

February 14, 2017
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	X

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Gino Carlucci, PGC Associates
Amy Sutherland, Recording Secretary

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

ANR Plan 12 Partridge Street/1 Ward’s Lane:

The members are in receipt of the following: (See Attached)

- ANR Application
- ANR Plan by Land Planning Inc. dated January 23, 2017.
- Plan review letter dated February 7, 2017 from Gino Carlucci

Bill Halsing of Land Planning was present.

Mr. Carlucci indicated that he has reviewed the ANR Plan submitted by Betty McCall-Vernaglia. There are no substantive or technical issues. He recommends endorsement.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to endorse the ANR Plan for 12 Partridge Street/1Ward’s Lane as presented.

NOTE – Board members signed the plan. Mr. Halsing took the original to make prints and scan and provide the signed plan in electronic format.

OTHER BUSINESS

SWAP Meeting - Susy Affleck-Childs, Rich Di Iulio and Andy Rodenhiser attended a recent SWAP meeting on the new recreational marijuana law. There were a variety of issues discussed including zoning. There was discussion about the timetable for the State’s regulations. The “to be established” Cannabis Commission will need to publish draft regulations by March 1, 2018 with the final regulations going into effect July 1, 2018. There are currently twenty legislative bills filed to address a variety of issues/problems with the legislation.

PEDB MEETING MINUTES:

January 24, 2017:

On a motion made by Rich Di Iulio and seconded by Bob Tucker, the Board voted unanimously to accept the minutes from the January 24, 2017 meeting as presented.

January 31, 2017:

On a motion made by Rich Di Iulio and seconded by Bob Tucker, the Board voted unanimously to accept the minutes from the January 31, 2017 meeting as presented.

Correspondence:

- There was no correspondence for the Board's review.

Pine Ridge/Candlewood Public Hearing:

The Chairman asked for a motion to waive reading the public hearing notice.

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

The members are in receipt of the following documents (**See Attached**)

- 1/20/17 memo from Susy Affleck-Childs to PEDB members.
- Public Hearing Notice – Also sent to all owners in Pine Ridge and owners on Candlewood Drive and Island Road
- 12/22/16 PEDB letter to John Claffey
- New 1/26/17 Tetra Tech construction estimate for emergency access way as shown on the Pine Ridge Plan (9/6/2006)
- Candlewood portion of Pine Ridge Plan (9/6/2006)
- New – 1/25/2017 Public Hearing Continuation Notice
- New – 2/8/2017 email memo from Bridget Graziano summarizing the results of the 1/26/17 Conservation meeting.

Susy informed the members that developer John Claffey had received an Order of Conditions from the Conservation Commission but it had expired. He applied for a new Order of Conditions but it was denied since certain required information was not provided.

The cost estimate for the Town to complete all of the unfinished work is \$119,972. The members were made aware that during a recent meeting with Mr. Claffey, it was communicated that he wants to complete the work as specified in the Pine Ridge and Candlewood plans.

The meeting was opened to comments from the public.

Mr. Paul Yorkis was present on behalf of developer John Claffey.

Hazel Warnick, 3 Pine Ridge

Ms. Warnick indicated that she is a Trustee of Pine Ridge Homeowners Association. The trustees have reviewed the items not completed to date in Pine Ridge which total \$17,380.00. She also presented into the record expenses the association has incurred. This bill was from 2014 and is \$2,670.00. Another bill was for \$7,050.00 for work completed for sealcoating cracks.

Rick Mahoney, 2 Pine Ridge:

Mr. Mahoney is also a trustee and indicated that the work noted in the submitted receipts needed to be done since the drains were overflowing and the developer would not respond. The homeowners association could not wait to get this done.

The trustees were asked to get copies of any correspondence they have in regards to communication attempts with the developer. This should be provided to Susy.

The main concerns of the Trustees are access and pathway. This area is overgrown and is a safety risk.

Fire Chief Jeff Lynch

Chief Lynch was present and indicated that at the time the original decision was rendered (2006), the Town's fire trucks may have met the criteria and standards for being able to use the planned emergency access way between Candlewood Drive and Island Road. However, he is concerned about the site now in its present state. He is concerned that the culvert may not support the weight of the ladder truck. The trucks back when the decision was rendered were much smaller.

It was communicated that Tetra Tech has reviewed this and provided estimates.

There was a question about whether the Board can hold them to a higher standard than what is specified in the decision from 2006. This is something that the applicant, PEDB, and town will need to work out and find a resolution.

Jordan Warnick, 3 Pine Ridge:

Mr. Warnick is concerned about safety. If there is a fire today, and a truck needs to get there, it will not be able to.

Sat Bir Khalsa, 12 Candlewood Drive:

Mr. Khalsa indicated that this has been going on a long time, just about ten years. We need a conclusion and must have an emergency access in place. We do not know if the culvert will hold the fire truck. He asked who will bear the responsibility when there is property damage and life lost. This is the responsibility of the Town of Medway.

Thomas Anderson, 16 Candlewood Drive:

It was communicated that the engineering study needs to be done and if it comes out that the scope and cost of the work exceeds the bond, then the Town will have to cover the costs.

Chairman Rodenhiser indicated that the next steps will be working with the Town Administrator, DPS, Conservation Commission, Fire Chief, and Town Counsel to come up with a resolution. There have been varying opinions on the cost estimates for the work.

Mr. Yorkis indicated that he is willing to work with the town to address this.

