Populatic Street were sufficient for the proposed single family house being constructed.

A 16' paved roadway width with a 2' dense graded stone shoulder on each side of the road. (20' effective width), capable of supporting 75,000 pounds. Provide a driveway to the new house that allows an ambulance to turn around at the house.

Waive the requirement for a Master Street Box as the Town is phasing out Master Boxes. The requirement for residential smoke and carbon monoxide detectors installed in accordance with the Massachusetts Fire Code, however, is still required.

In the event this road is extended or additional buildings which are not ancenary to the use of the single family home being constructed such as additional housing units or large buildings, then the roadway will be required to be upgraded to 20' width paved and an additional hydrant(s) will need to be installed closer to the building(s).

If you have any questions please feel free to contact me.

Sincerely,

Jeffrey P. Lynch
Chief of Department

Feb 13, 2018

To the Town of Medway Planning and Economic Development Board

Dear Board Members:

As Medway residents, taxpayers and voting citizens, we are against the subdivision plan proposed at 22 Populatic Street (Town Line Estate Definitive Subdivision Plan). As owners of land directly adjacent to and impacted by the plan, we respectfully ask the Board to deny the application. Our concerns include:

1. Interference with our rights as property owners, specifically our rights to privacy as well as the use and enjoyment of our respective homes and property.
2. As adjacent property owners, we stand to incur damages that are different from the Medway community in general, including potential damage to our property values.
3. We also stand to incur damage to our property, including increased noise, crime, fire, and potential storm water issues.
4. This heavily wooded area bordered on both sides by streets designated as scenic roads by the Town of Medway provides important biological habitat for wildlife including turkey, deer, fox, owl and hawk.
5. There is no particular condition of the applicant's existing property that will create a hardship for the applicant if the subdivision plan is denied.

Specific questions we would like the Board to address at public hearing:

1. Both Walker Street and Populatic Street have been designated by the Town as scenic roads. The Town of Medway Open Space and Recreation Plan endorsed and supported by this Board states (page 32, Scenic and Unique Environments):
 - a. *Medway is home to many 'scenic' roads that have been maintained for 50+ years and have homes that reflect the heritage and **have trees and/or stone walls intact. They are protected from unnecessary changes** and allow people to continue enjoying the town as it was in an earlier time.*
2. From the Development Impact Report filed 12/17/2017, forested land on the proposed subdivision is reduced by more than half, from 2.22 acres forested to under 1.1 acres.
3. **Because the Open Space and Recreation Plan protects scenic roads from unnecessary change does the Board consider the elimination of more than 50% of forested land abutted by two scenic roads a necessary change?**
4. The same Development Impact Report states there are no trees greater than 30 inch in diameter on the lot in question.
5. **We don't believe that to be true, has the board confirmed there are no trees greater than 30 inch in diameter?**

6. Planning Board Rules and Regulations, Chapter 100 – Land Subdivision, Section 1.4 states:
 - a. *M.G.L Chapter 41, Section 81-R provides that the Board may, in a particular case waive strict compliance with its Rules and Regulations. **It is the Board's policy that it will not approve waivers under normal circumstances.** In the event there is an extremely unusual or extenuating circumstance where full compliance would prevent any development of the subject property an Applicant may request a waiver and shall provide written justification, to the Board's satisfaction, why a waiver is necessary. **Approved waivers must be in the public interest** and not inconsistent with the Subdivision Control Law. The Board may impose conditions on any such waiver. Board approval of waivers is discretionary and should not be expected.*
7. In the Definitive Subdivision Plan, there are at last count 13 waivers requested including waivers from water, sewer, stormwater, fire and drainage requirements all in a Groundwater Protection District within 400 feet of Medway's water supply.
8. **Approved waivers must be in the public interest, does the Board consider all of the requested waivers in the public interest?**
9. Planning Board Rules and Regulations, Chapter 100 – Land Subdivision, Section 5.11 states:
 - a. Any proposed subdivision, which includes land with any frontage on a designated Medway Scenic Road, shall also comply with the Board's Rules and Regulations for the review and issuance of Scenic Road Work Permits.
10. **Have the applicants applied for or will they be required to apply for a Scenic Road Work Permit? Has the Tree Warden reviewed the site to determine if there are any trees located within the Town's right of way? Does the proposed plan involve the cutting or removal of any tree within the right of way? Have tree replacement requirements from Planning Board Rules and Regulations, Chapter 400 – Scenic Roads been built into the plan? Will a Scenic Road public hearing be held?**
11. Page 61 of Town of Medway Zoning Bylaw published Dec 1, 2017 sec 6.2 General Provisions states:
 - a. *Every lot must have the minimum frontage set forth in TABLE 2 for the district in which the lot is located on a street as defined in Section 2 of the Zoning Bylaw.*
12. **Does the proposed subdivision provide minimum frontage (150 feet) for both lots as required and is the Board considering the private way as street frontage?**

In summary, we believe the proposed subdivision will have a significant impact on the character and quality of our neighborhood and two roads designated scenic by the Town of Medway. For the aforementioned reasons, we the undersigned urge you to vote against the proposed subdivision plan.