Continuation:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to continue this public hearing to March 14, 2017 at 7:15 pm.

Other Business:

- Board members received and signed the Conflict of Interest acknowledgement forms and provided them to Susy. Members also need to complete the online Conflict of Interest tutorial and provide a certification to the Town Clerk.
- The office received As-Built Plan for Village Estates/Bedalia Lane. It has been forwarded to Tetra Tech for review.
- The ZBA has continued the public hearing for Timbercrest to February 15th. Member Tucker will attend.
- The next public hearing for Medway Green is scheduled for February 28, 2017.
- The office has received an administrative site plan application for Medway Café for a secondary egress for emergency access.
- There will also be an administrative site plan application for O'Reilly Auto parts for a store front space at Medway Shopping Plaza.
- Susy attended the Community Preservation Committee meeting last week to present a request for CPA funding to update the Open Space Plan. This will come for up for a vote.

Future Meetings:

- February 28, 2017.

Adjourn:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to adjourn the meeting.

The meeting was adjourned at 8:07 pm.

Respectfully Submitted,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



February 14, 2017

**Medway Planning & Economic Development Board
Meeting**

**ANR Plan for 12 Partridge/1 Ward's
Lane for Betty McCall-Vernaglia**

- ANR Application
- ANR Plan by Land Planning dated January 23, 2017
- Plan review letter dated February 7, 2017 from Gino Carlucci

LAND SUBDIVISION – FORM A

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

Planning & Economic Development Board - Town of Medway, MA

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.***

February 1, 2017

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
Prepared by: Land Planning, Inc.
P.E. or P.L.S registration #: 45274 Plan Date: January 23, 2017

PROPERTY INFORMATION

ANR Location Address: 12 Partridge Street & 1 Wards Lane
The land shown on the plan is shown on Medway Assessor's Map # 13 Parcel # 18 & 19
Total Acreage of Land to be Divided: 2.05
Subdivision Name (if applicable): _____

Medway Zoning District Classification: Agricultural-Residential I

Frontage Requirement: 180' Area Requirement: 44,000 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: Betty McCall-Vernaglia to Betty McCall-Vernaglia Revocable Trust dated 1/30/15 and recorded in Norfolk County Registry of Deeds, Book 32886 & 32878 Page 440 & 122 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: Betty McCall-Vernaglia

Applicant's Signature: * Betty McCall-Vernaglia

Address: 12 Partridge Street
Medway, MA

Telephone: 508-533-6100 Email: _____

The Applicant hereby appoints William Halsing-Land Planning, Inc. 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: _____

Owner's Signature: _____

Address: _____

Telephone: _____ Email: _____

ENGINEER or SURVEYOR INFORMATION

Name: Land Planning, Inc.

Address: 167 Hartford Avenue
Bellingham, MA

Telephone: 508-966-4130 Email: bellingham@landplanninginc.com

ATTORNEY INFORMATION

Name: _____

Address: _____

Telephone: _____ Email: _____

PROJECT EXPLANATION

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

APPROVAL NOT REQUIRED JUSTIFICATION

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

- 1. The accompanying plan does not show a division of land.
- 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on Partridge Street & Wards Lane *(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: _____

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

- X 2 signed original ANR applications (FORM A)
- X 8 prints of ANR plan – 1 for Town Clerk and 7 for Planning
- X Electronic version of ANR plan for Planning
- X Project Explanation - 1 for Town Clerk and 1 for Planning
- X Application/Filing Fee (2 checks)

Date Form A, ANR Plan, and Project Explanation Received by Planning & Economic
Development Board: 2-1-2017

ANR Application/Filing Fee Paid: Amount: \$95.00 Check # 6608
155.00 Check # 6609
\$250 -

Project Explanation

**12 Partridge Street
1 Wards Lane
Medway, Massachusetts**

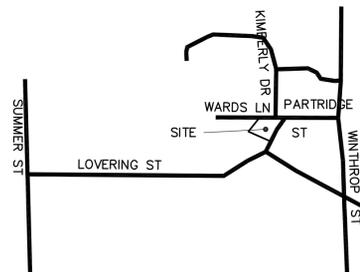
January 12, 2017

The purpose of the Approval Not Required (ANR) Plan is to re-divide two lots. The reason for this division is to move the lot line to accommodate a proposed addition onto the existing dwelling at 12 Partridge Street.

Both lots are in the same ownership, under separate deeds.

THE CERTIFICATION SHOWN HEREON IS INTENDED TO MEET REGISTRY OF DEEDS REQUIREMENTS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR'S RECORDS.

FOR REGISTRY OF DEEDS USE ONLY



LOCUS PLAN
(NOT TO SCALE)

LOT 8A
12 PARTRIDGE STREET
ASSESSOR ID: 13-019
DEED BOOK 32878 PAGE 122

OWNER:
BETTY McCALL-VERNAGLIA REVOCABLE TRUST
12 PARTRIDGE STREET
MEDWAY, MA

LOT 1
1 WARDS LANE
ASSESSOR ID: 13-018
DEED BOOK 32886 PAGE 440

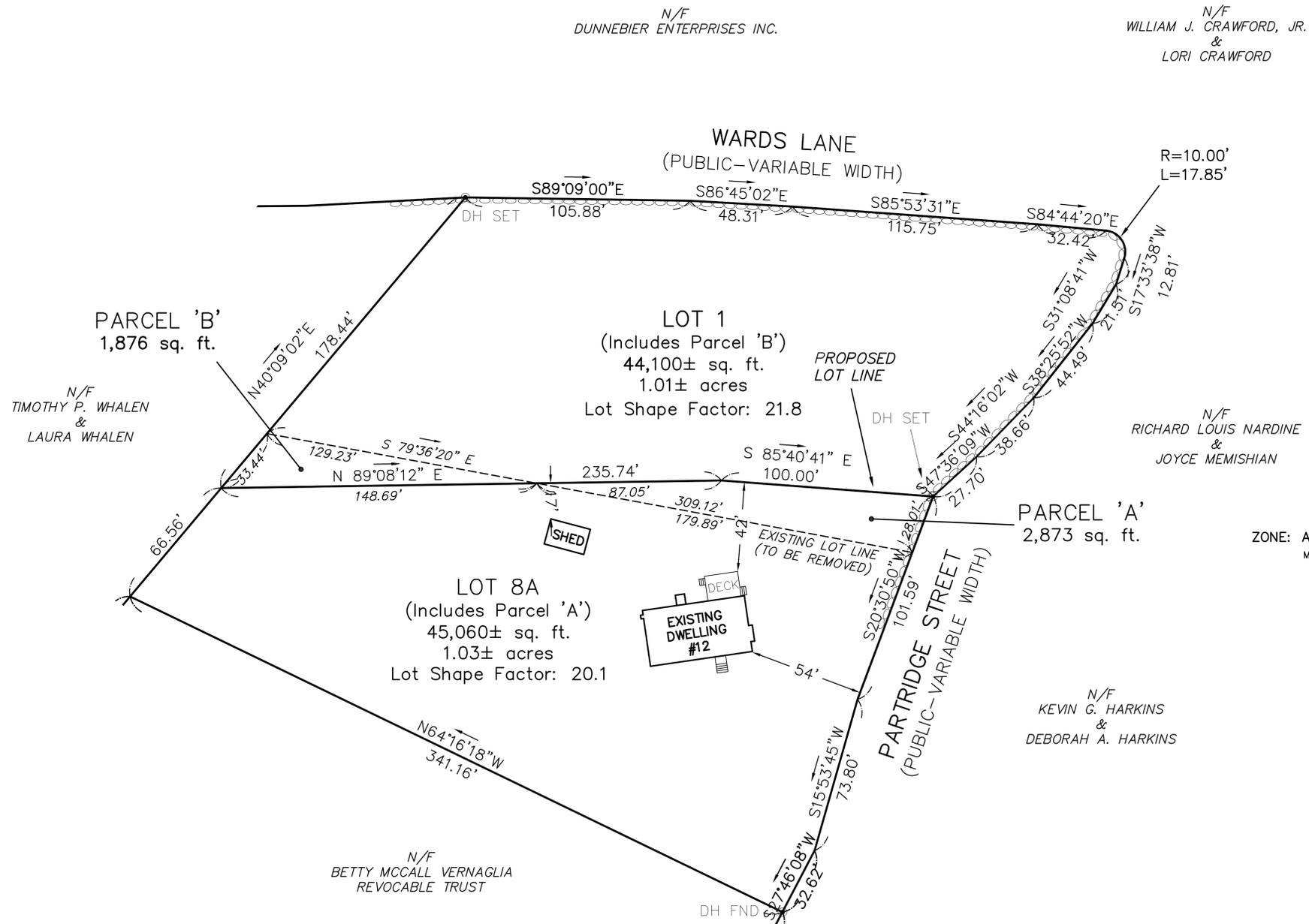
OWNER:
BETTY McCALL-VERNAGLIA REVOCABLE TRUST
12 PARTRIDGE STREET
MEDWAY, MA

PARCEL 'A' IS TO BE CONVEYED FROM BETTY McCALL-VERNAGLIA REVOCABLE TRUST (DEED BOOK 32886 PAGE 440) TO BETTY McCALL-VERNAGLIA REVOCABLE TRUST (DEED BOOK 32878 PAGE 122)

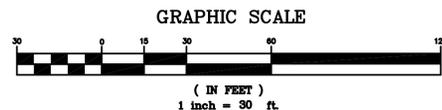
PARCEL 'B' IS TO BE CONVEYED FROM BETTY McCALL-VERNAGLIA REVOCABLE TRUST (DEED BOOK 32878 PAGE 122) TO BETTY McCALL-VERNAGLIA REVOCABLE TRUST (DEED BOOK 32886 PAGE 440)

PROPERTY IS NOT SUBJECT TO CHAPTER 61A OR 61B

PROPERTY IS NOT IN A 100 YEAR FLOOD ZONE OR A WETLAND



ZONING DATA
ZONE: AGRICULTURAL-RESIDENTIAL I
MINIMUM REQUIREMENTS (RES)
AREA: 44,000 S.F.
FRONTAGE: 180'
FRONT YARD: 35'
SIDE YARD: 15'
REAR YARD: 15'



Plan of Land
Located at
12 Partridge Street
1 Wards Lane
Medway, MA
Prepared for
Betty McCall-Vernaglia
12 Partridge Street
Medway, MA

PLANNING BOARD
ENDORSEMENT DOES NOT
CONSTITUTE A DETERMINATION
OF COMPLIANCE WITH THE
MEDWAY ZONING BY-LAW

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED
MEDWAY PLANNING BOARD

DATE

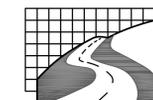
I CERTIFY THAT THE PREPARATION
OF THIS PLAN CONFORMS TO THE
RULES AND REGULATIONS OF THE
REGISTERS OF DEEDS

DATE:
WILLIAM D. HALSING P.L.S. #45274
FOR LAND PLANNING, INC.