Feb 13, 2018

To the Town of Medway Planning and Economic Development Board (page 3)

Respectfully submitted:

Name	Address	Phone	Signature
STEVE FREDDO	15 WALKER ST	813-541-2290	Steve Freddo
JACQUE GUYMONT-FREDDO	15 WALKER ST	813-541-2291	Jacquie Guymont-Freddo
LIS DAHL	9 WALKER ST	781-812-8724	Lis Dahl
Meghan Dahl	9 Walker St.	781-812-8723	Meghan Dahl
Malmberg David	6 Walker St	508-533-5236	David Malmberg
Ben Maly	10 Populatic St	631-767-3251	Ben Maly
Kelley Merchend	10 Populatic St	508 ⁶¹⁷ 968-7510	Kelley Merchend
Tyone Pulkhan	10 Waverell St.	508-982-8138	Tyone Pulkhan
Deanna Cosgrove	10 Walker Street	617-413-6444	Deanna Cosgrove
NeDa Boo	11 WALKER ST.	781-571-9346	NeDa Boo
PAULETTE FREDDO	15 WALKER ST	508-254-1331	Paulette Freddo



February 13, 2018
Medway Planning & Economic Development Board
Meeting

ANR Plan – 15 Trotter Drive

- ANR Application
- ANR Plan by Colonial Engineering dated 12-27-17
- PGC Review letter dated 2-8-18

This is an ANR plan to split off another 1+ acre parcel at the northern end of the long, skinny parcel on the east side of Trotter Drive. Gino Carlucci's review letter has been provided to the applicant/engineer. The plan has been revised and is being reviewed by Gino. We will have that plan for you to review Tuesday night.

RECEIVED

FEB - 6 2018

LAND SUBDIVISION - FORM A

TOWN CLERK

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

Planning & Economic Development Board - Town of Medway, MA

RECEIVED
FEB - 5 2018
PLANNING

INSTRUCTIONS TO APPLICANT/OWNER

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

Submit two (2) signed originals of this Application, one copy of the ANR Plan, and one Project Explanation
to the Town Clerk who will date stamp both Applications.

Provide one original ANR Application date stamped by the Town Clerk, one Project Explanation, eight
copies of the ANR Plan, an electronic version of the ANR plan and the appropriate ANR Filing Fee
to the Medway Planning & Economic Development office.

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

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

The Town's Planning Consultant will review the Application, Project Explanation and ANR plan and
provide a recommendation to the Planning & Economic Development Board. A copy of that letter
will be provided to you.

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

January 23, 2018

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

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

ANR PLAN INFORMATION

Plan Title: Plan of Land in Medway, MA, Scale 1"=50' December 27, 2017

Prepared by: Colonial Engineering, Inc.

P.E. or P.L.S registration #: 30468 Plan Date: December 27, 2017

PROPERTY INFORMATION

ANR Location Address: Lot 3, Trotter Drive

15 Trotter Drive

The land shown on the plan is shown on Medway Assessor's Map # 54 Parcel # 4

Total Acreage of Land to be Divided: 3.9 Acres

Subdivision Name (if applicable):

Medway Zoning District Classification: Ind. III

Frontage Requirement: 100' Area Requirement: 40,000 S.F.

Is the road on which this property has its frontage a designated **Medway Scenic Road**? No

The owner's title to the land that is the subject matter of this application is derived under deed from: Stephen J. Kenney and Ruth Q. Kenney to Anthony and Marguerite Mele dated September 24, 1979 and recorded in Norfolk County Registry of Deeds, Book 5655 Page 568 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

APPLICANT INFORMATION

Applicant's Name: Marguerite Mele

Applicant's Signature: [Signature] ATTORNEY FOR

Address: 203 Main Street
Medway, MA 02053

Telephone: 508-533-2163 Email: _____

The Applicant hereby appoints Stephen J. Kenney to act as its Agent/ Official Representative for purposes of submitting this application for endorsement of this ANR Plan.

PROPERTY OWNER INFORMATION (if different than applicant)

Property Owner Name: Marguerite Mele

Owner's Signature: [Signature] ATTORNEY FOR

Address: 203 Main Street
Medway, MA 02053

Telephone: 508-533-2163 Email: _____

ENGINEER or SURVEYOR INFORMATION

Name: Colonial Engineering, Inc.