REVISIONS

No.	Date	Design	Checked
1			
2			
3			
4			
5			
6			

Field By:	KF/BH	12/16
Designed By:	WDH	12/16
Drawn By:	WDH	1/17
Checked By:	WDH	1/17



Land Planning, Inc.
Civil Engineers • Land Surveyors
Environmental Consultants

Bellingham
167 Hartford Ave.
Bellingham, MA 02019
508-966-4130

North Grafton
214 Worcester St.
N. Grafton, MA 01536
508-839-9526

Hanson
1115 Main Street
Hanson, MA 02341
781-294-4144

bellingham@landplanninginc.com

Date
January 23, 2017

Sheet No.

Job No.
B2320

1

PGC ASSOCIATES, INC.

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, 2017

RE: Vernaglia property on Partridge Street

I have reviewed the ANR plan submitted for endorsement by Betty McCall-Vernaglia of Medway. The plan was prepared by Land Planning, Inc. of Bellingham, and is dated January 23, 2017. The plan proposes to adjust the lot line between 2 lots in common ownership. One lot has an existing house and the other is vacant. The purpose of the plan is to accommodate a planned addition to the house. The property is within the AR-I district.

I have comments as follows:

1. The plan clearly meets the substantive and technical requirements for ANR endorsement.
2. The scale 1" = 30' which is appropriate for the lots shown.
3. Section 3.2.7 requires that Scenic Roads be identified. Partridge Street is a Scenic Road, but only from Wards Lane to Winthrop (so not in front of either lot)..

I recommend that the plan be endorsed by the Board.



February 14, 2017
Medway Planning & Economic Development Board
Meeting

Pine Ridge/Candlewood Default
Public Hearing

- 1/20/17 memo from Susy Affleck-Childs to PEDB members
- Public Hearing Notice – Sent to all owners in Pine Ridge and owners on Candlewood Drive and Island Road
- 12/22/16 PEDB letter to John Claffey
- NEW - 1/26/17 Tetra Tech construction estimate for emergency access way as shown on the Pine Ridge Plan (9/6/2006)
- Candlewood portion of Pine Ridge Plan (9/6/2006)
- NEW - 1/25/17 Public Hearing Continuation Notice
- NEW - 2/8/17 email memo from Bridget Graziano summarizing the results of the 1/26/17 Conservation Commission meeting.

Paul Yorkis plans to attend to update the Board. I have also asked Fire Chief Jeff Lynch to stop by to speak with you directly about his concerns regarding the adequacy of the current design of the emergency access way as shown on the 2006 Pine Ridge plan.

On a related note, please be advised that there are no construction observation funds remaining for the Pine Ridge/Candlewood developments to pay Tetra Tech for any further services.



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

MEMORANDUM

January 20, 2017

TO: Planning and Economic Development Board Members
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: UPDATE - Pine Ridge/Candlewood default and bond seizure.

On January 12th, as requested by attorney Bill Sack on behalf of John Claffey, a meeting was held with Town staff, John Claffey, Bill Sack, and Paul Yorkis. Town staff present included Town Administrator Mike Boynton, Conservation Agent Bridget Graziano, Building Commissioner Jack Mee, DPS Interim Director Dave D'Amico, Community and Economic Development Director Stephanie Mercandetti, Fire Chief Jeff Lynch, Town Counsel Barbara Saint Andre, and me. Mr. Sack had requested the meeting through Town Counsel in response to the PEDB's December 22nd letter to Mr. Claffey informing him of the Board's January 24th public hearing.

During the meeting, Mr. Claffey stated that he wants to complete the work as specified in the Pine Ridge and Candlewood plans. He indicated he is prepared to do so by July 30, 2018. They acknowledged they need to address this matter with the Conservation Commission. You may recollect that Mr. Claffey had received an Order of Conditions in 2006 for the construction of the emergency access way between Candlewood Drive and Island Road. That work has not been completed and the Order of Conditions has expired. In 2016, they applied to the Conservation Commission for a new Order of Conditions. In September, the Commission denied that Order of Conditions as certain information required by the Commission (delineation of wetlands) had not been provided and no one officially representing the applicant had attended the Commission's public hearings on the project.

At the meeting, attorney Sack proposed that the Conservation Commission issue an enforcement order to direct Mr. Claffey to complete the required work under the former Order of Conditions. This is instead of filing for a new Order of Conditions. Mr. Claffey and team believe an enforcement order will be a less involved and costly approach. They indicated their desire to have the Commission consider this option as soon as possible and were encouraged to make a formal request to the Conservation Agent for some time at the Commission's upcoming 1/26/17 Meeting to discuss this option. That request has been received, the item is included on the agenda and I understand that John Claffey and land surveyor Dan O'Driscoll will attend the meeting. **Friday morning, I received a request from attorney Bill Sack asking that the PEDB postpone the public hearing until after next week's Conservation Commission meeting.** I expect the outcome of that meeting will impact their perspective on the PEDB's default and bond seizure public hearing.



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 5, 2017

Public Hearing Notice
Tuesday, January 24, 2017 – 7:15 p.m.
Default and Bond Seizure for Pine Ridge Open Space Residential
Development and Candlewood Subdivision
Medway, MA

The Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, January 24, 2017 at 7:15 p.m. at Medway Town Hall, 155 Village Street, Medway, MA. The purpose of the hearing is to hear testimony so that the Board may determine whether the developer of the Pine Ridge Open Space Residential Development (OSRD) is in default for failure to complete the construction of ways and installation of utilities and services and the required off-site improvements in accordance with the Pine Ridge OSRD Special Permit, the associated Definitive Plan Certificate of Approval and the Medway *Subdivision Rules and Regulations*. The Board will also determine whether it should take the sureties for the Pine Ridge OSRD and the adjacent Candlewood subdivision that are being held with Charles River Bank of Medway, MA in order to complete the unfinished on-site and off-site work as specified in the Pine Ridge decisions and plan.

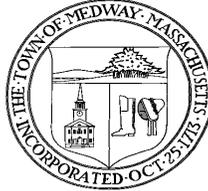
Pine Ridge is a twenty unit, townhouse condominium development located off of Candlewood Drive which is off of Farm Street. The development was authorized by a special permit issued by the Planning and Economic Development Board in December 2005.

The developer, John Claffey, has been notified of the public hearing. The general public and abutters are invited to attend. All parties will be given an opportunity to comment and ask questions.

For further information, please contact the Medway Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser
Chairman

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

December 22, 2016

Mr. John Claffey
P.O. Box 1
Medway, MA 02053
Certified Mail No. 7007 0710 0001 7275 9784
Return Receipt Requested

Mr. William Sack
Jepsky & Sack
1000 Franklin Village DR - Suite 102
Franklin, MA 02038
Certified Mail No. 7007 0710 0001 7275 9791
Return Receipt Requested

RE: Pine Ridge OSRD

Dear Messrs. Claffey and Sack,

At its meeting on December 13, 2016, the Medway Planning and Economic Development Board discussed the remaining work to be completed at the Pine Ridge OSRD development as set forth in the OSRD Special Permit and the OSRD Definitive Plan Certificate of Action and as shown on the endorsed Village at Pine Ridge Open Space Definitive Plan. The discussion also addressed the status of the required off-site work as specified in the decisions and as shown on the plan.

The Board has determined that the construction of ways and installation of services in accordance with the Pine Ridge Special Permit, the Pine Ridge Certificate of Approval and the Pine Ridge Open Space Definitive Plan have not been completed. The Certificate of Action specified that work was to be completed within two years of plan endorsement. As the Pine Ridge Open Space Definitive Plan was endorsed on September 26, 2006, the original project completion date was September 26, 2008. It is now eight years past that date.

The remaining outstanding work is described as follows (*see attached*):

- 12-8-2016 Tetra Tech punch list/bond estimate for work within the boundaries of the Pine Ridge OSRD
- 12-8-2016 Tetra Tech estimate for the construction of the off-site emergency access-way between Candlewood Drive and Island Road.
- 12-8-2016 Tetra Tech estimate for off-site work on Candlewood Drive

508-533-3291

planningboard@townofmedway.org

The Board believes the above noted Tetra Tech estimates to be a reasonable approximation of the Town's cost to complete the remaining work. In accordance with Section 5.20 of the *Subdivision Rules and Regulations*, the Board also concluded that the amount of surety required for this development include a suitable contingency percentage; the contingency is reflected in the Tetra Tech estimates.

Accordingly, the Board determined that the amount of surety required under G.L. c. 41 §81U for the completion of the Pine Ridge development totals \$127,860. There is presently a total of \$78,971 in surety on hand in the Pine Ridge and Candlewood bond accounts. The Board requires Mr. Claffey to deposit an additional \$48,889 in supplemental surety with the Board in accordance with the Subdivision Control Law and the Board's *Subdivision Rules and Regulations* to ensure that the balance of surety held by the Board equals the amount needed for the Town to complete the work. Said additional surety is to be deposited with the Board immediately - \$31,141 for the Pine Ridge work and the required emergency access-way and \$17,748 for the Candlewood work.

The Board also voted to hold a hearing at its Tuesday, January 24, 2017 meeting as to whether the developer of the Pine Ridge OSRD is in default under the Subdivision Control Law and the Board's *Subdivision Rules and Regulations* for failure to complete the construction of ways and installation of municipal services in accordance with the Pine Ridge OSRD Special Permit, the associated Definitive Plan Certificate of Approval and the *Subdivision Rules and Regulations* and to notify you and Charles River Bank of the hearing. This letter serves as that notification. The hearing is scheduled for 7:15 pm and will take place during the regular meeting of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street.

At the hearing, you will have the opportunity to be heard personally and/or through your counsel as to whether the Pine Ridge development and its associated off-site improvements should be found to be in default. The Board will discuss and determine whether it should take the surety that is being held for the development and the adjacent Candlewood subdivision in order to complete the work as specified in the Pine Ridge decisions and plan.