Address: 11 Awl Street
Medway, MA 02053

Telephone: 508-533-1644 Email: _____

ATTORNEY INFORMATION

Name: Stephen J. Kenney

Address: 181 Village Street
Medway, MA 02053

Telephone: 508-533-6711 Email: sjk@kenney-law.com

PROJECT EXPLANATION

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

APPROVAL NOT REQUIRED JUSTIFICATION

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

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

ANR PLAN FILING FEE

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

*Please prepare two checks: one for \$95 and one for the balance.
Each check should be made payable to: Town of Medway*

Fee approved 11-2-06

APPLICATION CHECKLIST – All items must be submitted

_____ 2 signed original ANR applications (FORM A)

_____ 8 prints of ANR plan – 1 for Town Clerk and 7 for Planning

_____ Electronic version of ANR plan for Planning

_____ Project Explanation - 1 for Town Clerk and 1 for Planning

_____ Application/Filing Fee (2 checks)

Date Form A, ANR Plan, and Project Explanation Received by Planning & Economic
Development Board: 2-5-18

ANR Application/Filing Fee Paid: Amount:

\$250

Check #

258472

\$95

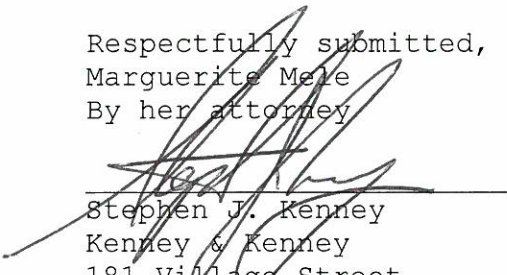
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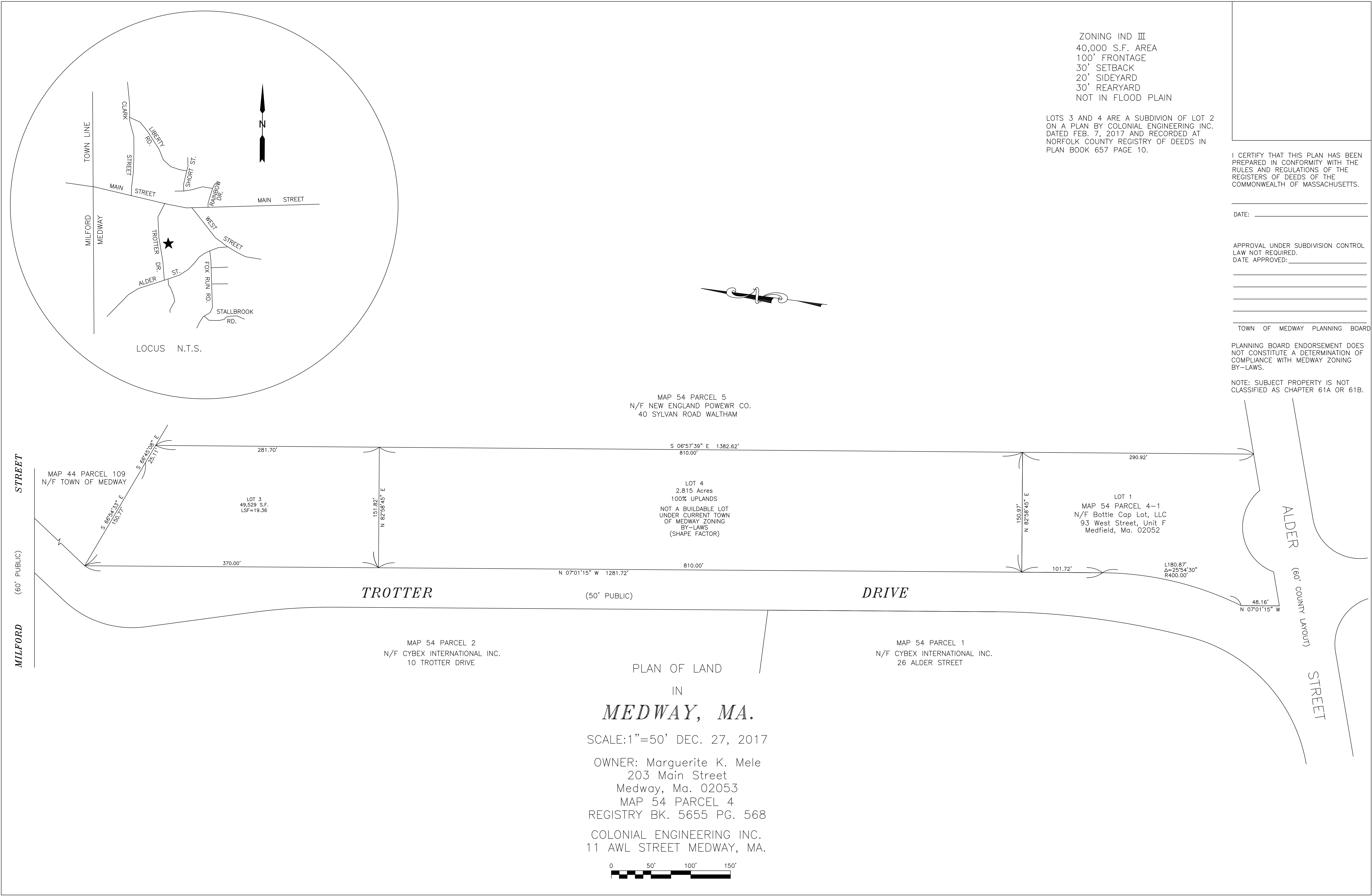
**Project Explanation of ANR Application of Marguerite Mele for real
estate located at Lot 3 Trotter Drive,
Medway, MA**

The proposed ANR plan shows a division of land located on Trotter Drive, Medway, MA by dividing the lot into two parcels with Lot 3 containing 49,529 square feet according to the plan dated December 27, 2017. Lot 4, as shown on the plan, would contain 2.815 acres. The petitioner is dividing the land so as to convey Lot 3 to a prospective purchaser.

Respectfully submitted,
Marguerite Mele
By her attorney



Stephen J. Kenney
Kenney & Kenney
181 Village Street
Medway, MA 02053
(508) 533-6711
BBO# 549507



ZONING IND III
40,000 S.F. AREA
100' FRONTAGE
30' SETBACK
20' SIDEYARD
30' REARYARD
NOT IN FLOOD PLAIN

LOTS 3 AND 4 ARE A SUBDIVISION OF LOT 2
ON A PLAN BY COLONIAL ENGINEERING INC.
DATED FEB. 7, 2017 AND RECORDED AT
NORFOLK COUNTY REGISTRY OF DEEDS IN
PLAN BOOK 657 PAGE 10.

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

DATE: _____

APPROVAL UNDER SUBDIVISION CONTROL
LAW NOT REQUIRED.
DATE APPROVED: _____

TOWN OF MEDWAY PLANNING BOARD

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

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

PLAN OF LAND
IN
MEDWAY, MA.

SCALE:1"=50' DEC. 27, 2017

OWNER: Marguerite K. Mele
203 Main Street
Medway, Ma. 02053
MAP 54 PARCEL 4
REGISTRY BK. 5655 PG. 568
COLONIAL ENGINEERING INC.
11 AWL STREET MEDWAY, MA.



PGC ASSOCIATES, LLC.

1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
gino@pgcassociates.com

MEMO TO: Medway Planning and Economic Development Board

FROM: Gino D. Carlucci, Jr.

DATE: February 7, 2018

RE: Mele property on Trotter Drive

I have reviewed the ANR plan submitted for endorsement by Marguerite Mele of Medway. The plan was prepared by Colonial Engineering, Inc. of Medway and is dated December 27, 2017. The plan proposes to divide a parcel of approximately 3.95 acres into a lot of 49,529 square feet and a parcel of 2.815 acres that the plan notes does not meet Lot Shape factor. The property is within the West Industrial district.

I have comments as follows:


1. The plan clearly meets the substantive and technical requirements for ANR endorsement.
2. The scale 1" = 50' rather than 1" = 40' is needed to show the entire 1500-foot long lot on a single sheet.
3. Section 3.2.1 requires that the R.L.S sign and stamp the plan. This has not yet been done but I assume it is because this a review copy and it will be done on the final version.
4. Section 3.2.3 requires that all zoning districts, including overlay districts, be shown on the plan. The subject parcel is partially within the Groundwater Protection District and it is not shown on the plan.
5. Section 3.2.7 requires that Scenic Roads be identified. Neither Trotter Drive nor Alder Street are Scenic Roads.

I recommend that the technical issues noted above be addressed and that plan then be endorsed by the Board.

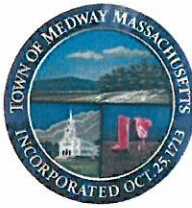


February 13, 2018
Medway Planning & Economic Development Board
Meeting

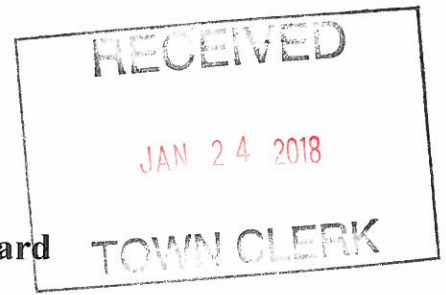
Public Hearing – Zoning bylaw
Amendments

- Public Hearing Notice
- Proposed articles
- CONFIDENTIAL  email dated 2-5-18 from Town Counsel
- CONFIDENTIAL email dated 11-20-17 from Town Counsel

I strongly recommend keeping this public hearing open until after the Recreational Marijuana Ballot Vote on March 6. If the Ballot Vote is not approved, the PEDB will need to devise an alternative recommendation to provide at the March 19th Town Meeting.



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

January 23, 2018

NOTICE OF PUBLIC HEARING
Proposed Amendments to Medway Zoning Bylaw
Tuesday, February 13, 2018

Pursuant to the Medway Zoning Bylaw and M.G.L. ch. 40A, §5, **the Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, February 13, 2018 at 8:30 p.m.** to receive comments on proposed amendments to the *Medway Zoning Bylaw*, last update published December 1, 2017. The hearing will take place in Sanford Hall at Medway Town Hall, 155 Village Street, Medway, MA.

The articles have been prepared for inclusion on the warrant for consideration at a Special Town Meeting to be held on March 19, 2018. The subject matter of the proposed amendments is indicated below. The identification of the articles as A and B will be revised as the Board of Selectmen finalizes the warrant.

ARTICLE A – Recreational Marijuana - To amend SECTION 2 DEFINITIONS by adding definitions for *Marijuana Retailer* and *Marijuana Establishment* and by amending TABLE 1: SCHEDULE OF USES to add *Marijuana Retailer* and *Marijuana Establishment* to the Table of Uses and to specify the zoning districts where such uses would be permitted.