For the record, the following details pertain to the Pine Ridge development:

OSRD Special Permit Approval: December 13, 2005
Recorded: March 28, 2006 (Book 23517, Pages 370 – 379)

Certificate of Action Approval: June 22, 2006
Recorded: **NOTE – Cannot find proof of recording at Norfolk County Registry of Deeds**

Plan Endorsement: September 26, 2006 (*Village at Pine Ridge Open Space Definitive Plan* dated March 28, 2006, last revised September 6, 2006)
Recorded: October 6, 2006 (Plan Book 561, page 32)

Surety for the subject properties is as follows as of 6-30-2016:

- Pine Ridge \$40,289 (Charles River Bank – formerly Medway Cooperative Bank)
- Candlewood \$38,682 (Charles River Bank – formerly Medway Cooperative Bank)

Thank you for your attention to this matter. Please advise if you or Mr. Sack will attend the January 24, 2017 hearing.

Best regards,



Andy Rodenhiser, Chairman

cc: Maryjane White, Town Clerk
Barbara Saint Andre, KP Law, Town Counsel
Steve Bouley, Tetra Tech Rizzo
Joanne Russo, Medway Treasurer/Collector
Paul Yorkis, Patriot Real Estate
David D'Amico, Medway DPS
Charlene Hebert, Charles River Bank (*Certified Mail No. 7007 0710 0001 7275 9784 -
Return Receipt Requested*)

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

Cc:

From: Steven Bouley, EIT – Tetra Tech 

Date: April 22, 2016 (revised December 8, 2016)

Subject: Pine Ridge-Candlewood Drive Punch List

On April 11, 2016 at the request of the Medway Planning and Economic Development Board (PEDB), Tetra Tech (TT), Dave Faist of McClure Engineering, Inc (MEI) and Dan O'Driscoll of O'Driscoll Land Surveying Co. (OLS) met at the Pine Ridge Subdivision location and performed a punch list inspection of the development. Nearby Candlewood Drive Subdivision was also included in the inspection. The inspections were conducted based upon the approved Pine Ridge OSRD Development plan set.

On December 8, 2016 at the request of the PEDB, Steven Bouley from TT conducted a follow-up punch list inspection of the Pine Ridge and Candlewood Drive Subdivisions. The inspections were conducted based upon the approved Pine Ridge OSRD Development plan set.

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

Pine Ridge

1. Proposed line striping and stop line has not been painted.
2. As-Built of the development should be submitted for review.
3. It is recommended the applicant clean the drainage system. Cleaning includes removing sediment and debris from catch basin structures, pipe and detention facilities.
4. Erosion control should be removed upon receiving certificate of compliance from Medway Conservation Commission.
5. The proposed 4'-wide walking path requires re-clearing as navigating the path is difficult. The path is inconsistent and markers are not present to direct pedestrians through the area.

Candlewood Drive

6. All items shown on Sheet 14 of 23 "Candlewood Drive and Emergency Access Improvements" of the Village at Pine Ridge OSRD Definitive Plan set have not been completed.
7. The emergency access path is proposed through an area that appears to be jurisdictional to the Medway Conservation Commission (culvert crossing). It is recommended the applicant contact the Conservation Agent prior to commencing work to determine if an open Order of Conditions exists for the project or if this area deemed as "Mosquito Control Maintenance Channel" is indeed jurisdictional area.

8. In addition to items on Sheet 14, it is recommended the applicant clean the existing drainage system and clear brush/trees from the limit of stormwater detention basins for the subdivision.
9. Upon completion of punch list items, as-built and street acceptance plans should be submitted for review.

Additional Items (2016-12-08)

Pine Ridge

10. Areas of the bituminous concrete roadway are beginning to crack. TT recommends crack sealing these areas to slow migration of cracking.
11. Hydrants shall be painted per town standards (blue and silver), coordinate with Medway DPS.
12. The center island in the cul-de-sac does not contain any larger growth shrubs or trees per the town's standard details, see town detail CD-10. TT has not acquired a landscape plan for the project to determine if landscaping was required at the time of plan approval.

Candlewood Drive

13. The roadway should be crack sealed to prevent further damage.
14. Drain/sewer frames and grates/covers should be replaced to town standard and all grade brick shall be re-grouted. Any frame and grate/cover extending above sidewalk surface shall also be reset to existing grade to prevent tripping hazards.
15. All pipe inverts, lift holes, structure section joints, etc. should be grouted to maintain integrity of pre-cast structures.
16. Electric trenches, which cross the roadway in multiple locations, have settled. These locations should be milled and overlaid.

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

P:\21583\143-21583-16003 (PINE RIDGE CANDLEWOOD)\DOCS\MEMO_PINE RIDGE-CANDLEWOOD PUNCH LIST_2016-04-22 (REVISED 2016-12-08).DOC



Bond Value Estimate
The Village at Pine Ridge
Definitive Subdivision
Medway, Massachusetts
 December 8, 2016

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Pavement Markings	1	LS	\$500.00	\$500
Clean Drain System	1	LS	\$3,500.00	\$3,500
Remove Erosion Control	1	LS	\$500.00	\$500
Clear Openspace Walking Path	1	LS	\$2,500.00	\$2,500
Crack Sealing	1	LS	\$1,000.00	\$1,000
Paint Hydrants	1	LS	\$500.00	\$500
Cul-De-Sac Landscaping	1	LS	\$2,000.00	\$2,000
As-built Plans	560	LF	\$5.00	\$2,800
Legal Services	1	LS	\$3,000.00	\$3,000
Subtotal				\$15,800
Contingency (10%)				\$1,580
Recommended Bond Value				\$17,380

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 12/2015 - 12/2016.