ARTICLE B – Medical Marijuana – To amend SECTION 8.9 REGISTERED MARIJUANA DISPENSARY by revising item 5. i. in Paragraph E. General Requirements regarding the minimum distance between Registered Marijuana Dispensaries.

The complete text of the proposed amendments to the *Medway Zoning Bylaw* are on file with the Town Clerk and the Planning offices at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The proposed amendments are also posted online at the Planning and Economic Development Board's web page at the Town's web site – <https://www.townofmedway.org/planning-economic-development-board>. For further information or questions, please contact the Medway Planning office at 508-533-3291.

Interested persons or parties are invited to review the proposed amendments, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to: planningboard@townofmedway.org. All written comments will be entered into the record during the hearing.

Andy Rodenhiser

Planning & Economic Development Board Chairman

To be published in the *Milford Daily News*:

Monday, January 29, 2018

Tuesday, February 6, 2018



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

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

January 19, 2018

Recreational Marijuana
Proposed Amendment to Medway Zoning Bylaw

ARTICLE A: To see if the Town will vote to amend the Zoning Bylaw as follows:

Amend Section 2, Definitions, by adding the following definitions:

Marijuana Retailer: An entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

Marijuana Establishment: A marijuana independent testing laboratory, marijuana product manufacturer, or marijuana cultivator, all as defined in General Laws chapter 94G, §1, but not including Marijuana Retailers.

Amend Section 5.4, Schedule of Uses, by adding the following underlined text to Table 1 – Schedule of Uses under Business Uses and Industrial Uses as shown:

	Zoning District										
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	
BUSINESS USES											
<u>Marijuana Retailer</u>	N	N	N	N	N	N	N	N	N	N	
INDUSTRIAL USES											
<u>Marijuana Establishment</u>	N	N	N	N	N	N	PB	PB	N	PB	

Or to act in any manner relating thereto.

Planning and Economic Development Board

Telephone: 508-533-3291

Fax: 508-321-4987

Email: planningboard@townofmedway.org



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

January 19, 2018

Registered Marijuana Dispensary (Medical Marijuana)
Proposed Amendment to Medway Zoning Bylaw

ARTICLE B: To see if the Town will vote to amend the Zoning Bylaw, Section 8.9 Registered Marijuana Dispensary (medical marijuana) by modifying item 5. i. in Paragraph E. General Requirements as follows:

5. No RMD (Registered Marijuana Dispensary) shall be located on a lot within 500 linear feet of any lot with the following:
 - i. Registered Marijuana Dispensary **that sells, distributes, dispenses or administers marijuana, products containing marijuana, or related supplies to qualifying patients or personal caregivers.**

Or to act in any manner relating thereto.

Planning and Economic Development Board

NOTE – Proposed added text is shown with yellow highlights.



February 13, 2018
Medway Planning & Economic Development Board
Meeting

Articles for May 2018 Town Meeting

- Draft REVISED Section 8. 9 of the Zoning Bylaw converting the title of Registered Marijuana Dispensary (medical) to Registered Medical Marijuana Facilities and Marijuana Establishments

NOTE – This is a draft of a substantial revision whereby the Town's current zoning regulations for registered (medical) marijuana dispensaries are morphed into a new section addressing both medical and recreational marijuana. Thanks to Gino for his great work on this.

PROPOSED NEW MARIJUANA REGULATIONS – FOR CONSIDERATION AT MAY 2018 TOWN MEETING

NOTE – The following section refers to terms that are to be defined in a proposed ZBL amendment for consideration at the March 19 special town meeting (public hearing is 2-13-18). See below:

Marijuana Retailer: An entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

Marijuana Establishment: A marijuana independent testing laboratory, marijuana product manufacturer, or marijuana cultivator, all as defined in General Laws chapter 94G, §1, but not including Marijuana Retailers.

8.9 REGISTERED MEDICAL MARIJUANA DISPENSARY FACILITIES AND MARIJUANA ESTABLISHMENTS

A. **Purposes.** The purposes of this Section are to address possible adverse public health and safety consequences and impacts on the quality of life of the Town of Medway related to the passage of Chapter 369 of the Acts of 2012 and Chapter 55 of the Acts of 2017; provide for the limited establishment of Registered Medical Marijuana Dispensary (RMD) Facilities (RMMF) and Marijuana Establishments in an appropriate place and under strict conditions in accordance with Chapter 369 of the Acts of 2012, and 105 CMR 725.000; minimize the adverse impacts of a RMD Marijuana Establishments and RMMF's on adjacent properties, residential neighborhoods, schools, playgrounds and other land uses potentially incompatible with such a facility; regulate the siting, design, placement, security, safety, monitoring, modification, and removal of RMDs Marijuana Establishments and RMMF's; and limit the overall number of RMDs Marijuana Establishments and RMMF's in the community to what is essential to serve the public necessity.

Commented [SA1]: Should we also reference Chapter 55 of the Acts of 2017 here??

B. **Applicability.**

1. The commercial cultivation [unless it meets the requirements for an agricultural exemption under G.L. c. 40A, § 3], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana ~~for Medical Use~~ is prohibited unless permitted as a RMD Marijuana Establishment or RMMF under this Section 8.9.
2. No Marijuana Establishment or Registered Marijuana Medical Facility shall be established except in compliance with the provisions of this Section 8.9.
3. Nothing in this Section 8.9 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

C. **Definitions.** As used in this Section, the following terms shall have the following meanings:

Host Community Agreement (HCA): A written agreement between an operator of a Registered Marijuana Dispensary Marijuana Establishment or RMMF and the Town of

Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the ~~Registered Marijuana Dispensary~~ Marijuana Establishment or RMMF on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure. *(Added 11/16/15)*

Marijuana: The same substance defined as “marijuana” under 105 CMR 725.004.

Marijuana for Medical Use: Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients as defined in 105 CMR 725.004.

Registered Medical Marijuana Facility; Dispensary (RMD) Shall mean a not-for-profit entity, as defined by Massachusetts law only, registered by the Massachusetts Department of Public Health under 105 CMR 725.000 that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their registered personal caregiver as determined by 105 CMR 725.000.

- D. Eligible Locations ~~for Registered Marijuana Dispensaries~~** Registered Medical Marijuana Dispensaries Facilities and Marijuana Establishments other than agricultural operations meeting exemption standards under G.L. c. 40A § 3, may be allowed by special permit from the Planning and Economic Development Board in the following zoning districts, provided the facility meets the requirements of this Section:

1. East Industrial *(renamed from Industrial I on 11-13-17)*

~~2. Energy Resource~~ *(renamed from Industrial II on 11-13-17)*

~~3-2.~~ West Industrial *(renamed from Industrial III on 11-13-17)*

~~4. Business/Industrial~~

~~5. Central Business~~ *(renamed from Commercial I on 11-14-16)*

Marijuana Retailers are prohibited in all districts.

- E. ~~General~~ Special Requirements and Conditions for all Registered Medical Marijuana Dispensaries Facilities**

1. All non-exempt ~~RMDs-RMMFs~~ shall be contained within a permanent building or structure. No ~~RMD-RMMF~~ shall be located inside a building containing residential units or inside a movable or mobile structure such as a van, trailer, cargo container or truck.

2. Size standards:

(Amended 11/16/15)

a. A standalone ~~dispensary- retail RMMF~~ shall not exceed 3,500 sq. ft. for product display, client treatment, and patient consultation area.

b. The ~~RMD-RMMF~~ shall be of adequate interior space to accommodate all activities inside the building so as not to have outside patient queuing on sidewalks, in parking areas, or in other areas outside the ~~RMD-RMMF~~.

3. A ~~RMD~~-RMMF shall not be located in a building that contains any medical doctors' offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
4. The hours of operation of ~~RMDs~~-RMMFs shall be set by the Planning and Economic Development Board, but in no event shall the on-site retail sale or dispensing of medical marijuana and/or related products to customers occur between the hours of 8:00 PM and 8:00 AM. *(Amended 11-14-16)*
5. No ~~RMD~~-RMMF shall be located on a lot within 500 linear feet of any lot with the following:
 - a. Residence
 - b. Public school
 - c. Private educational entity that provides instruction to children and youth in an ongoing organized basis
 - d. Licensed registered childcare facility
 - e. Library
 - f. Religious facility
 - g. Playground, public park, or ball field
 - h. Recreation center
 - i. Registered Marijuana Dispensary Facility
 - i. Registered Marijuana Dispensary that sells, distributes, dispenses or administers marijuana, products containing marijuana, or related supplies to qualifying patients or personal caregivers.
 - j. Halfway house or similar facility
 - k. Drug or alcohol rehabilitation facility.

The distance requirement may be reduced by the Planning and Economic Development Board if the applicant demonstrates that the ~~RMD~~-RMMF would otherwise be effectively prohibited from locating within the municipality and that adequate security measures will be employed to prevent the diversion of medical marijuana to minors who are not qualifying patients.

Distances shall be calculated by direct measurement in a straight line without regard for intervening structures from the nearest property line of the land used as noted above to the nearest portion of the building in which the ~~RMD~~-RMMF is located.

6. No smoking, burning or consumption of any product containing marijuana or marijuana-infused products shall be permitted on the premises of a ~~RMD~~-RMMF.
7. A ~~RMD~~-RMMF may not have a drive-through service.

F. Signage.

Commented [SA2]: This is the language for the proposed amendment for consideration at the 3-19-18 town meeting. I would recommend changing that proposed language to "Registered Medical Marijuana Facility that . . ."

1. Signage for the ~~RMD~~-RMMF shall include the following language: *“Registration card issued by the MA Department of Public Health required.”*
2. The required text [for a sign for a RMMF](#) shall be a minimum of two inches in height.
3. No permitted ~~RMD-Marijuana Establishment or RMMF~~ shall use any advertising material or graphics that are misleading, deceptive, or false, or designed to appeal to minors.
4. A ~~RMD-Marijuana Establishment or RMMF~~ shall not display on the exterior of the facility any advertisement for ~~medical~~-marijuana or any brand name.
5. Off-site signage or advertising in any form, including billboards shall not be allowed.