Construction Estimate
Pine Ridge Emergency Access
Medway, Massachusetts
December 8, 2016

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Survey	1	LS	\$2,500.00	\$2,500
Design	1	LS	\$5,000.00	\$5,000
Permitting	1	LS	\$4,500.00	\$4,500
Construction Phase Services	1	LS	\$4,000.00	\$4,000
Construction ¹	1	LS	\$30,000.00	\$30,000
As-Built	1	LS	\$2,500.00	\$2,500
Legal Services	1	LS	\$1,000.00	\$1,000
Subtotal				\$49,500
Contingency (10%)				\$4,950
Recommended Bond Value (min.)				\$54,450

Notes:

1. Pricing based on excavation to one foot (1-foot) below existing grade, installation of geotextile fabric, 8-inches of gravel borrow and 4-inches of dense graded crushed stone with a 5 foot wide, 2-inch depth sidewalk placed along the centerline of the emergency access driveway. Current MassDOT Weighted Average bid pricing used to estimate each construction item. This cost is dependent on whether existing culvert crossing is sufficient or if upgrade is necessary per Medway Conservation Commission requirements.



Construction Estimate
Pine Ridge Emergency Access
Medway, Massachusetts
January 26, 2017

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Unclassified Excavation	325	CY	\$33.00	\$10,725
Gravel Borrow	300	CY	\$36.00	\$10,800
Fine Grading and Compacting	780	SY	\$4.00	\$3,120
Top Course	10	TON	\$115.00	\$1,150
Binder Course	20	TON	\$115.00	\$2,300
Construction Fence	780	FT	\$5.00	\$3,900
Loam Borrow	125	CY	\$46.00	\$5,750
Seeding	610	SY	\$2.00	\$1,220
Compost Filter Tube	480	FT	\$6.25	\$3,000
			Subtotal	\$41,965
			Contingency (10%)	\$4,197
			Recommended Bond Value (min.)	\$46,162

Notes:

1. Current MassDOT Weighted Average bid pricing used to estimate each construction item. Quantities referenced in "Candlewood Drive & Emergency Access Improvements in Medway, Massachusetts" plan sheet 14 of 23 based on the emergency access length of approximately 390 ft and the cross section detail provided.



TETRA TECH

Construction Estimate
Candlewood Drive/Island Road Punch List Items
Medway, Massachusetts
December 8, 2016

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Crack Sealing	1	LS	\$6,000.00	\$6,000
Frame & Cover	9	EA	\$750.00	\$6,750
RegROUT Drain Structure Brick/Lift Holes/Pipe/Inv	13	EA	\$250.00	\$3,250
Repair Sinkhole	1	LS	\$500.00	\$500
Mill & Overlay Trenches	1	LS	\$3,500.00	\$3,500
Clean Drain System	1	LS	\$5,000.00	\$5,000
Maintain Drain Basin	1	LS	\$2,500.00	\$2,500
Replace Sidewalk Sections	1	LS	\$8,000.00	\$8,000
Signage	8	EA	\$100.00	\$800
ADA Ramps	3	EA	\$1,000.00	\$3,000
As-Built/Street Acceptance Plans	1,800	LF	\$5.00	\$9,000
Legal Services	1	LS	\$3,000.00	\$3,000

Subtotal	\$51,300
Contingency (10%)	\$5,130
Recommended Bond Value (min.)	\$56,430

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 12/2015 - 12/2016. Items included in this bond estimate are combined from separate TT and Medway DPS punch list inspections as well as items shown on Sheet 14 of 23 "Candlewood Drive and Emergency Access Improvements" of the Village at Pine Ridge OSRD Definitive Plan set.

Susan Affleck-Childs

From: Bill Sack <BSack@jepskysack.com>
Sent: Friday, January 20, 2017 11:26 AM
To: Paul Yorkis; Susan Affleck-Childs
Cc: John Claffey (clafcobld@gmail.com)
Subject: RE: Reminder - Public Hearing re: Pine Ridge and Candlewood

I would request that next week's Planning Board agenda item on these matters be postponed until we hear from ConCom after its January 26 meeting.

William D. Sack, Esquire
Jepsky & Sack
1000 Franklin Village Drive
Suite 102
Franklin, MA 02038
phone: 508-520-3300
fax: 508-528-6069
Email: bsack@jepskysack.com

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From: Paul Yorkis [mailto:pgyorkis@gmail.com]
Sent: Friday, January 20, 2017 10:03 AM
To: Susan Affleck-Childs
Cc: Bill Sack
Subject: Re: Reminder - Public Hearing re: Pine Ridge and Candlewood

I called the Medway Town Administrator twice last week and received no return call.

Mr. Sack emailed Medway Town Counsel and I do not know if she responded to Mr. Sack.

I have received no information as a result of the recent meeting from anyone.

Mr. Claffey has not received any information from anyone.

I suggest that you contact the town administrator and/or town counsel or Mr Sack.

Paul G. Yorkis
Patriot Real Estate, Inc.
Cell 508-509-7860
2017 MAR President
2011 MAR Realtor of the Year
Sent from my iPhone

On Jan 20, 2017, at 9:31 AM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Good morning,

I am writing to remind you of the public hearing scheduled for Tuesday, January 24, 2017. It will be held at 7:15 in Sanford Hall at Medway Town Hall. <http://www.townofmedway.org/town-clerk/events/22613>

Please let me know who will be attending.

Thanks.