G. Contact Information. The ~~RMD-Marijuana Establishment or RMMF~~ shall provide the Medway Police Department, Building Inspector and the Planning and Economic Development Board with the names, telephone numbers and email addresses of all management staff and key holders to whom the Town can provide notice if there are operating problems associated with the establishment.

H. Prohibition against Nuisances. No ~~RMD-Marijuana Establishment or RMMF~~ shall create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

I. Openness of Premises.

1. Any and all cultivation, distribution, possession, storage, display, sales or other distribution of ~~medical~~-marijuana shall occur only within the restricted interior area of the ~~RMD-Marijuana Establishment or RMMF~~.
2. The ~~RMD-Marijuana Establishment or RMMF~~ shall be designed and constructed such that no area or portion where marijuana is processed or stored is visible from the exterior of the building.
3. The front of the building, which shall include the public entrance to the ~~RMD-Marijuana Establishment or RMMF~~, shall be fully visible from the public street or building frontage.
4. Marijuana, marijuana infused products, and products that facilitate the use of ~~medical~~ marijuana shall not be displayed or clearly visible to a person from the exterior of the ~~RMD-Marijuana Establishment or RMMF~~.

J. Residential Sites. No marijuana or marijuana based products shall be sold, grown or cultivated, interior or exterior to a residential dwelling unit except if a Hardship Cultivation Registration is granted by the Department of Public Health according to 105 CMR 725.035, or in accordance with Chapter 55 of the Acts of 2017.

K. Special Permit Requirements.

1. ~~A RMD-A Marijuana Establishment or RMMF~~ shall only be allowed by special permit from the Planning and Economic Development Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
2. ~~A RMD-A Marijuana Establishment or RMMF~~ is subject to site plan review by the Planning and Economic Development Board pursuant to Section 3.5, which shall be coordinated with the special permit process.
3. A special permit for a ~~RMD-Marijuana Establishment or RMMF~~ shall be limited to one or more of the following uses that shall be prescribed by the Planning and Economic Development Board:
 - a. Cultivation of Marijuana ~~for Medical Use~~ (horticulture) except that sites protected under G.L. c. 40A, § 3 shall not require a special permit;
 - b. Processing and packaging of Marijuana ~~for Medical Use~~, including marijuana that is in the form of smoking materials, food products, tinctures, oils, aerosols, ointments, and other marijuana infused products;
 - c. Retail sale or distribution of Marijuana to consumers or for Medical Use to Qualifying Patients;
 - d. Retail sale of products that facilitate the use of marijuana for medical purposes and of patient educational materials.
 - e. Independent marijuana testing laboratory
4. ~~The RMD-The Marijuana Establishment or RMMF~~ special permit application shall include the following:
 - a. The name and address of each owner of the facility;
 - b. Copies of all required licenses and permits issued for ~~the RMD-the Marijuana Establishment or RMMF~~ to the applicant by the Commonwealth of Massachusetts and any of its agencies;
 - c. Evidence of the Applicant's right to use the site ~~of the RMD for the RMD-for a Marijuana Establishment or RMMF~~, such as a deed or lease;
 - d. A statement under oath disclosing all of the applicant's owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
 - e. A certified list of all parties in interest entitled to receive notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
 - f. A detailed site plan that includes the following information:

- i. A detailed floor plan of the premises of the proposed RMD-Marijuana Establishment or RMMF that identifies the square footage available and describes the functional areas of the facility including but not limited to sales, storage, cultivation, processing, food preparation, etc.
- ii. Proposed security measures for the RMD-Marijuana Establishment or RMMF, including lighting, fencing, gates and alarms, etc., to ensure the safety of qualifying patients, their caregivers, and facility employees and to protect the premises from theft.
- g. A copy of the policies/procedures for the transfer, acquisition, or sale of ~~medical~~ marijuana between approved RMD-Marijuana Establishments or RMMF in compliance with 105 CMR 725.105(B)(2) and Chapter 55 of the Acts of 2017 [and/or appropriate regulation citation].
- h. A copy of the policies/procedures for patient or personal caregiver home-delivery.

5. Procedures.

- a. The special permit application and public hearing procedure for a RMD-Marijuana Establishment or RMMF shall be in accordance with Section 3.4 and G.L. c. 40A, § 9.
- b. Mandatory Findings. The Planning and Economic Development Board shall not grant a special permit for a RMD-Marijuana Establishment or RMMF unless it finds that:
 - i. The RMD-Marijuana Establishment or RMMF is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, § 11;
 - ii. The RMD-Marijuana Establishment or RMMF demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
 - iii. The applicant has satisfied all of the conditions and requirements of this Section and Section 3.4 of this Zoning Bylaw.

6. Conditions. In granting a special permit under this Section 8.9, the Planning and Economic Development Board shall impose conditions, limitations, and safeguards that are reasonably appropriate to:

- a. Improve site design, traffic flow, and public safety;
- b. Protect water quality, air quality and significant environmental resources;
- c. Preserve the character of the surrounding area.

These conditions, limitations, and safeguards may address but are not limited to:

- d. Hours of operation
- e. Landscaping and site amenities

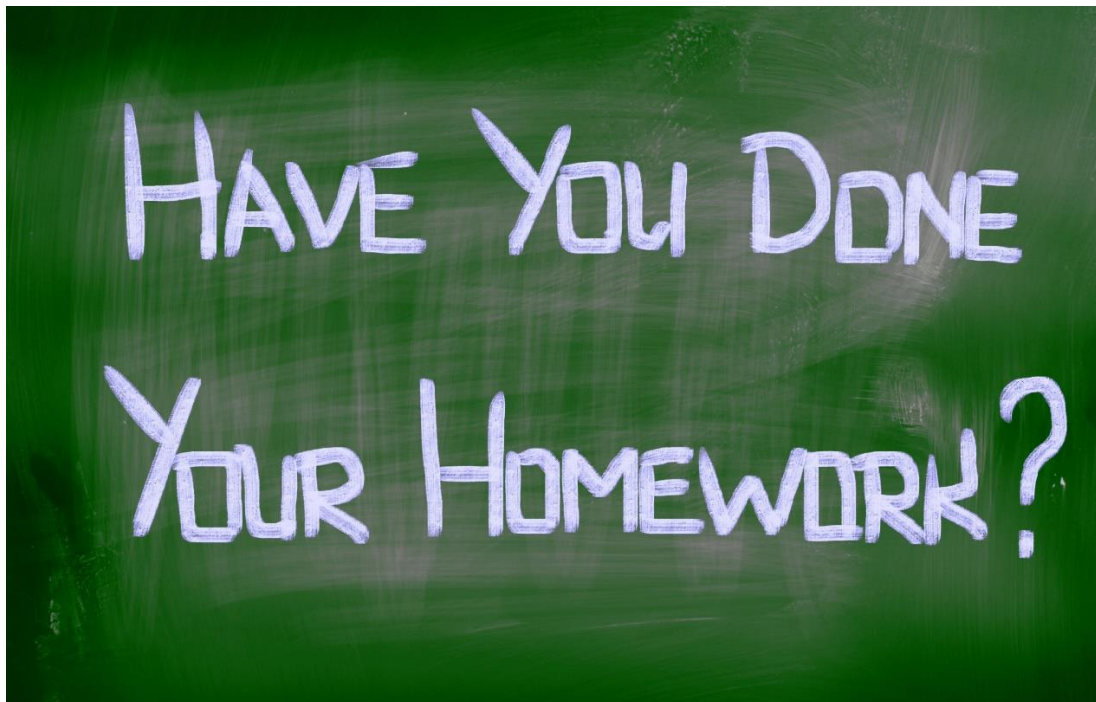
- L. Annual Reporting.** Each ~~RMD-Marijuana Establishment or RMMF~~ permitted under this Zoning Bylaw shall as a condition of its special permit file an annual report with the Planning and Economic Development Board, the Building Inspector, the Health Agent, and the Police Chief no later than January 31st of each year, providing a copy of all current applicable state licenses for the ~~RMD-Marijuana Establishment or RMMF~~ and/or its owners and demonstrate continued compliance with the conditions of the special permit.
- M. Duration of Special Permit.** A special permit granted under this Section 8.9 shall remain exclusively with the applicant which shall be the owner or lessee of the premises described in the application. The special permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.
- N. Abandonment or Discontinuance of Use.** A ~~RMD-Marijuana Establishment or RMMF~~ shall be required to remove all material, plants, equipment and other paraphernalia:
1. Prior to surrendering its state issued licenses or permits; or
 2. Within six months of ceasing operations; whichever comes first.
- O. Other Permits and Approvals.** Receipt of a special permit from the Planning and Economic Development Board for ~~RMD-Marijuana Establishment or RMMF~~ does not preclude an applicant from having to secure other required local permits from other Town boards or departments, including but not limited to the Board of Health, Conservation Commission, or the Department of Public Services.
- P.** Each ~~RMD-Marijuana Establishment or RMMF~~ permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.

(Added 11/16/15)



February 13, 2018
Medway Planning & Economic Development Board
Meeting

Site Plan Rules and Regulations



Medway Zoning Bylaw – December 2017

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*

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.

3.5.3. 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:
 - 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. 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:

- 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
- b. The redesign, alteration or modification of an existing parking area involving the addition of five or more but less than fifteen new parking spaces; or
- c. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3. 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.
- 5. Relationship to Other Permits and Approvals.**
 - a. If an activity or use requires major or minor site plan review and one or more special permits, the Board shall serve as special permit granting authority.
 - b. If both a special permit and major or minor site plan review are required, 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.

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.
- 2. Residential subdivisions approved by the Board under the Medway Subdivision Rules and Regulations.
- 3. 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).

3.5.4 Procedures for Site Plan Review

- 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 applications for major and minor site plan review, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section 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 a major and minor site plan or approve it with 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.
- 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.

3.5.6 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.

(Section 3.5 was replaced in its entirety 5-9-16)