Susy Affleck-Childs

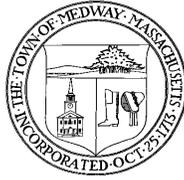
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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

Town of Medway – *A Massachusetts Green Community*

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

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

MEMORANDUM

January 25, 2017

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

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

RE: **Public Hearing Continuation: Pine Ridge and Candlewood default and bond seizure**
CONTINUATION DATE: Tuesday, February 14, 2017 at 7:15 p.m.
LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on January 24, 2017, the Planning and Economic Development Board voted to continue the public hearing regarding the default and bond seizure for the Pine Ridge and Candlewood developments to Tuesday, February 14, 2017 at 7:15 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.

The purpose of the hearing is to hear testimony so that the Board may determine whether the developer of the Pine Ridge Open Space Residential Development (OSRD) is in default for failure to complete the construction of ways and installation of utilities and services and the required off-site improvements in accordance with the Pine Ridge OSRD Special Permit, the associated Definitive Plan Certificate of Approval, the definitive plan and the Medway *Subdivision Rules and Regulations*. The Board will also determine whether it should take the sureties for the Pine Ridge OSRD and the adjacent Candlewood subdivision that are being held with Charles River Bank of Medway, MA in order to complete the unfinished on-site and off-site work as specified in the Pine Ridge decisions and plan.

Pine Ridge is a twenty unit, townhouse condominium development located off of Candlewood Drive which is off of Farm Street. The development was authorized by a special permit issued by the Planning and Economic Development Board in December 2005.

The developer, John Claffey, has been notified of the public hearing. The general public and abutters are invited to attend. All parties will be given an opportunity to comment and ask questions.

Please contact me if you have any questions. Thanks.

Susan Affleck-Childs

From: Bridget Graziano
Sent: Wednesday, February 08, 2017 3:08 PM
To: Bill Sack; Susan Affleck-Childs; John Claffey (clafcobld@gmail.com); Paul Yorkis
Cc: David Faist; Stephanie Mercandetti; Michael Boynton; Andy Rodenhiser (Andy@rodenhiser.com); David Travalini
Subject: RE: Pine Ridge/Candlewood

Hello!

At this time the Conservation Commission office has not received any new filings for work on Candlewood Drive and Island Rd and therefore will not be rendering any new decisions on this matter until such time as a filing is made. At the January 26, 2017 meeting, the Commission determined through advice from DEP that an Enforcement Order shall not be used as a vector to permit a project. This was conveyed to Mr. Claffey and Mr. Faist who were present at this public meeting.

Please let me know if there are any questions on this matter.

**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

From: Bill Sack [mailto:BSack@jepskysack.com]
Sent: Wednesday, February 08, 2017 1:12 PM
To: Susan Affleck-Childs; John Claffey (clafcobld@gmail.com); Paul Yorkis
Cc: David Faist; Stephanie Mercandetti; Bridget Graziano; Michael Boynton
Subject: RE: Pine Ridge/Candlewood

Should the meeting be postponed again pending the Decision of the Conservation Commission or DEP?

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From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Tuesday, February 07, 2017 4:57 PM
To: John Claffey (clafcobld@gmail.com); Bill Sack; Paul Yorkis
Cc: David Faist; Stephanie Mercandetti; Bridget Graziano; Michael Boynton
Subject: Pine Ridge/Candlewood

Hi,

I am preparing the agenda for next Tuesday's Planning and Economic Development Board meeting. Per your prior request, the Board postponed the hearing on Pine Ridge/Candlewood originally scheduled for January 24th to 7:15 p.m. on February 14th in Sanford Hall at Medway Town Hall.

The Board looks forward to your attendance at next Tuesday's hearing. If you have any materials to distribute to the Board, kindly forward them to me in electronic format by Friday morning at 9 am so that I may include them in the Board's packet.

Best regards,

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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Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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February 14, 2017
Medway Planning & Economic Development Board
Meeting

Amendments to Zoning Bylaw and Map

- Attached is the flyer for the Community Forum to be held on WEDNESDAY, February 22nd at 7 pm at Thayer House. It will be posted to the TOM web and FACEBOOK pages on Monday. I have emailed it to the Medway Business Council and requested that it be distributed to its members. Also forwarded it to the Milford Daily News and Globe West. Regular letters will be mailed Monday to all owners of property who would be affected by the zoning map changes.
- NOTE - The public hearing will be held on March 21st.
- Drafts of all articles have been submitted to the BOS and are posted at: <http://www.townofmedway.org/planning-economic-development-board/pages/atm-may-8-2017-proposed-amendments-zoning-bylaw-map>

MEDWAY COMMUNITY FORUM

Proposed Zoning Bylaw and Map Amendments

Wednesday, February 22, 2017
7 p.m. Thayer Homestead, 2B Oak Street

Proposed amendments may be viewed online at:

http://www.townofmedway.org/planning-economic-development-board/pages/aim_may_8_2017-proposed-amendments-zoning-bylaw-map

Sponsored by
the Medway
Planning and
Economic
Development
Board

508-533-3291

planningboard@
townofmedway.org

Affordable
Housing

Special Permit
Criteria

Definitions

Frontage &
Setbacks

ARCPUD

OSRD

Accessory Uses,
Buildings &
Structures

Lot Frontage &
Setbacks

Non-
conforming
Uses

Moratorium on
Non-Medical
Marijuana
Establishments

Zoning District
Boundary
Changes